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BARK

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EMAILED TO: jroden fs.fed.us.

RE: Slip Timber Sale

INTRODUCTION:

The Slip project, which would log 70 acres of matrix land using variable density thinning practices, is located primarily in the Middle Clackamas watershed of the Upper Clackamas River Watershed. The initial scoping letter sent out on November 23rd stated that the Slip Plantation Thinning project would include the thinning of second growth plantations to increase the health and vigor and enhance the growth of the stands.

In the brief notice provided by the Forest Service for this project, there was no mention of whether or not an environmental assessment would be conducted. Neither was the project given a categorical exclusion designation in that letter. This lack of information at the outset makes it impossible to draft appropriate comments in response. If we will have another opportunity to comment, then our input will inevitably be more generic, recognizing that more detailed information is to come later. If little additional analysis will be conducted, that is critical for the public to know this at the outset, or it needs to be clarified that the public will be given another opportunity to comment, even if a full environmental analysis won't be completed. It is critical to state at the outset whether or not the scoping letter represents the beginning or the end of the scoping process.

Since the letter's publication, Bark has learned that this project will most likely be planned using the expanded CE authorities. While Bark is supportive of logging to be relocated from old growth stands to dense, overstocked plantations, we are very concerned about the use of categorical exclusions by the Clackamas District and do not feel it is the best way to have an informed and participatory public process. CEs should be used for their original intended purpose of conducting "no brainer" activities such as repairing and replacing infrastructure, not for circumventing public input and avoiding environmental analysis. The expansion of CE authorities to include green tree timber sales is very controversial.

I. An EA should be Conducted for the Slip Project.

It is our opinion that there is too much unknown information about this project, and therefore, an environmental assessment is necessary. There needs to be consideration of the effects of this project on the subwatersheds. Bark did a survey of the site November 27, 2004. Due to the close proximity of Big Creek and other intermittent streams to the project area, and due to wildlife concerns, we feel an assessment of the impact of a thinning project is warranted.

The Slip Project Notice does not provide enough information to determine the extent of indirect, direct, or cumulative environmental impacts associated with the project. Moreover, the brief project notice does not furnish substantive and quantitative evidence showing this project will not cause serious and irreversible damage to soils, snags, downed woody debris, forest productivity, plant diversity, water quality, and wildlife habitat.

II The Slip Project Did Not Allow Sufficient Time for Public Comment.

In addition to the general lack of information on this project, an unusually short comment period was given. This short period does not allow a Bark representative or any other public person an opportunity to visit the site with a USFS staff member. Bark, like the Forest Service, has the best interest of our natural resources at heart, and is interested in working with the USFS in making the right choices for the region. Due to the above, we do not feel like this opportunity has been given. Rushing projects through, also does not help build public trust.

III. The Slip Projects Ignores Mandates to Protect Wildlife.

The Slip Project Notice fails to mention desired future conditions and priorities in the Northwest Forest Plan (NWFP) and MHLRMP that call for preserving plant and animal diversity as opposed to creating plantation forests. The notice carefully selects only those Desired Future Conditions from the MHLRMP that supports managing the land for plantations. This omission lends to a bias toward timber emphasis at the expense of biodiversity.

The project area is designated as Matrix by the NWFP, which while being the primary area where commodity production *can* (not should or shall) take place, also carries additional obligations regarding habitat protection that is more restrictive. An important goal of a Matrix classification is to “perform an important role in maintaining biodiversity.” To what extent is the Slip Project maintaining biological biodiversity? Opening up the canopy drastically will have adverse short term impacts that need to be analyzed and made public.

One of the stated reasons for logging was to increase biological diversity in the stand. It is impossible to know if that is warranted based on the non-existent information provided in the scoping notice. Based on our field survey, there appears to be a diverse and vibrant plant understory, which as we stated previously, is being used by wildlife. What problems would this project help resolve?



IV. Proximity to Riparian Reserves.

We are concerned about the proximity of Slip units to riparian reserves. Big Creek borders the Southern boundary of Slip Unit 2. There is also an active stream on the eastern boundary of the same unit. What size riparian buffers does the USFS intend to leave? An environmental assessment should be performed to determine that there would be no harmful effects from the thinning project on the subwatershed.

V. Management Indicator Species

NFMA requires the Forest Service to provide animal and plant diversity in the national forests. 16 U.S.C. § 1604(g)(3)(B). USFS regulations implementing this requirement direct the Service to manage forests for viable populations of native vertebrate and desired non-native species. 36 C.F.R. § 219.19. The regulations define viable populations as a population that has “the estimated numbers and distribution of reproductive individuals to insure its continued existence is well distributed in the planning area.” *Id.*

To ensure that viable populations are maintained, the Forest Service regulations also require that the Service identify management indicator species (MIS) and that “[p]opulation trends of the management indicator species will be monitored and relationships to habitat change determined.” 36 C.F.R. § 219.19(a)(6). This monitoring is “essential to verify and, if necessary, modify the forest plan's assumptions about the effects of timber harvesting and other management activities on wildlife...In order to meet the monitoring requirement, planners will need to obtain adequate inventories of wildlife populations and distribution.” Charles F. Wilkinson and H. Michael Anderson, *Land and Resource Planning in the National Forests*, 304 (1987).

NFMA's regulations require inventorying and monitoring on the National Forests under 36 C.F.R. §§ 219.12(d) and (k) as well as 36 C.F.R. §§ 219.19(a)(6), 219.26, and 219.19(a)(2). The regulations state “each Forest Supervisor shall obtain and keep current inventory data appropriate for planning and managing the resources under his or her administrative jurisdiction.” *Id.* § 219.12(d). The regulations further require that “at intervals established in the plan, implementation shall be evaluated on a sample basis to determine how well objectives have been met and how closely management standards and guidelines have been applied.” *Id.* § 219.12(k). To ensure biological diversity, the regulations specifically require that “[i]nventories shall include

quantitative data making possible the evaluation of diversity in terms of its prior and present condition.” *Id.* § 219.26.

The Mt. Hood National Forest Plan states that management indicator species shall be protected from adverse modification through the curtailment of conflicting activities, or avoiding the area. Some of the management indicator species for the Mt. Hood National Forest include: deer and elk, pileated woodpecker, and pine marten. The Mt. Hood National Forest is required by NFMA to do surveys for these species so that it can monitor the condition of the forest wildlife habitat as a whole. 36 C.F.R. § 219.19(a)(6). The Mt. Hood National Forest has failed to conduct population studies of management indicator species in the planning area, and has not studied the relationship between habitat change and the viability of the MIS as required by NFMA and the MHMP. The failure to study the effects of the project on management indicator species is in violation of NFMA and is arbitrary, capricious, and not in accordance with the law. 5 U.S.C. § 706; 16 U.S.C § 1604(i); 36 C.F.R. § 219.10(e). Since Mt. Hood National Forest has not conducted adequate monitoring of management indicator species, and we don’t have any baseline data, there is no way to know that the Slip project will or not adversely affect the MIS populations.

1. Deer and Elk:

Regarding deer and elk, the Slip Project Notice gives no attention to the impacts on these species as a result of the project and fails to adequately discuss the impacts to elk and deer, and other wildlife, from the proposed logging. Our survey turned up evidence of current usage of the Slip units and the surrounding areas by deer and elk, including identified sights used for night forage. The thinning of 70 acres with Slip would cause a loss of the existing optimal cover in the range. The Project Notice does not acknowledge that the loss of this cover could alter the distribution of deer and elk use of the area. Finally, the USFS continues to fail to address the cumulative impacts to deer and elk as a result of several timber projects adjacent to the Slip planning area. The Mt. Hood National Forest repeatedly offers timber projects that remove deer and elk habitat, never analyzes the cumulative habitat loss and how it will affect deer and elk, and then proposes clearcuts to create new forage. Until the USFS conducts appropriate analysis, the agency violates NEPA’s requirement that the agency assess the cumulative impacts of its actions. 40 C.F.R. § 1508.7.

VI. Effects on Spotted Owl

Given that the spotted owl are understood to rely increasingly on second growth forests for survival, and given the recent results of the status review of the northern spotted owl, a thorough discussion on this threatened species is warranted. None of this information was provided in the letter of intent to log.

I look forward to getting more detailed information in the form of an environmental assessment in the near future.

Sincerely,

Sandi Scheinberg, Executive Director