

BARK

PO Box 12065

Portland, OR 97212

503-331-0374

Bark@SpiritOne.com

www.bark-out.org

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Jim Roden

Clackamas River Ranger District

595 NW Industrial Way

Estacada, OR 97023

Re: Summit Thinning

Dear Jim,

Please accept these comments from Bark regarding the Summit Thinning Proposal.

Upon reviewing the project and visiting the planning area, we have serious concerns about this project. We are very concerned about the use of categorical exclusions (CEs) by the Clackamas River Ranger 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.

There are too many issues that need more careful evaluation with this project. First, one of the purposes of this initiative is to “reduce the risk of mortality from insects;” however, whether or not this result can be achieved by thinning is scientifically controversial. Second, the proposed units are federally designated Critical Habitat for the northern spotted owl. Any habitat alteration of a federally listed species requires a complete environmental analysis to fully ensure no threats to the species’ future viability will ensue. Third, the project fails to value the recreational value of the land. Finally, 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, wildlife habitat and recreation.

According to the Forest Service, “This action is needed because this natural second-growth stand is experiencing elevated risk due to overcrowding” (Summit scoping letter, page 1). However, the Summit stands that we observed are already relatively thin. Because of this and the significant controversy over methods to reduce mountain pine beetle infestation, the proposed thinning project would do little to meet two of the three stated goals of the project: to enhance growth intended to be abated by “overcrowding” and to reduce the risk of mortality from insects (Summit scoping letter, p. 1). The following photos provide some illustration of already-existing gaps in the canopy, which allow a significant amount of light to reach the forest floor.

Why does the Forest Service think that further thinning is necessary? Without clear information about how thinning would meet these two goals, it would seem the only goal the Forest Service could have the potential of meeting with this project is its third, “provid[ing] forest products consistent with the Northwest Forest Plan goal of maintaining the stability of local and regional economies now and in the future.” This final goal, however, fails to acknowledge the recreational value of this area due to its extreme proximity to the Summit Lake camping and recreational area. The ability of thinning mid to late seral stands to enhance growth and/or reduce risk of beetle infestation is highly controversial and not supported by scientific evidence. This, coupled with the fact that the forest has greater value as a recreational area than as a source of lumber, calls into question the attainability of all three of the Forest Service’s project goals. We urge the Forest Service to reevaluate the project’s goals and provide a complete environmental analysis before proceeding.

Mountain Pine Beetles

As stated in the Purpose and Need document, “This action [thinning] is needed because this natural second-growth stand is experiencing elevated risk due to overcrowding. The stand contains primarily lodgepole pine with a component of Douglas-fir. Lodgepole pine across the District is being killed by mountain pine beetle. Thinning reduces the potential for insect attack,” (Purpose and Need, page 1). Contrary to the Forest Service’s assertions, there is no scientific study demonstrating that thinning prevents or reduces the likelihood of beetle infestation. In fact, there is scientific evidence against this claim. Hughes and Drever (2001) found that with regard to pine beetle outbreaks in British Columbia, logging and sanitation harvest can increase future susceptibility. In addition, logging after a natural disturbance can further increase environmental disturbance outside the natural range of variability, making stands even more prone to beetle attack. Timber harvesting in the Summit project area, which has already endured a forest fire, is a recipe for increasing, not decreasing, the risk for beetle infestation. Beetle infestation must not be used as an excuse for logging without the supplementation of primary scientific literature supporting the hypothesis that thinning prevents or reduces the likelihood of beetle infestation.

Additionally, Mountain pine beetles are part of a natural healthy process for forests. In the same study, the authors noted that bark beetles are native species, and natural and important agents of renewal and succession in forests. Amman (1977) also found that mountain pine beetle epidemics in lodgepole pine forests of the inland West are part of a natural “boom and bust” cycle that has occurred for centuries. Mountain pine beetle populations typically increase to epidemic levels when large homogenous areas of lodgepole pine mature and provide a sustainable food resource. The insect selectively kills susceptible trees from specific size classes, thereby facilitating development of a forest that is structurally, genetically and compositionally more diverse and less prone to beetle attack, thus starting the cycle over again. The best solution for the forest is to let Mountain pine beetle infestation naturally and healthily thin the stands.

In the Summit stands we observed, there was a great diversity among trees in the canopy and understory. Hemlock, western white pine and a variety of other conifer species have taken root in the sunlit openings of the forest floor that occur at a high frequency (seen in picture below). Lodge pole pine is only one species among a diverse forest of Douglas fir, hemlock, pacific silver fir, western white pine and others. The low percentage of lodge pole pine that have suffered from beetle infestation will surely be replaced by a variety of other burgeoning conifer species in the understory.

Categorical Exclusions

In limited circumstances, the NEPA regulations authorize agencies to use a “Categorical Exclusion” for a “category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of these regulations.” 40 C.F.R. §§ 1508.4, 1500.4(p). Neither an EIS nor an EA is required for categorically excluded actions, but the NEPA regulations require Federal agencies to provide for “extraordinary circumstances” in which otherwise categorically excluded actions require an EA or EIS. 40 C.F.R. §§ 1507.3(b)(2)(ii) & 1508.4. The Forest Service provides that a proposed action may be categorically excluded from documentation in an EA or EIS only if: (i) the action is within a category listed in FSH at Sections 31.1b or 31.2 and (ii) there are no extraordinary circumstances that may result in significant individual or cumulative environmental impacts. FSH 1909.15, 30.3(1)(b) (emphasis added).

The Forest Service plans on categorically excluding the Summit Thinning Project from NEPA documentation under Category 12 of Section 31.2, described in Forest Service Handbook 1909.15-2004-3, July 6, 2004. This category allows the Forest Service to exclude from NEPA documentation the “harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction.” By definition, a project that is categorically excluded cannot individually or cumulatively have a significant impact on the environment. 40 C.F.R. §1508.4. Bark believes that significant impacts may result from the Summit Thinning Proposal; thus, a complete environmental analysis must be conducted.

Significant Impacts May Result

The National Environmental Policy Act (NEPA) directs all federal agencies to assess the environmental impact of proposed actions that significantly affect the quality of the environment. 42 U.S.C. § 4332(2)(C). NEPA requires the agencies to prepare an Environmental Impact Statement (EIS) when proposing a major federal action that may significantly affect the quality of the environment. 42 U.S.C. § 4332(2)(C), 40 C.F.R. § 1501.4(a)(1). If an action is not categorically excluded, an agency must prepare an environmental assessment (EA) to determine whether it needs to prepare an EIS. 40 C.F.R. § 1501. With respect to the Summit project area,

a CE is inappropriate because there are several factors, including Critical Habitat for northern spotted owls, that indicate the project may have a significant effect on the environment.

The agency implementing the project, not the public, has the burden of demonstrating that significant adverse effects will not result from the proposed project. *Id.* § 1508.13. To determine whether a proposed action may significantly affect the environment, agencies must consider both the context and the intensity of the action. 40 C.F.R. § 1508.27. The context of the action includes consideration of the affected region and locale. *Id.* § 1508.27(a). In analyzing “intensity,” the agency must consider such factors as the “unique characteristics of the geographic area such as proximity to ... ecologically critical areas,” a high level of controversy surrounding environmental effects, “the degree to which the action may adversely affect an endangered or threatened species” or its critical habitat, and “whether the action is related to other actions with individually insignificant but cumulatively significant impacts.” *Id.* at §1508.27(b)(3), (b)(4), (b)(9), (b)(7). A CE is inappropriate for the Summit project because thinning could pose a serious risk to Critical Habitat for the northern spotted owl.

Northern Spotted Owls

CEs are not appropriate where extraordinary circumstances, such as adverse effects on threatened and endangered species or their critical habitat, exist. *Id.* at 30.3(1). The Summit Thinning Proposal would thin 70 acres of second-growth trees from an area designated as Critical Habitat for the northern spotted owl.

The Purpose and Need document states that the Forest Service has considered recently published new information about northern spotted owls, but it fails to state what information in particular has been considered. Given the potential impact of the project, more thorough and specific analysis is warranted. New information on the threatened northern spotted owl indicates that there are significant new uncertainties for the owl that have not been fully considered at the regional or local scale. As recognized by the spotted owl status review, all existing suitable habitat could be critical to the survival of the spotted owl. New concerns include but are not limited to the following:

- competition and displacement from the barred owl that is dramatically increasing in numbers within the range of the spotted owl;
- the effects of West Nile Virus which is fatal to the owl;
- the potential loss of habitat from Sudden Oak Death syndrome;
- greater than expected loss of habitat to wildfire;
- the potential effect of climate change on regional vegetation patterns; and
- misapplication of the Healthy Forest Initiative.

Per above, the 2004 status review identified “Inappropriate Application of ‘Healthy Forest Initiative’” to be a newly inadequate regulatory mechanism.

<http://www.sei.org/owl/meetings/Presentations/June/Gutierrez-Threats.pdf> Thinning in fire suppressed eastside owl habitat can be beneficial if it reduces surface and ladder fuels to reduce the risk of canopy replacing fire, while at the same time retaining enough forest canopy and structure to still provide habitat. Inappropriate use of the HFI would include an overzealous thinning regime that removed too much canopy so as to eliminate the owl habitat value and/or increase fire hazard by moving fuels from the canopy to the ground where they are more available to combust, by causing fuels to dry out and wind speeds to increase, and/or by stimulating the growth of ladder fuels.

Bark members recently visited the Summit Thinning Proposal site and found that the forest canopy is already relatively thin and allows a good deal of sunlight to reach the forest floor, as indicated by the following photo.

Further thinning would likely remove too much of an already minimal canopy causing both degradation of owl habitat and increased fire hazard by drying out the under story and moving fuels from the canopy to the ground where they are more available to support the spread of a ground fire.

The Forest Service provides justification for the temporary degradation of NSO dispersal habitat with the qualification that “long term benefits will outweigh short term effects” (Scoping letter, page 2). According to the 2004 status review, this may be an inaccurate justification. Because competition and displacement with the barred owl is “dramatically increasing,” any degradation of dispersal habitat can further increase competition over thinned resources, leading to the possible spotted owl displacement. If this scenario unfolds, the spotted owl will not only reap no long term benefits, but also lose valuable dispersal habitat. This possibility is unacceptable and needs to be examined in a complete environmental assessment.

The Oak Grove Watershed Analysis (OGWA) asserts that “for management purposes, the highest risk to these species [NSO, pine marten, fisher, pileated woodpecker, northern goshawk, barred owl, and possibly wolverine] would occur by fragmenting or removing habitat within the blocks assigned values of 1, 2, 3, or 4” (OGWA, page 51). According to Map 4-4, the project area is comprised of a value 4 block, “Not Suit, Contributing.” Thinning would further fragment this habitat and, according to the OGWA, pose “the highest risk” to the NSO. Instead, management activities should be directed toward cultivating key late seral habitat components in mid seral stands, such as down logs, large snags, large remnant trees in patches supporting wind-dispersed lichens (51). These are the qualities toward which the project should be striving –

thinning already relatively thin stands is not necessary and will only degrade snag and down log densities. Additionally, the Summit project area comprises last remaining “interior forest” conditions with no edge effects (OGWA, Map 4-5). This is of paramount importance to many species, especially the NSO. The OGWA acknowledges this, recommending to “increase amount of interior forest habitat” (OGWA, page 54). The alteration of this last “interior forest” area and its effect on NSO populations must be fully analyzed in an environmental assessment.

Cumulative Impacts

The regulations implementing NEPA state that cumulative effects result “from the incremental impact of the action when added to other past, present, and reasonably foreseeable future [federal and non-federal] actions.” 40 C.F.R. § 1508.7. “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 down into small component parts.” *Id.* § 1508.27(b)(7). The Summit Thinning Purpose and Need document fails to address the possibility of cumulative impacts caused by the thinning proposal, with respect to critical habitat on the watersheds, soils, vegetation and wildlife in concert with recent past logging projects in the area. Please fully disclose the cumulative watershed effects analysis for this proposed project, including all past, present and reasonably foreseeable future actions or both public and private land impacting this watershed. Please document the current watershed condition, Threshold of Concerns (TOC) and specific soil conditions related to the sensitivity index for this watershed.

Recreational Value

The Summit CE scoping letter insists that this project is consistent with Forest Plan – Forest Management Goal #19, “maintaining the stability of local and regional economies” (Summit scoping letter, page 6). The forest service incorrectly assumes that the maintenance of local and regional economies can only be achieved through production. Contrary to the scoping letter, the OGWA asserts that the best way to help local and regional economies in the Oak Grove Watershed, of which Summit CE is a part, is through recreation. According to the OGWA, “The Oak Grove watershed is one of the most important watersheds for recreation use in the Mt. Hood National Forest and attracts an estimated one half million visitors yearly. Not just for Timothy Lake, but also back country lakes, historic geologic and interpretive features, meadows, deer and elk herds, sport fisheries, scenic drives, an extensive trail network, and groomed snow mobile trails” (OGWA, page 5). The Summit project is less than a mile down the road from the fully developed recreation area and campsite comprising Summit Lake. The OGWA indicates that “according to the SCORP results, all recreation uses currently in the watershed are projected to increase in demand... Other uses which can be transferred, such as camping at a back country lake [i.e., campground next to lake adjacent to Summit project], could mean a relocation of use to an undeveloped site or overcrowding” (30) Timothy lake recreationists are projected to increase and displace into other areas of the watershed – Summit being a prime example. In light of this information, OGWA recommends to “expand developed recreation facilities around Timothy Lake” (31). The proposed project is less than a mile from the Summit Lake recreation

area on Road 32. It lies between the recreation area and the main road, Highway 42. During logging activities, will the road be closed and access to the lake blocked? If the Forest Service wishes to abide by Forest Management Goal #19, they would do so best by encouraging recreation in Summit Lake, not discouraging it through a highly disruptive logging project.

Conclusion

A Categorical Exclusion is inappropriate for the Summit Thinning project for numerous reasons. First, logging in the Summit project area for the alleged Purpose and Need is not supported by science. Scientific studies, in fact, show that logging can increase susceptibility to Mountain pine beetles. The mountain pine beetle is a native species that plays an important ecological role in improving a forest's structural and compositional diversity. The Summit area should be left alone so that, should infestation occur, the stands can be thinned naturally. Second, the project area is Critical Habitat for the northern spotted owl, such that further analysis needs to be done regarding the effects of thinning on owl habitat and competition with the barred owl. Third, and perhaps most important, the Forest Service has failed to consider the already-existing average density of the stand and failed to clearly articulate how further thinning will benefit the project area. Finally, the Forest Service failed to consider the potentially highly disruptive impact of the project on recreation in the Summit Lake Area, which is located within one of the most important watersheds for recreation. The Forest Service must complete a thorough environmental analysis of the Summit Thinning project with a newly developed, scientifically and economically sound proposal that will actually meet established goals.

Thank you for considering our comments.

Sincerely,

Sandi Scheinberg

Executive Director, Bark

Works Cited:

Amman, G.D. 1977. The role of the mountain pine beetle in lodgepole pine ecosystems: Impact of succession. In W.J. Mattson, ed. *The Role of Arthropods in Forest Ecosystems*. Springer Verlag. New York, N.Y. Pp. 3-18.

Hughes, J. and R. Drever. 2001. *Salvaging solutions: science-based management of British Columbia's pine beetle outbreak*. Report commissioned by The David Suzuki Foundation, Vancouver, B.C.