

April 25, 2015

Mosé Jones-Yellin
Mt. Adams District Ranger
2455 Highway 141
Trout Lake, WA 98650

Re: Swift Thin Draft EA comments

Dear Mr. Jones-Yellin:

Thank you for the opportunity to comment on the proposed Swift Thin project. The Gifford Pinchot Task Force's ("Task Force") mission is to protect and sustain the forests, streams, wildlife, and communities in the heart of the Cascades through conservation, education, and advocacy. We represent 6,000 members and supporters who share our vision of conserving and restoring healthy aquatic and terrestrial ecosystems throughout the forest.

The Task Force is supportive of thinning in true plantation stands of young, densely planted trees that are generally all of the same size, spacing, and species for the purpose of creating increased diversity and improved stand structure. According to the draft Environmental Assessment (EA), much of the project area includes plantation stands that are 32-57 years old. However, some of these Late-Successional Reserve (LSR) stands are not lacking in diversity and have serious access issues that would require costly road construction, both financially and ecologically. We are also concerned about the proposal to thin within Northern Spotted Owl circles and in riparian reserves, as well as the proposal to conduct regeneration harvest on 194 acres, especially for those units that are located within spotted owl critical habitat.

We request that the Forest Service consider an alternative in its environmental analysis that:

- Increases no-cut buffers in riparian reserves, as described in the riparian reserve section below, limiting ground equipment entry and leaving cut trees;
- Eliminates stream crossings and relocates landings outside of riparian reserves;
- Reduces the amount of temporary roads and decommissions (or closes and stabilizes, as appropriate) project area roads that are currently failing and posing serious risks to water quality and wildlife;
- Eliminates timber harvest within Northern Spotted Owl (NSO) 0.7 mile circles;
- Substantially reduces the amount of NSO dispersal habitat and flying squirrel habitat that would be removed by reducing heavy thinning in NSO critical habitat;
- Substitutes thinning for regeneration harvest on matrix lands;

- Keeps “gaps” within LSR to no more than 1/4 – 1/2 acre and situated away from: important habitat features (e.g. snags and clumps of large wood), streams at the appropriate full buffer widths, and wildlife corridors; and
- Drops unit 103787 to prevent impacts on the Trapper Creek Wilderness.
- Refrain from converting the Paradise Hills trail to a temporary road to access unit 800414.

The Task Force’s concerns related to this project and suggested alternatives are explained in further detail below.

National Environmental Policy Act (NEPA)

We are concerned with the lack of action alternatives in the Swift Thin draft EA. The Task Force wrote scoping comments that raised several issues that were not addressed. NEPA requires a federal agency to "study, develop, and describe appropriate alternatives" to a proposed project independent of whether the agency is preparing an EA or an EIS. 42 U.S.C. § 4332(2) (E); *Bob Marshall Alliance v. Hodel*, 852 F.2d 1223,1229 (9th Cir. 1988); see 40 C.F.R. § 1508.9. The Ninth Circuit made clear in *Western Watersheds v. Abbey*, “The existence of a viable but unexamined alternative renders an EA inadequate.” 719 F.3d at 1050.

In the Swift Thin EA, the Forest Service only considered the no action alternative and the proposed action. There are viable alternatives that would have less impacts on aquatic and riparian ecosystems and Northern Spotted Owls, such as providing for increased no-cut buffers in Riparian Reserves, minimizing or eliminating stream crossings and road construction, and substituting thinning for regeneration harvest on matrix lands. We have suggested and continue to suggest viable alternatives herein, which we hope that the Forest Service will adopt.

Under NEPA, an agency must prepare an EIS if a proposed federal action could “significantly affect the quality of the human environment.” 42 U.S.C. § 4332 (2) (c). The significant effect need not actually occur; it is sufficient to trigger the preparation of an EIS if a substantial question is raised "whether a project may have a significant effect on the environment." *Blue Mountains Biodiversity Project v. Blackwood*, 161 F.3d 1208, 1212 (9th Cir. 1998). Council on Environmental Quality Regulations define significant effect by reference to both the context and intensity of the action. There are a number of factors that the agency must consider in assessing the intensity of the action, including:

- (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.
- (2) The degree to which the proposed action affects public health or safety.
- (3) Unique characteristics, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
- (4) The degree to which the effects are likely to be highly controversial.
- (5) The degree to which the possible effects are highly uncertain or involve unique or

unknown risks.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it into small component parts.

(8) The degree to which the action may adversely affect [sites/structures] listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

40 C.F.R. § 1508.27(b).

We believe that an EIS is required here for numerous reasons, including: multiple components of this proposal are highly controversial (e.g. thinning in Northern Spotted Owl (NSO) circles and removing a significant portion of NSO critical habitat; thinning in Riparian Reserves; and regeneration harvest of 200 acres); the possible effects are highly uncertain or involve unique or unknown risks (e.g. Riparian Reserve thinning, thinning in NSO activity centers, and regeneration harvest); cumulative impacts due to multiple projects in the same geographic area and watersheds that could adversely affect NSO critical habitat and Riparian Reserves; and the project is likely to adversely affect Northern Spotted Owl critical habitat and in turn spotted owls.

Riparian Reserves

The Aquatic Conservation Strategy (ACS) of the Northwest Forest Plan prohibits thinning in Riparian Reserves *unless* needed to attain ACS objectives. The Forest Plan allows agencies to “apply silvicultural practices for Riparian Reserves to control stocking, reestablish and manage stands, and acquire desired vegetation characteristics needed to attain Aquatic Conservation Strategy objectives.” See NWFP, C-32.

It is incumbent upon the Forest Service to demonstrate the scientific need for thinning treatments in Riparian Reserves to benefit aquatic and riparian resources. We understand that there are a range of scientific opinions on riparian thinning projects, but there is enough science questioning the practice that we request the precautionary principle be practiced when deciding when, where, and how intense to prescribe a thinning prescription in Riparian Reserves. Recent studies suggest that passive management in Riparian Reserves may be most appropriate method to protect aquatic systems.

For example, in a 2014 study, researchers found that “allowing riparian forests to naturally develop may result in the most rapid and sustained development of structural features important to most terrestrial and aquatic vertebrates.” See Pollock, Michael M. and Timothy J. Beechie, 2014. Does Riparian Forest Restoration Thinning Enhance Biodiversity? The Ecological Importance of Large Wood. *Journal of the American Water Resources Association (JAWRA)* 50(3): 543-559. In that study, researchers assessed Doug fir dominated riparian stands of 30-40 years old. According to the study:

[R]estoration thinning should generally be limited to situations where large deadwood is already abundant, or where the needs of the few species that need very large (> 100 cm diameter) live trees outweighs the needs of the many species that utilize large deadwood. In particular, for providing deadwood to streams, this suggests that for the purposes of facilitating the formation of complex wood jams to benefit the myriad species that utilize the diversity of habitat formed by such jams (e.g., salmonids), a passive management approach that allows for large deadwood production across a range of sizes may be most appropriate.

Pollock and Beechie 2014 at 556.

Down Wood, Snags, and Other Key Habitat Features

Many Riparian Reserves are short of dead wood due to past and ongoing logging, roads, and fire suppression. In the lower Swift project area, there are multiple streams with poor large woody debris and poor pool per mile ratings, such as West Creek, Horseshoe Creek, and Siouxon Creek. See Lower Lewis River Watershed Assessment, Figure 29. Natural processes of stand growth and mortality will correct this shortage, whereas thinning could capture and export mortality and reduce and delay recruitment of wood to both streams and uplands within Riparian Reserves. This is not a minor short-term effect, but rather a significant long-term effect. Such effects are inconsistent with the Aquatic Conservation Strategy which prohibits logging in Riparian Reserves unless it is needed to meet objectives, and requires that management actions “maintain” and “not retard” ACS objectives, including dead wood. Any purported benefits of riparian thinning must be weighed against the potential adverse effects on dead wood recruitment.

A recent interagency study assessed the potential ecological outcomes of riparian thinning in relation to ACS objectives, noting that riparian thinning “can reduce the future supplies of snags and large dead down and decomposing wood on the forest floor and in aquatic systems,” potentially retarding attainment of ACS objectives #8 and #9. See Spies et al 2013 at 27.

Dead wood is important to both aquatic and terrestrial purposes of Riparian Reserves. As such, the EA cannot just focus on recruitment of wood to streams, but must also address the need to recruit optimal levels of snag and dead wood to meet the needs of terrestrial wildlife (e.g. primary cavity excavators, secondary cavity users, amphibians, mollusks, lichen, fungi), which were intended to be benefited by Riparian Reserves. In addition, dead wood of all sizes is

important to streams and riparian function. In small streams, small wood can even perform the ecological and hydrological functions normally thought to require large wood. If the goal of logging is to create large trees faster, the NEPA analysis should document the size, gradient, and other characteristics of streams adjacent to each logging area and determine the size of wood that can serve key ecological and hydrological functions, then disclose the effects of logging relative to those relevant wood sizes.

In another recent long-term study, an unthinned stand had far more large diameter live trees than a thinned stand decades later. According to a position paper by Kim Kratz, Director of the National Marine Fisheries Service (NMFS) Oregon State Habitat Office:

“Thinning accelerated the development of large diameter trees by about 20 years such that there were more live trees > 18” dbh in the two decades following thinning, relative to the unthinned stand, but this advantage was short-lived. Three decades after thinning, there were more live trees > 18” dbh in the unthinned stand and five decades after thinning there were twice as many live trees >18” dbh in the unthinned stand relative to the thinned stand. A similar trajectory was observed for the live trees > 24” dbh.”

Kim Kratz, Ph.D., Issue Paper for Western Oregon. NMFS, Oregon State Habitat Office. 7-23-2010. Appendix 1 at 38.

The NMFS position paper assessed whether heavy thinning of riparian conifer forests leads to more instream wood and concluded that “an unthinned stand will produce a higher number of both live and dead trees across a range of diameter classes and will produce far more dead wood over a much longer time frame relative to a heavily thinned stand. A strategy of thinning to accelerate the development of a few healthy, large-diameter trees does not translate into more large wood in streams.” Kratz at 4 (emphasis added). Kratz also states:

In regards to stream habitat, many of the negative impacts created by the existing riparian thinning proposals could be largely avoided with wider no-thin buffers (e.g., see Appendix 1) and removing far fewer trees during thinning operations. In examining forest thinning proposals designed to accelerate the development of late-successional forest conditions and restore instream fish habitat, NMFS is finding that, in many cases, they are likely to do neither.

Kratz at 8 (emphasis added).

According to the Swift Thin EA, “Thinning of riparian forests can be beneficial to restoring down and instream wood characteristics by increasing the rate of diameter growth of remaining trees, and in that way producing large material available to the stream and riparian areas when those trees fall.” EA at 130. However, as illustrated above, recent studies have shown the opposite effect over the longer term.

Pollock and Beechie also emphasize uncertainty in the response of particular species to treatments that attempt to recreate associated habitat structures, as well as the possibility of neglecting other important features that a species needs. For example, “attempts to restore spotted owl habitat by heavily thinning to accelerate the development of large diameter nesting trees could actually delay spotted owl recovery by reducing production of the large down wood utilized by the species it preys upon.” Pollock and Beechie 2014 *citing* Forsman et al., 1984; Carey, 1995; North et al., 1999.

In order to retain options for recruitment of large wood in degraded stream systems, scientific recommendations include retention of trees >12” dbh.

Removal of trees from riparian zones may delay the recovery of fish habitat. At a minimum, the largest trees (that is, those > 12 inches in diameter at breast height) should be left in riparian areas for future sources of in-stream wood. This would apply to all streams, as recommended by Anderson and others (1992). Smaller trees could be removed as part of a program for riparian vegetation restoration.

Gordon H. Reeves and Fred H. Everest. 1994. REDUCING HAZARD FOR ENDANGERED SALMON STOCKS. *in* Everett, Richard L., comp. 1994. Restoration of stressed sites, and processes. Gen. Tech. Rep. PNW-GTR-330. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station.

Water quality

In addition to questioning the merits of riparian thinning in terms of dead wood, snag recruitment, and other key riparian habitat structures, we question the buffers that the Forest Service is proposing here due to potential effects on water quality due to lack of stream shade and sedimentation (sedimentation will be further addressed in the roads section herein). The Forest Service asserts throughout the EA that 30-60 foot buffers will be sufficient to reduce sedimentation and ensure sufficient stream shade. However, we are unconvinced. This proposal covers a large area across many different subwatersheds with varying degrees of slope angles, stream orientations, densities, and species diversities. The discussions of buffers to protect riparian and aquatic habitats within the project area make broad generalizations. Though the EA states that “buffers may be increased where necessary to account for local conditions and in consideration of soil water content during the expected season of logging”, the Forest Service provides no details on where or when this would occur.

The NMFS position paper referenced above discusses riparian buffers in more detail and questions the modeling that the Forest Service and Bureau of Land Management are using to determine minimum riparian buffer widths to ensure sufficient stream shade. See Kratz at 14-20. NMFS in part does this due to generalizations made in determining stream buffers, which do not account for variable parameters like stream orientation or sinuosity. *Id.* at 17-18.

Thinning in Riparian Reserves can also “increase stream temperatures beyond a level that supports healthy aquatic and riparian ecosystems,” potentially retarding attainment of ACS Objective #4 (Spies et al at 26) and contributing to water quality standard violations.

The Lewis River is listed as a Category 5, 303(d) water body due to high temperature above Curly Creek and Big Creek and below Cussed Hollow Creek. Similarly, Siouxon Creek is listed as a Category 5, 303(d) water body due to high temperature below West Creek. All of these reaches are in the project area, where timber harvest is being proposed.

In addition, the Wind River is listed as Category 4a impaired water body due to high temperature. See Wind River Watershed Temperature Total Maximum Daily Load, March 2002. According to the TMDL, logging is one of the factors that decreases shade and increases solar radiation, which contributes to increased water temperature. Accordingly, the TMDL recommended the following management activities to comply with water quality standards for water temperature:

- For U.S. Forest Service land, the riparian reserves in the Northwest Forest Plan are recommended for establishment of mature riparian vegetation;
- Decommissioning of forest roads is recommended according to the Water Quality Restoration Plan (Tracy et al, 2001) to reduce runoff and sediment loading from roads and improve channel conditions.

See Wind River TMDL, p. 43.

The EA must indicate the extent of water quality impairment and must disclose the direct and cumulative impacts. The Clean Water Act does not permit de minimus degradation of water quality, especially on streams that are already impaired. 33 U.S.C. § 1323(a)(2)(C).

Additionally, the Wind River and Lewis River Watersheds are Tier 1 Key Watersheds that contribute directly to federally listed salmonids and bull trout. As such, thinning in Riparian Reserves could have a detrimental impact on listed salmonids and bull trout if it results in increased temperature, sedimentation, dissolved oxygen or other water quality issues. The EA provides minimal information on the effects of this project on salmonids or bull trout. It merely references the biological effect determinations in the record and provides minimal rationale for the lack of effects on ESA-listed salmon, steelhead, and bull trout populations, stating that there will be no effects since the units are located at least one mile upstream from those populations. The Forest Service also fails to disclose information on particular populations and their locations. Without that information, the public does not have sufficient information to comment, as required under NEPA. See *Idaho Sporting Congress v. Thomas*, 137 F.3d 1146, 1151 (9th Cir. 1998).

Connectivity

The ACS objectives of the NWFP also require the Forest Service to “[m]aintain and restore spatial and temporal connectivity within and between watersheds.” See ACS Objective 2. Riparian Reserves function as connectivity corridors and provide habitat to sensitive wildlife species like the Van Dyke’s salamander. We recommend that the Forest Service consider extending the riparian buffers across key ridgetops in order to provide interbasin connectivity for amphibians and other species.

Summary

For all of the above reasons, the Task Force recommends that the Forest Service refrain from thinning in Riparian Reserves within the Swift Thin project area or at least limit thinning to very young, high density stands on gentle slopes in the outer portion of Reserves, beyond the 100 foot zone where most shade and woody debris recruitment is generated. We recommend maintaining no-cut buffers of at least 130 feet for perennial fish-bearing streams in the entire project area within LSR and maintaining the Forest Service’s recommendation of full Riparian Reserve widths in matrix. We also recommend retention of trees >12” dbh in fish-bearing streams, and that trees cut in Riparian Reserves remain on site. In addition, we recommend that only standard thinning be conducted in Riparian Reserves and that an equipment limitation zone be implemented from 50-75’ from the outer edge of the no-cut buffer, where possible, especially on steep and unstable slopes.

Roads

As the Task Force highlighted in our scoping comments, we are very concerned about the effects of road construction and temporary roads in this proposal. The EA states that there will be 23.2 miles of temporary road reconstruction, 7.4 miles of new temporary roads, 1 mile of new system road construction, and 870 landings across 183 acres of land in the Swift project area. We are particularly concerned with the proposal to build or rebuild stream crossings, create new temporary roads, reconstruct temporary roads that have closed themselves in mature and old growth stands (e.g. 102881, 103600), and reopen decommissioned roads. We are also disappointed that the EA failed to include a map of the units with proposed roads, miles of roads proposed in each unit, and acres in each unit, which should be the minimum information presented to the public through NEPA.

According to the Lower Lewis River Watershed Analysis, the Lower Lewis Watershed is the most highly fragmented in the Lewis River basin. The Drift Creek, Timber Creek, and Calamity Creek subwatersheds have high fragmentation, with over 1.5 road crossings per stream mile. See Lower Lewis River Watershed Analysis, Figure 26. In addition, all but two of the subwatersheds in the project area within the Lower Lewis River watershed have road densities of greater than 3.0 mi/mi², with the average road density for the entire watershed at 3.4 mi/mi². *Id.* at III-51. The road densities and stream crossings in the lower Swift project area are particularly high. For example, the Drift Creek subwatershed, where a number of timber sale units are located, has a road density of 4.23mi/mi² and 222 stream crossings. *Id.* at III-51. There are similar fragmentation issues in the Middle Lewis Watershed. For example, the Sidewalls Curly/Rush

subwatershed has high fragmentation, with only 3.1 miles of stream and 10 stream crossings. Middle Lewis River Watershed Analysis, p. 55.

The Lower Lewis River Watershed Analysis states:

Road densities within a subbasin that exceed 3.0 miles per square mile of area are viewed as “red flags” and indicate where road related problems are most likely to occur....Riparian reserve aquatic habitat is adversely affected by each instance where a road crosses a stream. The flow of fish, LWD, and sediment can be interrupted, i.e. the habitat becomes fragmented. The degree of this fragmentation/impact can be gauged (and sub-basins can be compared) by the number of road/stream crossings per mile of stream length.

Lower Lewis River Watershed Analysis at III-48.

Wildlands CPR reviewed road density thresholds for wildlife and found that closure and removal of roads has been found to effectively provide wildlife security and increase the amount of available wildlife habitat. They recommend that “wildland managers should strive to keep roaded lands below 0.6 km/km² (1.0 mi/mi²) to ensure healthy wildlife populations (Wildlands CPR). In addition, the road density desired condition only takes into consideration the open road density, which unfortunately doesn’t include temporary roads, user created roads, and yarding and logging impacts.

During field surveys in 2014, Task Force staff and volunteers encountered many unclassified routes that were not listed on the Motor Vehicle Use Map, GIS road layers, or the Forest Service maps of the Mount St. Helens and Mount Adams Ranger Districts. The majority of these routes were passable and clearly used, and oftentimes, there were notable areas of trash depositing and evidence of erosion. There are many discussions of the amount of roads in the GPNF; in touring some of the areas we toured in the summer of 2014, it was clear that the impact that forest roads are creating is likely higher than estimated, even considering that some mapped roads have “closed” themselves. This is clear evidence that temporary roads are anything but temporary and that, oftentimes, their existence and subsequent impact continues in perpetuity. Temporary roads can detrimentally affect stream health, as well as habitat for Northern Spotted Owl and a variety of regional species. They can also result in the compaction of soil, alteration of the forest microclimate, alteration of the flow of water in the stand, erosion, sedimentation, and increased peak flows of nearby streams. We would like the Forest Service to berm these unclassified routes, as well as temporary roads after use to prevent detrimental impacts and illegal use.

The EA acknowledges that roads can be the largest sources of sedimentation. It also states:

“Because temporary road crossings are not designed, engineered, or overseen by an engineer, and because specifications regarding construction of these crossings are

limited within the timber sale contract, there is a wider range of end results from these activities....As a result there is less certainty about the outcomes of this work.”

EA at 127.

To avoid violation of ACS objective #5, which requires the Forest Service to “[m]aintain and restore the sediment regime under which the aquatic systems evolved”, we suggest that the Forest Service remove the stream crossings from the proposal, or drop units with stream crossings if no other access alternative is available. We also request that new temporary roads be minimized, especially where those roads could have harmful aquatic impacts.

We also encourage the agency to increase the number of miles designated for closure and stabilization or decommissioning in areas that are sensitive habitats or where roads have significant impacts on water quality within the project area. While surveying the project area, we documented the effects of several roads that are failing and have water quality impacts. For example, Forest Road 57 adjacent to units 103271 and 103272 has multiple failed/blocked culverts and the road is blown out on the east side of 103271. The stream has completely reestablished itself at the blowout area and the road basically turns into a trail. Due to multiple stream crossings, major erosion issues, steep slopes, and the potential for sedimentation and other water quality issues in West Creek (a tributary of Siouxon Creek, a proposed Wild & Scenic River) directly downhill and below the units, we recommend that this road not be rebuilt for timber harvest. Instead, we request that the unimproved portion of the road be decommissioned or closed and stabilized and bermed between Road 323 and 320. It is also important to note that the Siouxon Creek area just north of the road and proposed units is a roadless area and provides important isolation and connectivity habitat for wildlife. If logging cannot be conducted without rebuilding the road, we recommend that the units be removed from this proposal.

Both the Lower Lewis River Watershed Analysis and Middle Lewis River Watershed Analysis rated road decommissioning as a high priority. See Lower Lewis River Watershed Analysis at 4; Middle Lewis River Watershed Analysis, Executive Summary. The Lower Lewis River Watershed Analysis rated silvicultural treatment as a moderate priority and the Middle Lewis River Watershed Analysis did not rate it at all. Yet, this project has dedicated extensive resources to prioritizing silvicultural treatment with no decommissioning. See Lower Lewis River Watershed Analysis at 4. We would like to see a more balanced approach regarding prioritizing road decommissioning in this project area.

We would also like to note issues with a couple of other roads in the project area and ensure that these issues are addressed.

- Road 3220030 is closed with a guardrail but there are several access points from the north and northeast. There are significant areas of erosion along this closed road and inside the overlapping Riparian Reserve.
- A significant number of culverts are blocked along road 3220051. Addressing this should be part of the project plan.

- Road 3000669, just north of McClellan Meadows, has a 68-inch wide stream running directly across it. This area contains large tracts of Riparian Reserves. Mitigating the negative effects of this sedimentation and disrupted water flow will be important for maintaining watershed health during the project.

In addition, in our scoping comments, we requested that an analysis of temporary roads and road reconstruction and the economic and ecological tradeoffs of individual road segments be conducted. However, we do not see this analysis in the EA. It is critical that the EA evaluate the costs of road reconstruction and thinning versus the benefits, like ecosystem services, that the forest can provide.

Northern Spotted Owl

The Northern Spotted Owl (NSO) was listed as a threatened species in 1990 due to widespread loss of its old-growth forest habitat. 55 Fed. Reg. 26,114 (June 26, 1990). The U.S. Fish and Wildlife Service designated revised critical habitat for the Northern Spotted Owl (*Strix occidentalis caurina*) under the Endangered Species Act, effective on January 2, 2013. In total, approximately 9,577,969 acres (ac) (3,876,064 hectares (ha)) of critical habitat were designated in California, Oregon, and Washington, including the much of the Swift thin project area.

The Task Force is concerned about the proximity of some of the plantation units to active NSO sites and the impacts of thinning within NSO critical habitat. Right now, with the negative impact that barred owls are having on spotted owls and the potential uplisting of the NSO to endangered status, the Forest Service should be cautious that timber harvest activities do not add to the pressure on spotted owls, or directly harm or adversely modify their critical habitat.

Instead, the EA proposes thinning and regeneration harvest within 27 NSO 0.7 mile activity centers, including heavy thinning in 7 NSO activity centers. In addition, the proposed action would remove 1,379 acres of NSO dispersal habitat. The EA states that the agency would create 628 acres of “marginally suitable” habitat for NSO dispersal. However, the availability of suitable alternative LSR habitat is not an adequate substitute for designated critical habitat. *Gifford Pinchot Task Force v. U.S. Fish & Wildlife Service*, 378 F.3d 1059 (9th Cir. 2004). Further, the heavy thinning in the proposed action would exclude flying squirrels, the primary prey species for NSO in this area, from 1,849 acres of habitat for more than 12 years and maybe decades. EA at 72.

Based on the above, the Forest Service determined that this proposal is likely to adversely affect Northern Spotted Owl critical habitat. However, the Forest Service also determined that the proposed action is not likely to adversely affect the Northern Spotted Owl because there will be no thinning within 300 meters of NSO nest sites, heavy thinning is “minimized” within 0.7 mile activity centers, dispersal habitat is maintained at 50 percent, and there are minor effects on flying squirrel habitat in the project area. EA at 74-75.

The Task Force questions this determination based on the facts in this proposal. First, there is at least one unit that is located within 300 meters of a historic NSO nest site. The NE section of 103271 is within 300 meters and 50 acres of the stand is within the 0.7 mi owl circle. Second, heavy thinning is proposed within 7 NSO activity centers and standard thinning would be conducted within 20 NSO activity centers. It is unclear how active logging in NSO activity centers, combined with the other effects on their prey and dispersal habitat would not adversely affect NSO in the project area. Third, the Forest Service cannot substitute marginally suitable alternative LSR habitat that would be created by thinning in this proposal for designated critical habitat. As such, the amount of dispersal habitat that would be affected is much greater than estimated in the EA and biological assessment (BA). Lastly, removing 1,879 acres of NSO prey habitat for more than 12 years and possibly decades is not a minor effect.

The Task Force has been told that the biological opinion (BO) for this project is not yet complete, so we have yet to review it. We suggest that corrections be made to the EA, BA, and BO to remedy the issues we raised herein and additional changes made based on other data presented by Fish and Wildlife Service when the BO is final.

In addition, it is unclear why the Forest Service failed to use the 15-year monitoring report data to identify suitable NSO habitat in the vicinity of the proposed thinning units. The EA states merely states that it “appears to overestimate the amount of nesting habitat”. See EA at 54. This is significant because it significantly reduces the percentage of the Critical Habitat analysis area of nesting, roosting, foraging, and dispersal habitat from 82 percent to 68 percent. See EA at 64. We would like additional scientific justification for that decision.

We would also like to highlight the potential risks of these proposed actions on NSO populations due to a lack of NSO surveys in the project area. The EA states that the last surveys were conducted in 2009 and that they were incomplete.

The Task Force requests that the Forest Service eliminates timber harvest within NSO 0.7 mile activity centers and substantially reduces the amount of NSO dispersal habitat and flying squirrel habitat that would be removed by reducing heavy thinning in NSO critical habitat.

Early Seral

The EA states that one of the purposes of this project is to protect and enhance conditions of late-successional and old-growth forest ecosystems, which serve as habitat for late-successional and old-growth related species, including the Northern Spotted Owl in accordance with Late Successional Reserve (LSR) objectives. However, the notice says that a secondary purpose of the project is to create forage for deer and elk through creation of early seral habitat.

While the Task Force is supportive of using variable density thinning with small gaps to create diversity in this project area (with the aforementioned caveats), creating 2-acre gaps in LSR is inconsistent with the 1997 Gifford Pinchot National Forest LSR Assessment. Per regional office instruction, the LSR Assessment limits gaps to 1/4 to 1/2 acre in size to encourage the initiation

of structural diversity. See Regional Ecosystem Office Review of the Gifford Pinchot National Forest Forestwide Late-Successional Reserve Assessment, p. 2. As such, we would like to see gaps minimized in LSR to no more than 1/2 acre.

We are also very concerned about the proposal to conduct regeneration harvest in 194 acres of lands designated as matrix. In our scoping comments, we requested that the Forest Service conduct a landscape scale assessment demonstrating the need for early seral habitat in the project area. The EA states that the Forest Service reviewed a forestwide analysis of condition classes to determine if early seral forests were deficient in the project area and concluded that they were not. See EA at 6. Yet, the EA dismisses that conclusion, stating that the model is faulty. Further, the EA fails to consider the amount of early seral habitat for deer and elk forage on adjacent private and state lands, as well as the additional browse created through other thinning projects in the forest. We find this problematic, especially considering that some of the units proposed for regeneration harvest are dispersal habitat for NSO and adjacent to large stands of old growth. In addition, regeneration harvest is incredibly controversial, especially at the scale the Forest Service is proposing here. We request that the Forest Service modify the proposal to substitute thinning for regeneration harvest on matrix lands.

We also encourage that there be an adequate monitoring plan developed to provide the Forest Service and the collaboratives with information on the effectiveness and need for early seral in this environment. A monitoring plan could include monitoring the area for vegetation recruitment, understory regrowth, invasive plant recruitment into the area, use of the area by herbivores, and effects on surrounding forests (edge effects), compared to areas with no treatment and other areas that were thinned.

Wilderness and Wild & Scenic Rivers

The Task Force is very concerned about the proposal to thin unit 103787, which borders the Trapper Creek Wilderness. The southern portion of this unit exhibits diversity of tree sizes and species. In addition, we are concerned with potential boundary issues and encroachment during thinning, as well as the temporary road proposed to access the unit. There are plenty of other plantation stands that could be thinned in the Gifford Pinchot and the potential for degrading the wilderness character of Trapper Creek is too great to risk. We suggest that this unit be dropped from the proposal or a significant buffer area created around the Wilderness area.

There are two tributaries to Siouxon Creek, a proposed Wild & Scenic River, in the project area: West Creek and Horseshoe Creek. Earlier in our comments, we noted serious concerns with Road 57, which is located above West Creek. We have also noted concerns with the riparian buffers widths in the proposed action. We have reservations about the impacts of rebuilding Road 57 and related stream crossings above West Creek, as sedimentation could harm the outstanding remarkable values of Siouxon Creek, which would violate the Wild & Scenic Rivers Act. We have similar concerns about thinning and road construction near Horseshoe Creek. In addition, Rush Creek is known for its cold, clean water and, while not designated as a proposed

Wild & Scenic River by the Forest Service, we believe it merits designation and are concerned about potential effects of this proposal on water quality.

Trails

We are also concerned about the use of the Paradise Hills trail as a temporary road during logging, as well as the proposal to conduct regeneration harvest on 20 acres near the trail. According to Amendment 11 of the Gifford Pinchot Forest Plan, “[r]oads and timber harvest areas should avoid crossing recreation trails whenever possible.” See Gifford Pinchot Forest Plan, Amendment 11, p. 2-47. We suggest that the Forest Service find another way to access unit 800414 that would not require converting the Paradise Hills trail to a temporary road.

Conclusion

The Task Force greatly appreciates your consideration of our comments. We look forward to continuing to work with you on this project.

Sincerely,

/s/ Laurele Fulkerson

Laurele Fulkerson
Policy Director