BARK

PO Box 12065
Portland, OR 97212
503-331-0374
info@Bark-out.org
www.Bark-out.org

January 23, 2012

Sierra Club, Columbia Group
2950 SE Stark Suite 110
Portland OR 97214
Carol Porto

Cascadia Forest Alliance
PO Box 4946
Portland OR 97208
Emma Murphy-Ellis

Jeff Walter
Clackamas District Ranger
595 NW Industrial Way
Estacada, OR 97023

Dear Mr. Walter,

We are writing to comment on the revised Orchard EA. After reviewing the documents and visiting the sale area, we have a number of recommendations regarding both the EA and the proposed action.

Concerns Regarding the EA

- **Land Allocations – Violation of NW Forest Plan** (C-1) The Orchard EA is in violation of the NW Forest Plan. The sale is planned based in part of the land allocation of C-1 Timber Emphasis. C-1 Timber Emphasis is not a term used in the NW Forest Plan. It is a designation by the Mt. Hood FP that is over-ruled by the NW Forest Plan. By using the Timber Emphasis land allocation, you are planning actions that have a primary goal of timber harvest, when that is not what the Matrix allocation states the goal of matrix land is. C-1 Timber Empahsis land is defined as: "Provide lumber, wood fiber, and other forest products on a fully regulated basis, based on the capability and suitability of the land. A secondary goal is to enhance other resource uses and values that are compatible with timber production" (MHFP at Four - 289). This use of C-1 Timber Emphasis is problematic 1) because it places timber harvest above forest heath 2) it focuses on converting native forests to younger stands. Matrix, which is the land allocation under which most of Orchard falls, is defined very differently than Timber Emphasis. Matrix has no actual definition, per se. It is defined negatively: "The matrix is the federal land outside the [other] six categories of designated areas . . ." (NWFP ROD at 7).

Matrix can be described as areas without the protections of the other NWFP land designations, but that in itself does not mean timber harvest becomes the goal by default. "It is also the area in which most timber harvest and other silvicultural activities will be conducted." (ROD at 7). Unlike the definition of Timber Emphasis, there is no actual command that timber harvest is the primary goal of the matrix. "Standards and guidelines [for matrix] assure appropriate conservation of ecosystems as well as provide habitat for rare and lesser-known species." (ROD at 10). This actually puts the emphasis in matrix lands as conservation of ecosystems and habitat preservation. "Stands in the matrix can be managed for timber and other commodity production, and to perform an important role in maintaining biodiversity." (NWFP S&G at B-6). Matrix <u>can</u> be managed for timber production, but there is nothing saying they <u>must</u> be managed for timber production. Also, an equal, not secondary, goal for matrix is in maintaining biodiversity. Thus, it would equally correct to describe matrix as having a "Biodiversity Emphasis," as it would to describe matrix as having a "Timber Emphasis." Matrix is not Timber Emphasis. There is nothing in the NWFP which states that the primary goal of matrix is to produce timber. In fact, the only specifics the NWFP provides give the matrix lands an emphasis of preservation, not destruction. In this regard, the NWFP differs dramatically from the LRMPs. Since the most restrictive of the NWFP and LRMPs applies, the NWFP extinguishes the LRMPs' Timber Emphasis definition. Timber Emphasis no longer exists. Matrix is not Timber Emphasis. **Using a C-1 Timber Emphasis land allocation to determine, define, or influence the proposed actions for the Orchard Timber Sale is in violation of the NW Forest Plan.**

- **Range of Alternatives**: In general, Bark is pleased with the range of alternatives considered in the Orchard EA, although we would have mixed and matched the proposed actions a little differently. For example, while it was great to see alternatives developed to address each of the key issues, it would be even better to see alternatives that combine proposed solutions to several key issues. However, the major problem in the range alternatives is the absence of a Restoration Only Alternative that includes no commercial harvest. All Environmental Assessments should consider such an alternative. The inclusion of such an alternative would greatly increase the legitimacy of the Forest Service's proposed actions as well as directly address several other issues of key concern to Bark including the purpose and need of proposed timber harvest (discussed below), and the issues regarding the use of C-1 land designation. Pending the development of a restoration only alternative with no commercial logging, we recommend that Alternative A – the no action alternative - be chosen, although we feel strongly that road 4500-242 should be obliterated and revegetated. It is extremely vexing that there is no alternative that allows us to directly support such an action without also supporting commercial logging.

- **Inclusion of New Science (EA Changes):** The EA has changed very little in the last four years. We could only discern two major differences – the dropping of mention of the de-listed survey and manage species, and the suspect changes in the economic analysis. We have heard of numerous new scientific studies over the past four years on forest ecology, the effects of thinning on forest health, and the effects of roads. It is very troubling that the EA does not address new scientific knowledge that has developed over the past 4 years. If the timber sale is really going to be developed under best management practices, shouldn't it also be developed under the most recent scientific analysis?

- **Economic Analysis**: The Economic Analysis is highly suspect. How does the sale now costs less money after 4 additional years of planning? Despite falling timber prices, how are the logs now worth more? In the earlier EA, the costs associated with planning the sale were $284,599. The cost in the current EA is $261,709. How did the Forest Service save money by doing 4 more years of work including species surveys? We share ONRC's concerns regarding the cost of planning the sale and the profitability of the sale. Additionally, it is disengenious to say that Alternative A "would not produce any timber products to meet the public demand for wood," as if the wood coming out of our public lands met such a substantial demand. Nationally only 3-5% of the wood we use comes out of our National Forests, while 40% of our landfills consist of paper products. Secondly, the statement that "loss of potential growth by not thinning these forest stands would contribute to a future loss of wood products and associated revenues" clearly sees the forest only as a potential tree farm. Where is the discussion of revenue lost from hikers who won't visit the area anymore, and the loss of income for the special forest products industry that harvests mushrooms, and the other implicit economic values of the area? The Forest Service's own research shows that there are 33 times more jobs provided by standing forests than cut forests. Why is there no discussion with the other alternatives about this economic loss?

- **Cumulative Impacts**: While there is some brief discussion of cumulative impact in the EA (amount of roads, water temperature, ARP), the analysis is overall inadequate. For example, the analysis does not discuss the state of the stands surrounding the 3 units of the Orchard sale. The only existing habitat for late-seral dependent species in the area is in those 3 units. There is not enough recovery in the surrounding area to justify any form of aggressive thinning in those 3 stands. Is there adequate dispersal habitat for the spotted owls and peregrine falcon in the surrounding stands while these stands are recovering from the logging? What habitat will the Pine Marten and Pileated Woodpecker use during the logging? Is the type of thinning being used the least aggressive given the lack of surrounding viable habitat? The EA lacks direct discussions of whether there is any habitat in the area to be used by dependent species during the course of logging, or surrounding habitat for the plants, animals, and fungi with minimal mobility to have dispersed to, thus preserving the genetics of isolated populations that may be imperiled by logging in Orchard units. Because of the devastation surrounding this area, it is clear that the species diversity that once flourished in the Orchard planning area of Memaloose Creek subwatershed in now largely restricted to Units 1, 2, and 3 of Orchard. Given this, there is reason for concern that this species diversity will be severely compromised due to lack of consideration of the cumulative impacts and availability of surrounding habitat for species dispersal.

- **Monitoring Concerns**: There is no mention of the monitoring required by the Northwest Forest Plan in the Orchard EA. The ROD for the NW Forest Plan states, "At the project level, monitoring will examine how well specific standards and guidelines have been applied on the ground and how effectively they produce expected results" (ROD at E-1). How is the required monitoring being implemented in the Orchard Project?

Concerns Regarding the Proposed Action:

- **No Road Building:** The official road density of the South Fork Watershed in 3.46 miles per square mile, with 84 stream crossings. This is not counting the numerous roads that have been officially closed but have clear evidence of frequent ORV use. Roads fragment wildlife habitat, introduce exotic pests and pathogens, increase stream sedimentation, accelerate erosion, and increase wildlife mortality. Roads contribute up to 90% of the sedimentation to streams through low and high impact erosion. West of the Cascade Crest approximately 25% of the landslides were tied to road failures, while east of the Cascade Crest more than 75% of the landslides were caused by roads (information from *Wildlands CPR*). Clearly, the building of additional roads in our already over-roaded National Forests should be completely avoided, while the proper removal and renovation of existing roads should be a priority. The proposed action includes the reconstruction of an unspecified mileage of haul roads, and building 2.2 miles of temporary roads, 200' of which is in an LSR. The EA clearly states that there is increased risk of sediment reaching streams from new roads (EA at 15). There should be no new road building in the South Fork Watershed, especially in Late Succesional Reserves. While we appreciate the consideration of alternatives to the 200' of road in the LSR, the proposed alternative road building is also far too much road to be built in this area. It is clearly not feasible to build a road to log this area. Additionally, we are concerned about the amount of reconstruction necessary on the previously existing haul roads. We examined one that was impassable due to 10-foot alders and other re-growth. Any analysis of road reconstruction needs to clearly state the current state of the roads to be reconstruction, as well as the exact mileage and location of these roads. We recommend that: a) No roads be built in the LSR; b) No new roads, no temporary roads, and no reconstructed roads be built for this project; c) **If no logging can occur without the construction of new roads, then no logging should occur**; and d) We strongly support the obliteration and revegetation of road 4500-242. There are many more roads in the South Fork Watershed that are underused, as well as damaging to forest health, including some of the roads proposed for reconstruction in this project. These should be obliterated and revegetated.

- **LSR Road Building:** We are strongly opposed to any activity which will degrade the quality of an LSR. In the EA, you cite the Northwest Forest Plan Standards and Guidelines, page C-16, but that statement certainly does not support road-building in an LSR for a project outside of the LSR. The standard states, "If new roads are necessary to implement a practice that is otherwise in accordance with these guidelines. . ." But the proposed action is not otherwise in accordance with the standards for LSRs. There is absolutely no provision in the NWFP which allows degradation of an LSR for activities taking place outside the LSR. We dispute the claim that the road building needed to avoid the LSR would be on a 40-50% slope. We have walked unit 1 from end to end and side to side. The top of the unit is relatively flat, with ample room for a road. This statement seems calculated to raise alarms and sway opinions, with no basis in fact.

- **Canopy Coverage**: One of Bark's major concerns is the amount of the canopy that will be left in the Orchard Timber Sale units. In analyzing the ways in which the commercial timber sale program was used to implement hazardous fuel reductions, the General Accounting Office found the Forest Service had a tendency to take more trees than necessary and bigger trees than necessary. Bark is concerned that a similar pattern is taking place in the Orchard

project under different guises. That is, given the Forest Service's history we are legitimately concerned that the Orchard proposed action will take more trees than necessary and bigger trees than necessary. Neither the information in the EA nor information on the ground of the timber sale addresses this concern. **The information that will address this concern needs to be provided both in the EA and on the ground for both the public and for the Forest Service to make an informed decision regarding the proposed actions in the Orchard Planning Area.**

- **Purpose & Need**: We believe the Purpose & Need discussed in the EA is flawed as it is based only the growth rate of the trees as crops rather than the health of the entire forest ecosystem. A Purpose & Need based on the health of the entire forest ecosystem would lend itself to a different proposed action. For example, the second growth stands in the matrix need to be cut for "Slowing of Growth due to overcrowding" (EA at 5). The concern is that without logging the stands would have "reduced vigor, increased mortality, and increased wind damage susceptibility." This long term outcome if there was no logging sounds similar to if there is logging, but without the negative effects of logging such as soil compaction. There is little or no discussion in the EA as to the purpose and need for action based on the forest as an ecosystem, rather than just the health, vigor, and rate of growth of the trees. This is a clear indication that trees are being treated as crops, not as indicators of larger ecosystem well-being. Walking through the understory in Unit 1, it is clear that there is not a healthy thriving understory. There would be increased legitimacy for the project if the proposed action's purpose was the removal of some trees to increase the health of the entire ecosystem, including a thriving understory. We believe this change in purpose would result in a change of proposed action. If the purpose was a thriving ecosystem or increased biodiversity (as discussed in the first issue, above), we believe that the soil compaction and degradation that would result from ground-based logging techniques would no longer be considered appropriate. Furthermore, we believe the time line of the project would also need to be reconsidered, as well as the percentage of the canopy that would need to be removed. **It is imperative that the Forest Service, when planning timber sales consider the forest as an entire living ecosystem, not the trees as future crops. The goal of forest management should be healthy thriving ecosystems, not the rapid conversion of native forests to tree plantations.**

- **No logging of Mature & Old Growth Forest:** The EA never directly states that there will be no logging of Mature & Old Growth Forest. As the trees are not marked, we can not tell where the logging will be concentrated – which stands, which species, the age of trees. Mature & Old Growth trees have become such a rarity that they should be protected wherever they remain. Mature & Old Growth forests are forests with trees 80 years & older. Attached is the letter several scientists who worked on the NW Forest Plan sent to the Regional Interagency Executive Committee on September 4th, 2001. This letter clearly states that it no longer scientifically acceptable to log trees 80 years & older. This is an example of some of the new scientific evidence that we would have expected the agency to consider during the past four years.

- **Language Needs to Be Strengthened:** The mitigations suggested are insufficient to protect mature and old growth forest as well as water quality. The language chosen is often too weak to be enforceable. We appreciate the change in the EA to strengthen the language protecting

old growth trees from snag creation. We are also concerned about potential damage caused by using old growth trees as skyline tail trees. Even if the trees are not completely girdled in the process, they will be dramatically weakened and their lives shortened. We still believe that avoiding yarding corridors through riparian reserves "where possible" is too weak. As is avoiding landings within riparian reserves "if at all possible." These statements reveal your bias towards cutting trees despite damage to the riparian reserves. The mitigation measures may just "substantially reduce" sediment delivery. Again, this is not good enough for protection of water quality.

Concerns Specific to RIPARIAN RESERVE LOGGING

- **Violation of Aquatic Conservation Strategy (ACS)**: According to the NW Forest Plan, agencies may only log in riparian reserves when needed to achieve the ACS. According to the EA, logging is needed to meet the ACS, because the riparian reserves are not currently exhibiting the characteristics in accordance with ACS objectives. If the proposed logging did not occur there would be a "delay of development of structural diversity" (EA at 5). The logging is justified as needed to speed up the achievement of the ACS. The NW Forest Plan does not say that logging may occur in riparian areas to speed up the achievement of the objectives of the ACS. The proposed need in the Orchard EA thus is in violation of the ACS. Furthermore, the EA states "thinning in Riparian Reserves may pose a short-term risk to water quality and fisheries habitat . . ." Short term degradation of water quality is a violation of the Aquatic Conservation Strategy, regardless of the basis for the short term degradation. **No logging should occur in the riparian reserves in this area.**

- **Purpose & Need:** The EA states that "thinning would reduce tree stocking and increase height and diameter growth in Riparian Reserve trees. This would accelerate the desired development of Riparian Reserve forest stands, into stands having late-seral forest characteristics," (EA at 18). This sounds a lot like not seeing the forest for the trees. Healthy forests and healthy ecosystems consist of a lot more than big trees. There is no discussion here about how the effects of logging on soil health or the nitrogen cycle disruption caused by the fertilizer play into this plan for development of late-seral characteristics. If Riparian Reserve actions are to truly be about the development of healthy forest ecosystems rather than continuing on a mode of analysis focused on increased tree size and rate of growth, than a strong consideration of soil compaction needs to be had.

- **Lack of Information/ Science** Furthermore, there is no discussion of the science used in determining that this logging will indeed speed up the achievement of ACS objectives. There is no discussion of how soil compaction and erosion may off-set long term benefits. There is no discussion of percent of canopy closure that will be left, or even the species and trees to be targeted. Without this information, how can a decision be made as to what the net gains and losses of the proposed action versus waiting for nature to take its course are? How long does the Forest Service estimate it will take for the desired structural diversity in the riparian reserves to develop on their own? The EA states that "Thinning in Riparian Reserves may pose a short-term risk to water quality and fisheries habitat if sediment is delivered to the tributaries of Memaloose Creek during project implementation" (EA at 18). There is no discussion of the length of time we can expect these short-term risks. Do they go away the

second the logging is completed? How long after logging will the effects be felt? **There is not enough information included in the EA for the Forest Service to make a decision on the proposed action based on this document.**

- **Inadequate Buffers:** While the EA states that "no-cut areas" would be placed adjacent to streams and wet areas, there is no indication as to what the size of those no-cut areas would be. The EA is overly vague. How can a decision be made as to whether the "custom designed" buffers are adequate without this information? Furthermore, the 10 foot buffers named for manual application are a foreboding sign, as 10' is clearly inadequate for the application of fertilizer. There is strong scientific evidence that the application of fertilizer will interfere with the nutrient cycles of the ecosystem, specifically by favoring species that can deal with the excess of nitrogen, simplifying the nitrogen cycle. Recent studies have shown that over half of fertilizer gets immediately washed away. The EA fails to address the off-site impacts of the fertilizer applications. We hope the 10' proposed buffers for fertilizer application in riparian areas will be greatly increased. We also strongly recommend that no skid trails, log landings or roads be placed in riparian reserves. Under no circumstances should logs be felled across streams. This should include not only perennial streams, but intermittent water sources as well.

We ask that you withdraw this EA and prepare a supplemental EA, including in it the suggestions we make above, especially the inclusion of restoration only alternative with no commercial logging. The Orchard project as proposed in this EA is not in the spirit of the Northwest Forest Plan. It lack adequate information, contains faulty analysis, and places logging over the protection of water quality, mature & old-growth forests and biodiversity.

Sincerely,

Sarah Wald
BARK