



BARK
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11 March, 2016

re: Mt. Hood Land Exchange scoping comments

Dear Michelle,

In November, 2010, Bark signed on to scoping comments on this project submitted by the Cooper Spur Wild and Free Coalition. We incorporate those comments by reference, and submit the following new comments to be included in the administrative record for this decision.

Land management of this part of Mt. Hood National Forest has many stakeholders: local communities, businesses, outdoor recreationalists, conservationists, timber companies, and the Forest Service with its multiple use directive. Often these stakeholders have found ourselves in intractable conflicts over land management and resource use. However, the land exchange originally legislated in 2009 is the result of nearly a decade of struggle, compromise and collaboration. This land exchange was one piece in a larger legislative package stemming from extensive negotiation between all the invested stakeholders including Bark.

Other parts of that package, such as substantive protections for the municipal drinking watershed and designation of a new wilderness area, will not enact until this legislated land exchange is finalized. This was part of the original compromise to ensure that all parts of the bill would come to fruition at the same time.

Now, six years after the Omnibus Bill, the land exchange has still not taken place. The municipal drinking water protections have not become enforceable. The proposed wilderness is not protected. The hard work of many diverse stakeholders has not birthed tangible results.

As an organization committed to sound ecological management of Mt. Hood National Forest, we recognize the need for dialogue and discussion between all parties and interests. This type of negotiation can be frustrating and, honestly, is often ineffective. However, the legislative package that included the Mt. Hood Cooper Spur Land Exchange, stands out as a truly effective collaboration between the interested parties which is why it is so disappointing that the provisions of the bill have not taken effect. The delayed implementation of

this exchange has caused strain on earnest, valuable efforts to build relationships between our organization and the agency.

As such, we are glad that the Mt. Hood National Forest chose to re-initiate scoping on this project, instead of using its limited resources fighting the HRVRC's Failure to Act litigation. Bark hopes that the agency stays on track with this process and completes the land exchange in as expeditious a manner as possible.

Logging and Road Building in the Crystal Springs Management Unit

The scoping notice recognizes that completing the Land Exchange will result in the connected action of protecting the Crystal Springs Watershed Special Management Unit from road building and logging. The scoping notice fails to acknowledge that in the time lapse between when the land exchange *should* have been completed and the present, the Forest Service planned the Polallie Cooper Timber Sale, which includes management actions that run counter to the language and intent of the 2009 Omnibus Bill.

The intent of this legislation was to permanently protect this important watershed and aquifer from the impacts of commercial logging and road building that often occur on Forest Service-managed land. While active management was not prohibited, it was limited to occur only in the service of "protect[ing] the water quality, water quantity, and scenic, cultural, natural, and wildlife values of the Management Unit." Treatments to maintain and restore fire-resilient forest structures containing late successional forest structure characterized by large trees and multistoried canopies, are permitted as ecologically appropriate, with **priority given to activities that restore previously harvested stands**, including the removal of logging slash, smaller diameter material, and ladder fuels.

However, while allowing active management in the service of restoration, the act specifically prohibits constructing new roads, or renovating of existing non-System roads, except as necessary to protect public health and safety, and projects undertaken for the purpose of harvesting commercial timber.

Despite the prohibition on road building, the proposed Polallie Cooper Timber Sale would **construct 1.4 miles of new road and renovate 3.26 miles of existing temporary roads** in the Crystal Springs Management Unit. Polallie Cooper would also log 782 acres of commercial timber in the management unit. We incorporate by reference Bark's Feb. 25, 2015 comments on the Polallie Cooper Timber Sale, which contain an extensive discussion of whether the proposed action in the Crystal Springs Watershed Special Management Unit complies with the intent of the legislation.

The important point for these comments is that because the Forest Service delayed completing this land exchange, it created the conditions where the protections for Crystal Springs may not be legally enforceable, and then planned a project that does not comply with those protections. Bark requests that the Forest Service move with all due speed to complete the land exchange so the other aspects of the Omnibus Bill are enacted, and delay a decision on the Polallie Cooper Timber sale until after the exchange is complete.

Sincerely,

A handwritten signature in blue ink that reads "Brenna". The signature is fluid and cursive, with the first letter being a large capital 'B'.

Brenna Bell

Staff Attorney/NEPA Coordinator