

APPENDIX B: Response to Comments and Issue Classification

A scoping letter for The Perfecto Creek Timber Sale Project was distributed in March of 2005. Two response letters were received containing comments regarding the proposed action. One letter was sent on behalf of High Country Citizens' Alliance, Colorado Wild, Center for Native Ecosystems, Carnivore Protection Program, Colorado Environmental Coalition, Rocky Mountain Recreation Initiative, and the Wilderness Society. The second letter was submitted by Forest Guardians. Comments provided on the proposal ranged from general to very detailed comments. The following are the interdisciplinary team's response to these comments received about the proposed action. Responses are organized by an assigned index (see attached letters) and section titles.

Response to Comments

High Country Citizens' Alliance (et. al.)

Index: **HC1**, section title: **Intensive Management** – ...*sustained forest cover and habitat connectivity...*

Response: We have conducted detailed analysis of current forest structural stages within the project area and the larger analysis area including predictions of future stand conditions and responses to the proposed treatments. The results of this analysis are presented in the EA within the silviculture and wildlife sections. Based on our analysis, we conclude that the harvest levels proposed under both action alternatives and the future effects will not exceed the ability of the landscape within the project area to sustain forest cover and habitat connectivity.

This comment is considered an element of a significant issue that was used to derive treatment alternative 3. This issue is identified in the EA as: Issue 4 - Wildlife habitat/TES species.

Index: **HC2**, section title: **Purpose and Need / Forest Health** – ...*no justification to log spruce-fir forests ... discontinue seeking to provide wood fiber from spruce-fir and aspen ecotypes...*

Response: There are good reasons to treat spruce-fir and aspen stands in the Perfecto Creek timber sale project area. The principle reason is to meet the GMUG Amended Land and Resource Management Plan (LRMP) objectives for the area - Timber Management and Livestock Grazing. While it is true that the spruce-fir forest type in this area has a long disturbance return interval and is not outside the historic range of variability, the assumption that our purpose for the project is to restore landscape level disturbance regimes is erroneous. A closer reading of the purpose and need statement will show that one goal of the project is to increase stand health and vigor for the purpose of

benefiting timber production and increasing ecological diversity - not restoration to a historic condition. While this is a valid goal for certain areas, and forest types, it is not the purpose here. It is well documented in sivilcultural literature, and practice that properly designed treatments can increase stand health, growth rates and diversity (Smith, 1986; Burns & Honkala, 1990; Alexander, 1977; Alexander & Engelby, 1983; Alexander, 1986). Additionally, expert site review from the USDA Forest Service, Rocky Mountain Region, Gunnison Service Center has identified forest insect and disease problems within the Perfecto Creek Project area. In their report (on file at the Gunnison District office) active management is identified as a method to improve stand conditions for future growth and to increase stand diversity.

The areas proposed for treatment in this project are identified in the GMUG Amended LRMP for Timber Production and Livestock Grazing. The Perfecto Creek Timber Sale project EA document tiers to the LRMP, therefore the decision to discontinue providing wood fiber from these forest types has already been decided and is outside the scope of the this analysis.

Index: **HC3**, section title: **Roads** – *...assume all roads have impact and incorporate this into road density measures...*

Response: The condition of soils, watersheds, vegetation, habitat and roads are all analyzed within the EA for the Perfecto Creek Timber Sale project and given appropriate consideration. Each landscape feature was evaluated on it's own merits, and road impacts were not overlooked in our analysis because they were classified as "closed" or "open". For the assessment of wildlife habitat impacts, open road densities were used because this is the most relevant measure. Closed road impacts are most relevant when considering soil issues or changes to vegetative structure.

Although the proposal includes putting some roads into storage, proper drainage structures will be placed on those roads to limit potential sedimentation. The proposal would result in a net decrease in road density along with erosion stabilization (proposed K-V project). Also, improved drainage, alignment, and spot surfacing through reconstruction will further reduce sedimentation levels. Specific road impact analysis and discussion can be found in the EA.

Index: **HC4**, section title: **Noxious Weeds** – *...the District should analyze the effectiveness and feasibility of mitigation designed to address [noxious weed spread]...*

Response: The standard practices we use for preventing the spread of noxious weeds during timber harvesting operations are not considered "mitigation measures" as used in NEPA terminology. These practices represent standard project design criteria and are used extensively across the GMUG Forest with good results. It is standard practice for Forest Service personnel to monitor timber sales for a minimum of two years after harvesting activities have occurred to detect the presence of noxious weeds and provide

control treatments where needed. These activities are generally funded through K-V allocations. Our analysis in the Range section of the EA addresses this concern. Implementation of the relevant design criteria plus monitoring and treatment will assure detection and control of weed populations to within manageable levels.

Index: **HC5**, section title: **Monitoring** – *...monitor project area... establish baseline ...*

Response: During the field review of the project, extensive presence/absence data were collected for various wildlife species as well as habitat quality determinations. While these data do not provide baseline, or trend information the process is consistent with our monitoring policy as outlined in the GMUG Amended LRMP. It was determined that the information gathered was adequate to complete the analysis of management alternatives for this project proposal given the issues identified.

The need to provide baseline and trend information for wildlife populations is currently determined at the LRMP level, and therefore is outside the scope of this decision.

Index: **HC6**, section title: **Mitigation** – *...disclose the effectiveness of road closure mechanisms ...*

Response: The ID team is also concerned about road closure effectiveness and it was identified as a significant issue during the scoping process: Issue 6 - Road Closure Effectiveness. This issue drove the decision to not allow temporary roads in cutting unit 14 of alternative 3 and was instrumental in determining where road closure starting points will be located on the existing system roads to be closed (i.e. defensible locations). The road closure design for temporary and system roads will be specified and implemented in a manner that is expected to provide effective road closures based on previous experience in similar areas. These closures will be watched after construction and corrections will be made in the event they are found to be ineffective.

Index: **HC7**, section title: **Mitigation** – *...feasibility and effectiveness of mitigation measures ...*

Response: As you have stated in your letter, the assessment of feasibility and effectiveness for mitigation measures is required in the NEPA process. All such mitigation measures proposed under the action alternatives analyzed in the Perfecto Creek Timber Sale project EA document have the appropriate discussion. Many of the example categories you cited as mitigation measures in your comment letter are what the interdisciplinary team consider to be an integral part of the proposed project design and would be called “design criteria” using NEPA terminology. These are standard practices that are accepted as effective and feasible and are not required to have any additional analysis under NEPA procedures. This is also the case with the road closure comment referenced in HC6.

Index: **HC8**, section title: **Wildlife** – *...consider all MIS that inhabit the project area ...*

Response: The analysis incorporated the appropriate consideration of MIS as defined under our current GMUG LRMP. An amendment to the GMUG LRMP for MIS occurred in May 2005, which is documented in Forest Plan Amendment 2005 – 01 (Available: http://www.fs.fed.us/r2/gmug/policy/mis_amend/amended_plan_pages.pdf), and in the Decision Notice (Available: http://www.fs.fed.us/r2/gmug/policy/mis_amend/decision_notice.pdf). Under this decision, the MIS list in the GMUG LRMP was revised to the following species: Elk, Abert's squirrel, Brewer's sparrow, northern goshawk, Merriam's wild turkey, pine marten, red-naped sapsucker, and common trout. All MIS were evaluated and considered for habitat suitability and occurrence in the analysis area, as documented in the wildlife section of the EA and in the Perfecto Creek Timber Sale MIS Assessment. Direct, indirect, and cumulative effects of all alternatives were analyzed for all MIS that inhabit and/or contain suitable habitat in the analysis area. The rationales for MIS that were excluded from analysis can be found on page 4 of the Perfecto Creek Timber Sale MIS Assessment. This document is in the project record at the Gunnison Ranger District Office.

Index: **HC9**, section title: **Wildlife** – *...should not substitute forest-wide habitat modeling and the GMUG MIS Assessment (2001) for actual population data and trend determinations ...*

Response: The analysis of the impact to wildlife was done under the policy and direction provided in the current GMUG LRMP. The 1982 planning regulations provided guidance for implementation of the National Forest Management Act when the Forest Plan was promulgated in 1983, and amended in 1991. The 1982 rule directed National Forests to manage for viable populations of fish and wildlife species and monitor populations of MIS. The 1982 regulations were superseded by regulations published in the Federal Register on January 5, 2005 ("the new rule"), 70 Fed. Reg. 1022. The new rule expressly drops the 1982 rule's concept of wildlife viability and the related requirement to monitor MIS.

As such, the new rule and the MIS Forest Plan Amendment (May 2005) described above in HC8 imposes no obligation to collect population data or determine population trends of MIS. Therefore, exact knowledge of population trends are not required to be determined, and the MIS analysis can be done at the discretion of the responsible official. The ID team used the best available models and scientific data that could be reasonably gathered to inform our analysis of the impacts to wildlife for the Perfecto Creek Timber Sale project alternatives.

Although we are no longer required to collect population data or determine population trends under the new rule, we used the most available population information for MIS on

the Forest. The 2005 MIS Assessments (Available: <http://www.fs.fed.us/r2/gmug/policy/>) were used to incorporate available population data, life history requirements, and habitat requirements into our analysis. The 2005 MIS Assessments contain the most available and applicable population information for the GMUG National Forest. In addition, the Perfecto wildlife survey results (goshawk, pine marten, and point count bird surveys) were incorporated into our analysis. The results of the wildlife analysis can be found in the EA, Biological Evaluation, Biological Assessment, and Perfecto MIS Assessment. These documents are in the project record at the Gunnison Ranger District office.

Index: **HC10**, section title: **Wildlife** – ...*MIS and sensitive species must have quantified goals ...*

Response: In terms of habitat, the current GMUG LRMP has standards for quantifiable goals regarding habitat capability for MIS and Sensitive species. Habitat capability values for MIS and Sensitive species were determined for all project alternatives (see page 49 of the EA, and page 21 (Forest Plan Consistency) of the Perfecto MIS Assessment). The GMUG LRMP also has standards and guidelines for snag and down log retention to maintain habitat for snag dependent species and for species that utilize down woody material. For spruce-fir, which comprises the majority of the analysis area, the Forest Plan calls for 90 – 225 snags per 100 acres 10” dbh or greater, and an average log length of 50 linear feet/acre 12” diameter (where biologically feasible). Log length, snag abundance, and snag distribution was quantified within the analysis area and were found to be above Forest Plan standards and guidelines (please see Affected Environment under the Wildlife section of the EA for a detailed description of this analysis). Design criteria have been incorporated into the Perfecto Creek Timber Sale to ensure the retention of snags and down logs to meet wildlife needs (page 11 of the EA).

Index: **HC11**, section title: **Wildlife** – ...*the role of MIS must be clearly articulated in the project analysis ... analyze effects to all MIS species known to occur in the project area ...*

Response: The role of MIS is articulated in the EA (see page 46) as those species selected by a National Forest to represent the habitat needs of a larger group of species requiring similar habitats. The effects of all alternatives were analyzed for all MIS that are known to occur or could potentially occur in the project area (see HC8 above). For more detailed discussions of the role of MIS, please see the 2005 MIS Assessments (Available: <http://www.fs.fed.us/r2/gmug/policy/>) and the Perfecto Creek Timber Sale MIS Assessment, available in the project record at the Gunnison Ranger District office.

Index: **HC12**, section title: **Watershed Analysis** – ...*The Project Area boundary should be based on watershed boundaries ... include areas marked in red (see map in letter) ...*

Response: There are two categories of boundary defined in our analysis - one is the project area boundary and the other is the analysis area. The project area boundary represents the area where ground disturbing activities will occur and is just big enough to capture these activities. The analysis area boundary is defined to represent a logical impact area for purposes of defining the effected environment, cumulative impacts analysis, and quantifying/evaluating resource conditions. The characteristics of each resource being analyzed and the issues identified during scoping are used to determine the extent of these areas. In most cases watershed boundaries are the best choice for defining an evaluation area. In this analysis watershed boundaries were used for most of the wildlife examination (except Lynx), and the vegetation analysis (see Silviculture section). Based on the expert opinion of the resource specialists involved, and the issues determined during scoping, the most logical boundaries were used.

A portion of the area identified in red in your letter that is north west of the project area boundary was included in the analysis area for wildlife and vegetation. The reason there is a portion of this area not included in the analysis is because it is in a different watershed.

Index: **HC13**, section title: **Proposed Cutting May Impact Lynx, Goshawk** – ...*New logging proposed in cutting units 5, 8, 9, 10, 12 & 13 could severely impact remaining forest cover...notably lynx ...drop above mentioned units from the sale...*

Response: This concern was identified as a significant issue (Issue 4 - Wildlife habitat/TES species) and a separate alternative was developed. For all action alternatives, the expected changes in forest structure and composition were analyzed by our district biologists. The results are presented in the Biological Assessment, Biological Evaluation, and the wildlife section of the EA. Our analysis has shown that a majority of forest stands within the project area will remain in mature condition with 40% and greater canopy cover after each of the possible action alternatives. Please refer to the above mentioned documents for further discussion of our analysis related to this concern.

The deciding official will take into account the results of the analysis and will have the option to remove or modify any portion of the alternative selected that may be needed. Any potential modifications will be considered in the context of the purpose and need, significant issues and all pertinent laws and regulations.

Index: **HC14**, section title: **Proposed Cutting May Impact Lynx, Goshawk** – ...*The analysis must consider and disclose the adequacy of mitigation measures for goshawk ...*

Response: Goshawk surveys conducted from 1994 – 1995, 1999 – 2000, and in 2002 resulted in a total of 167 broadcast calling stations distributed 300 m apart throughout the 6,870 acre Perfecto Analysis Area. We broadcasted two types of conspecific calls (adult alarm call, and the juvenile food begging call). No goshawks were detected from these surveys and no nests were found. Based on these results, there is one mitigation measure

proposed for the benefit of goshawks, and the effectiveness of this measure is addressed (see page 15 of the EA). See page 68 of the EA for more detailed information regarding goshawk.

Index: **HC15**, section title: **Old Growth** – ...*district [should] remember that it must maintain a minimum level of old growth reserves within the planning unit ...*

Response: We are aware of this standard, and it is included in our analysis (see the Wildlife and Issues sections of the EA). All alternatives available for selection under this decision will maintain Old Growth forest conditions above GMUG Amended LRMP standards.

Index: **HC16**, section title: **Regeneration** – ...*the Forest Service should present evidence that the current proposal will improve the potential for forest regeneration over previous methods ...we have serious concerns that the proposed regeneration may not occur...*

Response: Our analysis of regeneration success is presented in the Silviculture section of the EA. As our analysis shows, past tree regeneration in the area has been successful. It is highly conjectural and not supported by generally accepted silvicultural principles to state that an opening created in a group selection treatment has the same effect as a clearcut. The silvicultural treatments we are prescribing are designated to provide the micro environment needed to create the desired regeneration of trees. Slash within these openings will be lopped and scattered, and later manipulated during site preparation to provide adequate micro-sites favorable to seedling establishment and survival.

Index: **HC17**, section title: **Impacts to Water Quality** – ... *the proposed timber sale will likely violate the requirements of the Watershed Conservation Practices Handbook ...*

Response: It is our policy to follow the direction specified in the Watershed Conservation Practices Handbook. Accordingly, we are not proposing any activities that would violate this direction. We accomplish this by project design, following standards and guidelines and limiting treatment areas. Our analysis of these concerns is presented in the “Watershed, Fisheries and Riparian” section of the EA.

We have modified our project to exclude timber harvest from the WIZ.

Index: **FG1**, section title: **I** – *The Perfecto Creek Timber Sale proposal must consider in detail the impacts of roads in the planning area.*

Response: We have analyzed the impacts of roads in the area within the wildlife, soils, watershed and range portions of the EA. A separate Roads Analysis Report has been conducted for this proposal and is included in the project file.

Index: **FG2**, section title: **I** – *Is the planning area meeting the forest plan standards for road density? Will the project bring the planning area into compliance with the standard?*

Response: In the LRMP, road density is considered in relationship to habitat capability as predicted by the HabCap model, specifically as it relates to habitat effectiveness for elk. Standards for habitat capability indexes are provided in the LRMP. In the project area, our analysis shows that we are in compliance with the LRMP standards for road density as it affects habitat capability under both pre and post treatment conditions. In addition, the action alternatives provide the opportunity to reduce road densities due to road closures and obliterations after timber sale activities are completed.

Index: **FG3**, section title: **I** – *The Perfecto Creek Timber Sale proposal must consider in detail the effectiveness of logging in order to control spruce-beetle outbreaks and address forest health.*

Response: As stated in our scoping letter, one purpose of this project is to decrease the risk of insect and disease infestation to provide improved **stand** health both now and in the future. While it is true that the low level of treatment proposed here is not at a scale that would prevent spruce-beetle outbreaks at the landscape level, it will provide increase forest health at the stand level. Many projects of this scale implemented over a period of time would reduce landscape level risk of a spruce-beetle epidemic, however, these considerations are outside the scope of this decision.

The purpose and need as stated for this project indicates that the activities are proposed for stand level improvements. It is well documented in silvicultural literature, and practice that properly designed treatments can increase stand health, growth rates and diversity (Smith, 1986; Burns & Honkala, 1990; Alexander, 1977; Alexander & Engelby, 1983; Alexander, 1986). We have analyzed the effects of our treatments in the silvicultural section of the EA and determined that these treatments will increase stand health, diversity and resistance to insect and disease attack.

Index: **FG4**, section title: **I** – *It is not clear that the project is even necessary and the Forest has not considered whether the outbreak may even have a beneficial effect on forest health and wildlife populations.*

Response: There are good reasons to treat spruce-fir and aspen stands in the Perfecto Creek timber sale project area. The principle reason is to meet the GMUG Amended Land and Resource Management Plan (LRMP) objectives for the area - Timber Management and Livestock Grazing. While it is true that beetle outbreaks are a natural disturbance that will create beneficial ecological conditions in certain cases, the assumption that our purpose for the project is to restore natural disturbance regimes is not correct. The purpose and need statement shows that our goals for the project are to

increase stand health and vigor, provide a timber supply and increase ecological diversity - not restoration to a more natural condition. While this is a valid goal for certain areas, it is not the purpose here. Our analysis in the silviculture section of the EA has concluded that the proposed treatments will improve stand health and diversity, resulting in an increased resistance to insect and disease outbreaks.

The areas proposed for treatment in this project are identified in the GMUG Amended LRMP for Timber Production and Livestock Grazing. The Perfecto Creek Timber Sale project EA document tiers to the LRMP, therefore the project must be designed to meet this goal as well as maintaining the ecological integrity of the area.

Index: **FG5**, section title: **I** – *...when and how does the Forest Service decide that the sanitation/salvage and/or thinning effort is working... how will the project be modified [if not working] ... how will future proposals be informed... Is there evidence that salvage logging can have a positive impact on pest populations....*

Response: We are not proposing to use thinning in this project. There is an 8 acre patch of sanitation and salvage treatment proposed in both action alternatives. In this stand regeneration harvesting is not appropriate for this entry, and salvage and sanitation harvesting would be used to remove dead and declining trees. The treatment would improve stand condition and to a small degree reduce competition between the remaining trees. However, if the beetle population becomes increased in the area, we do not expect this treatment to prevent attack. In this stand, salvage and sanitation is used to delay even-aged treatments and provide more diversity of even-aged stands within the landscape. The treatment is intermediate in the progression of stand development in this case. Note that in other stands, previous salvage, sanitation, or commercial thinning has improved stand health sufficiently to make uneven-aged management feasible.

The Forest Service uses the principle of adaptive management to evaluate the results of past treatments and make adjustments when necessary. This monitoring is done formally through our Environmental Management System (EMS), regeneration surveys and stand exams, and informally through site visits and evaluations by resource specialists.

Index: **FG6**, section title: **III** – *The proposal must fully disclose the cumulative effects of livestock grazing, timber harvest, logging, thinning, prescribed fire, and road developments on water quality, forest health, wildlife habitat, noxious weeds, cultural resources, and other resources.*

Response: The council on Environmental Quality (CEQ) NEPA regulations require the delineation of significant issues “...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Section 1506.3)...” . Accordingly, we used the scoping process to determine significant issues related to the proposed project. Potential effects from each alternative have been analyzed in detail including cumulative effects, which consider past, present and

expected future activities. This analysis has been conducted in the context of the issues identified during scoping. All analysis except for cultural resources is presented in the EA. The cultural resources analysis is confidential and can be viewed upon request.

Index: **FG7**, section title: **III** – *Quantitative analysis of the cumulative impacts of cattle grazing in combination with thinning, fuel breaks, recreation, fire suppression and roads in the planning area should be considered.*

Response: Please refer to our response for comment FG6 above. Also, cumulative effects are addressed in Chapter 3 of the EA by resource type.

Index: **FG8**, section title: **V** – *The Forest Service must provide documentation that it is in compliance with NEPA regulations set forth at 40CFR sec. 1500-1508 and FSM 2670, ... analyze the cumulative effects of this and other proposals on various terrestrial and aquatic wildlife species and various plant species.*

Response: The documentation of our wildlife cumulative effects analysis is in the EA, the Biological Evaluation, the Biological Assessment, and the Perfecto MIS Assessment. All documents are in the project record at the Gunnison Ranger District office.

Index: **FG9**, section title: **V** – *The Forest Service should include information regarding species that utilize smaller diameter class stands such as VSS 3 & 4, such as the Abert's squirrel. .*

Response: We have evaluated habitat within the analysis area, including habitat for species that use small diameter class stands, and determined which species of wildlife have the potential to exist. Based on this determination, further analysis was conducted for those species that were appropriate. We have included information on all species with documented occurrences as well as species with potential habitat in the analysis area. The Abert's squirrel was excluded from analysis (see page 4 of the Perfecto MIS Assessment) because this species is dependent on ponderosa pine forests to meet its life requisites. Although this species is present in suitable ponderosa pine habitat in other localities on the Forest, neither the habitat nor the species is present within or adjacent to the Perfecto analysis area.

For a detailed discussion of this analysis, please refer to the wildlife section of the EA, the Biological Evaluation, the Biological Assessment, and the Perfecto MIS Assessment. These documents are in the project record at the Gunnison Ranger District office.

Issue Classification

A scoping process was used to determine the potential issues associated with a proposed action and then from this list further identify those issues that are substantial and relevant to the decision (40 CFR 1501.7). First, comments were obtained from interested and affected parties, both within and outside the agency, to develop potential issues that should be considered. Second, these “potential issues” were reviewed by the interdisciplinary team to determine: 1) substantial issues to be analyzed in detail; and 2) the issues that are not substantial or that have been covered by prior environmental review and should be eliminated from detailed analysis.

The purpose of scoping is not only to identify a list of issues and concerns regarding a proposal, but also to determine the substantial issues to be analyzed in depth. The substantial issues become the focus of the interdisciplinary interaction and alternative development process. NEPA provides for the identification and elimination from detailed study of those issues that are not substantial or have been covered by prior environmental review, thus narrowing the discussion of those issues to a brief statement as to why they would not have a substantial effect on the human environment or by providing reference to their coverage elsewhere (40 CFR 1501.7(3)).

Using the comments from the public and other agencies, the interdisciplinary team developed a list of issues to address.

Issues

The Forest Service separated issues identified during the internal and external scoping process into two groups: Non-significant and Significant issues. Non-significant issues were identified as those: 1) outside the scope of the proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; 4) conjectural and not supported by scientific or factual evidence; or 5) general comment, opinion, or position statement. The council on Environmental Quality (CEQ) NEPA regulations require this delineation in section 1501.7. “...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Section 1506.3)...”.

Significant issues were defined as those potential or actual adverse impacts directly or indirectly caused by implementing (or failing to implement) the proposed action. They are discussed in detail because: 1) they are potential factors in deciding among alternatives; 2) they are topics of high public interest; or 3) another law, regulation, or policy requires their analysis such that full disclosure was determined to be appropriate. Each of these issues is summarized below.

Issue 1. Forest stand health/insects and disease. Large areas of forest with mature structure and increasing incidence of insects and diseases could reduce the overall productivity of the sites for timber production and/or lead to large scale mortality if new disturbance is not introduced to create tree regeneration and age class diversity.

Issue 2. USFS mandate to provide wood products from suitable land. There is a limited amount of National Forest Land classified and selected to be suitable for timber production; 176,414 acres of conifer and 24,453 acres of aspen on the Gunnison Ranger District (GMUG NF LRMP, 1991). We are directed to provide wood products by the GMUG Land and Resource Management Plan (LTSY 40.8 MMBF/year [~ 81,600 CCF]) in accordance with the NFMA and MUSY laws. Harvest levels on the GMUG have been well below this planned level, and postponing or canceling this entry would further increase this gap.

Issue 3. Follow-up treatments on past silvicultural activities. Silvicultural treatments have been initiated in the past and are now ready for the next phase of the prescription. If the treatment regime is not continued, the public would not capture the full benefit of these investments in the forest stands and roads of the area.

Issue 4. Wildlife habitat/TES species. Vegetative treatments could cause an adverse impact to TES, MIS and/or sensitive species through direct disturbance or changes to their habitats. Of particular concern is the expected post harvest level of old growth stands within the analysis area (11.5%) - if the proposed action were implemented. A reduction of the old growth forest component on the landscape could adversely impact wildlife species that benefit from old growth forest structure. Further, old growth fragmentation could occur if treatments reduce the old growth character of the existing stands.

Issue 5. Transportation and safety. There is a need to provide a safe and environmentally sound transportation system within the project area. The transportation system may need improvements or corrections which should be addressed in any proposed action alternative.

Issue 6. Road closure effectiveness. New roads created to transport wood products could create unauthorized travel corridors if closer procedures are not effective.

Issue 7. Invasive species spread. Invasive species of concern could establish and spread on sites disturbed through timber harvesting activities.

Issue 8. Soil erosion. Project activities could impact erosive soils and/or unstable slopes that may exist within the project area.

The following is a list of public comments received and an indication of how they were classified by issue, or reason for determination of non-significance. The list is ordered alphabetically by our assigned comment index.

Table B-1, Public Comments Classification

Comment Index	Issue or Reason for Non-significance Determination
FG1	Issue 4 - Wildlife habitat/TES species & Issue 5 - Transportation and safety.
FG2	Issue 4 - Wildlife habitat/TES species & Issue 5 - Transportation and safety.
FG3	Issue 1 - Forest stand health/insects and disease.
FG4	Issue 1 - Forest stand health/insects and disease.
FG5	Irrelevant to the decision to be made.
FG6	General comment, opinion, or position statement.
FG7	General comment, opinion, or position statement.
FG8	General comment, opinion, or position statement.
FG9	Issue 4 – Wildlife habitat/TES species.
HC1	Issue 4 – Wildlife habitat/TES species.
HC2	Conjectural and not supported by scientific or factual evidence.
HC3	Issue 4 – Wildlife habitat/TES species.
HC4	Issue 7 – Invasive species spread.
HC5	Outside the scope of the proposed action.
HC6	Issue 6 – Road Closure Effectiveness & Issue 5 – Transportation and safety.
HC7	General comment, opinion, or position statement.
HC8	Issue 4 – Wildlife habitat/TES species.
HC9	Issue 4 – Wildlife habitat/TES species.
HC10	Issue 4 – Wildlife habitat/TES species.
HC11	Issue 4 - Wildlife habitat/TES species.
HC12	General comment, opinion, or position statement.
HC13	Issue 4 - Wildlife habitat/TES species.
HC14	General comment, opinion, or position statement.
HC15	General comment, opinion, or position statement.
HC16	Conjectural and not supported by scientific or factual evidence.
HC17	Issue 8. Soil erosion.

Literature Cited

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May 2, 2005

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Re: Proposed Perfecto Timber Sale

Dear Bob,

On behalf of High Country Citizens' Alliance, and the undersigned organizations, we thank the District for the opportunity to comment on this proposal and we hope that you will take our comments to heart as you move forward with your analysis.

Intensive Management

The area in general has seen intensive forest management over the past 50 years or more. Although we would be inclined to offer some measure of support for projects that are located in previous activity zones (such as this one), we feel the level of logging proposed here exceeds the area's long term ability to contribute to sustained forest cover and habitat connectivity over the larger landscape.

HC1

Purpose and Need / Forest Health

Several of the stated goals of the scoping notice are aimed at reducing threats from spruce and Ips bark beetles, stem decay, spruce broom rust and other agents that cause growth loss, infection, and mortality. Yet, unless the Forest has information demonstrating that this area is outside the historic range of variability for insect and disease mortality rates, and that the proposed treatments would do anything to change the situation, there is no scientific justification to log spruce-fir forests. We recommend that the Grand Mesa - Uncompahgre - Gunnison National Forest (GMUG) discontinue seeking to provide wood fiber from spruce-fir and aspen ecotypes, and focus its efforts on small scale sustainable logging systems in ponderosa pine and warmer mixed conifer areas that may actually benefit ecologically from a human role in addition to providing a reasonable amount of wood fiber.

HC2

Roads

The road density in the project area is high; the road density within the Perfecto Creek watershed (including roads immediately to the north of the existing project area boundary) is extreme. Clearly, the Forest Service should make an effort to close roads, and we sincerely applaud the agency for those efforts. However, closing roads and placing them "in storage" as the scoping notice says, may not eliminate soil erosion, sedimentation, and effects on streams in the area. In fact, unless there is data to the contrary, the Forest should assume that all roads, whether closed or open, are having some level of impact on sedimentation throughout the project area and analyze the total road density to minimize those impacts.

HC3



Proposed new roads, and road re-routes, may result in impacts to soils and water quality that outweigh the benefit that relocating roads would provide.

Until the Forest Service can demonstrate that: 1) it can effectively close old project roads to continued public use, and 2) total road densities are not having an adverse impact on the landscape, we remain opposed to any new road construction.

Noxious Weeds

HC 4

New road construction will certainly bring in more noxious weeds. Canada thistle infestations are often found in disturbed areas such as old timber landings and slash piles. In its analysis, the District should analyze the effectiveness and feasibility of mitigation designed to address this growing problem, and therefore the potential for the proposal to further spread noxious weeds. We recommend that monitoring and eradication of weeds be done during, and for at least two years after, the proposed activity is implemented.

Monitoring

HC 5

For monitoring and treatment to be effective, it must be well planned, and have assured funding to guarantee consistency. Monitoring must also be detailed, concrete, and include timelines for its implementation. Unfortunately, monitoring efforts on the Gunnison National Forest have been almost solely project-driven, and have failed to provide basic species information needed to make reasonably informed decisions. Given the failure to monitor for Management Indicator Species forest-wide, the reluctance of the Forest Service to adopt a monitoring program necessary to ensure the viability of species, and the preference of the USDA to eliminate these monitoring requirements rather than actually perform the monitoring and make trend determinations, we again urge the District and the GMUG Forest to make every effort to monitor the project area now and in the future to establish baseline and trend data for selected species.

Mitigation

HC 6

40 CFR §1508.20, 1997 requires the Forest Service to identify and disclose both the feasibility and the effectiveness of mitigation measures proposed. This includes any proposed measures to mitigate impacts to goshawk, riparian areas, erosion, each of the road closures proposed if any, and other natural resource values. Importantly, the GMUG NF should disclose the effectiveness of road closure mechanisms such as decommissioning and obliteration, and document the effectiveness of all previous such closures in the area.

HC 7

Further, an assessment of the feasibility and effectiveness of mitigation measures should be included in the analysis. In particular, mitigation should include measures in the areas of wildlife, timber, recreation, water quality, soils, and the aquatic environment. Moreover, should the Forest Service choose to rely on Design Criteria that "meet or exceed" Best Management Practices (BMPs), the agency may not rely merely on prior experience and professional expertise without providing substantial data used to draw conclusions on the mitigation measures' effectiveness. *Idaho Sporting Congress v. Thomas*, 137 F.3d 1146, 1150 (9th Cir. 1998).

Wildlife

Because of past intensive management activities, and attendant loss of vegetative cover within the project area, we are concerned about affects this proposal may have on many

HC8 wildlife species. While the GMUG National Forest has proposed revision to its Management Indicator Species (MIS) list, this process is not complete. The analysis for the Perfecto Creek project must consider all MIS that may inhabit the project area under the GMUG NF's current MIS list.

The National Forest Management Act (NFMA) requires the Forest Service to maintain viable populations of wildlife species:

"Fish and Wildlife habitat shall be managed to maintain viable populations of existing native and desired non-native vertebrate species in the planning area... A viable population shall be regarded as one which has the estimated numbers and distribution of reproductive individuals to insure its continued existence is well distributed in the planning area."

36 CFR 219.19. NFMA requires the Secretary of Agriculture to promulgate regulations that provide for diversity. See 36 CFR 219.27(a)(5). The GMUG NF must manage habitat within the Forest to maintain the viability of all native species, and desired non-natives. This standard is incorporated through forest planning and project-level actions. NFMA further requires that, for the GMUG NF to insure maintenance of viability for these species, the Forest must provide habitat to support "at least, a minimum number of reproductive individuals and that habitat must be well distributed so that those individuals can interact in the planning area." Id. Additionally, the Forest Service must evaluate planning alternatives for this project that could potentially affect the selected MIS in terms of both amount and quality of habitat and of animal population trends of the management indicator species.

HC9 The GMUG NF should not substitute forest-wide habitat modeling and the GMUG MIS Assessment (2001) for actual population data and trend determinations. Regulation 36 CFR § 219.19 specifically requires that the Forest Service both monitor the population of MIS, and monitor the relationship to habitat changes as a result of management activities, stating:

(6) Population trends of the management indicator species will be monitored and relationships to habitat changes determined.

HC10 Taken together, these regulations obligate the Forest Service to both maintain population data on MIS AND monitor the relationship to habitat changes as a result of management activities. Furthermore, monitoring and evaluation of MIS must be species-specific. MIS and sensitive species must have quantified goals or objectives established for them and their habitat in the guiding Forest Plan, and monitoring objectives must be clear and documented. Additionally, the role of MIS must be clearly articulated in the project analysis.

HC11 Finally, the GMUG NF is required to analyze effects to all of the MIS that are known to, or could potentially, occur within the project area, as per the Black Hills Forest Plan Appeal decision.

Watershed Analysis

HC12 The Project Area boundary should be based on watershed boundaries. The proposed Perfecto Sale Area Boundary does not include the area in the map below delimited in red—an area of significant prior forest management—that will have cumulative effects with the proposed project within the Perfecto Creek Watershed. In order to analyze the potential impacts of the

HC12 proposal—at the watershed level—the Forest Service should adjust the Analysis Area boundary to include the area marked in red below.

Proposed Cutting May Impact Lynx, Goshawk

As the image shows, this area has been intensively managed for wood fiber production. So intensively in fact, that we feel the proposed volume of 6,043 CCF for this project is



excessive. This is especially true when viewing the larger project area and all the cutting units on the north side of Perfecto Creek. Maintaining connectivity through the project area for many forest species may be in doubt as a result of past management actions alone. New logging proposed in cutting units 5, 8, 9, 10, 12 & 13 could severely impact remaining forest cover, and have detrimental cumulative impacts on numerous species, notably the lynx.

HC13 → The Forest Service has agreed with the Fish and Wildlife Service that it will use the Lynx Conservation Assessment and Strategy ("LCAS") to ensure the conservation of lynx and its habitat. We are concerned about this proposed action because the residual stand could be too open for safe lynx travel. The created openings, whether done via group selection or clearcut, would fragment existing and future habitat. Also, the planned piling and burning of slash would reduce possible existing and future denning habitat.

Because of the cumulative impacts from past sales, unless the Forest Service can demonstrate that the proposed activity would not be harmful to lynx, and state what measures would be taken to ensure this result, the above-mentioned units should be dropped from this sale to maintain connectivity and hiding/denning habitat for lynx and other species.

HC14 The analysis for this project must also collect and analyze data on goshawk populations within the project area. The analysis must consider and disclose the adequacy of mitigation measures for goshawk, as determined in the Regional Forester's appeal decision of the Ward Lake Vegetation Management Project.

Old Growth

HC15 We are concerned to learn that the District has not yet performed a survey of old growth forest reserves within the project area. Given the high degree of 'open terrain' created by past management activities, we encourage you to formulate a plan for old growth retention and recruitment within the project area boundary before moving forward with this project. This will enable the area to continue to provide a modest level of habitat, albeit transitory, between the La Garita Wilderness immediately to the south, and the Middle Fork Roadless Area to the east. Previous recent analyses for proposed timber sales on the GMUG (e.g. Long Draw) have suggested that reductions in old growth would be "relatively short term reductions" and that "cycling of old growth within a relatively short period of time" would occur. We reiterate our concerns voiced in response to that proposal, and ask the District to remember that it must maintain a minimum level of old growth reserves within the planning unit (for the GMUG it is 10%) on a sustained basis.

Regeneration

HC16 Aerial photos of the area indicate that many prior management areas have not regenerated adequately. Yet, this project calls for natural regeneration as the sole method to restore forest cover. Therefore, the Forest Service should present evidence that the current proposal will improve the potential for forest regeneration over previous methods, acknowledging that removing the proposed level of spruce will eliminate a significant component of the remaining canopy cover and shade it provides, whether in large clearcuts as was done in the past, or quarter acre clearcuts proposed for the Perfecto project. Dead spruce, fir, and aspen that fall to the ground over time will become coarse woody debris (CWD). CWD provides shade under which sun-intolerant Engelmann spruce can successfully regenerate, and moisture retention for same. Further, this CWD may provide sufficient barriers so that cattle, elk, and mule deer cannot browse upon newly regenerated trees, whereas CWD from logging slash may not be sufficient for this purpose. Also, much of the slash would be piled and burned, eliminating any seedling protection benefit. In short, based on past history, we have serious concerns that the proposed regeneration may not occur.

Impacts to Water Quality

HC17 Given that the scoping notice notes that logging may occur within the WIZ to cull diseased trees, the proposed timber sale will likely violate the requirements of the Watershed Conservation Practices Handbook, FSH 2509.25 (WCPH), issued by the Regional Forester on 12/18/2001, which requires the following:

Standard... In the water influence zone next to perennial and intermittent streams, lakes, and wetlands, allow only those actions that maintain or improve long-term stream health and riparian ecosystem condition.

The water influence zone (WIZ) includes the geomorphic floodplain, riparian ecosystem, and inner gorge. Its minimum horizontal width (from top of each bank) is the greater of 100 feet or the mean height of mature dominant later-seral vegetation. It includes adjacent unstable and highly erodible soils. The

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WIZ protects interacting aquatic, riparian, and upland functions by maintaining natural processes and resilience of soil, water, and vegetation systems...

Design Criteria ...

c Keep heavy equipment out of streams, swales, and lakes, except to cross at designated points, build crossings, or do restorative work, or if protected by at least 1 foot of packed snow or 2 inches of frozen soil..

We request that the District stay totally out of the WIZ, even if it means leaving a few diseased or insect-ridden trees behind.

Maps

The Perfecto analysis should include large-scale maps, including but not limited to the following:

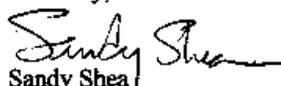
- All alternatives
- Travelways, both system and non-system
- Vegetation (i.e. Cover Type)
- Wildlife Habitat Structural stage, including stage 5 old growth
- Past road construction and any other surface disturbance
- Riparian and wetland areas
- Unstable soils, landslide risk
- Roadless areas, both inventoried (i.e. RARE II) and current.

Conclusion

Clearly, we are opposed to this logging proposal, and request that the District drop or severely scale-down the proposal, at minimum omitting cutting units 5, 8, 9, 10, 12 & 13. Additionally, given the potential for detrimental impact to scarce water resources, and given clear direction for protecting the Water Influence Zone in the Forest Service Handbook, we are adamantly opposed to any vegetation management, or other activities, in the WIZ.

The Forest Service should stop proposing timber sales rationalized by a need to reduce beetle infestations, and rather focus its limited dollars and manpower in areas immediately around homes and within lower elevation ponderosa pine and dry mixed conifer forests that are in genuine need of restoration.

Sincerely,



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Public Lands Director

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7
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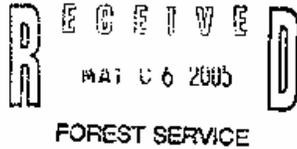
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Re: Perfecto Creek Timber Sale Proposal

May 2, 2005

Dear Mr. Vermillion,

The following are comments by Forest Guardians on the Perfecto Creek Timber Sale Proposal.

Forest Guardians is a non-profit corporation with approximately 1600 members throughout the United States, including Colorado. Forest Guardians' mission is to protect and restore the natural biological diversity of forests in America's Southwest, including forests in the Gunnison National Forest. Members of Forest Guardians engage in outdoor recreation, wildlife viewing and other activities in the Gunnison National Forest and intend to continue to do so.

The Perfecto Creek Timber Sale proposal includes 993 acres of logging in conifer and aspen forests. In order to accomplish the restoration purpose and need, the Gunnison District must consider the circumstances that most aggravate forest "health" including excessive road systems, domestic livestock grazing and fire suppression.

I. The Forest Service Must Engage the Public in Agency Decision-making and Provide Them with High Quality Information.

Public scrutiny of agency decision-making is key to helping public officials fulfill NEPA's purpose.¹ Thus "federal agencies shall to the fullest extent possible encourage and facilitate public involvement in decisions which affect the quality of the human environment" (emphasis added).² The phrase "to the fullest extent possible" is the broadest possible mandate, limited only by applicable law that "expressly prohibits or makes compliance impossible."³

¹ 40 C.F.R. § 1500.1(c).

² 40 C.F.R. § 1500.2(d).

³ 40 C.F.R. § 1500.6.

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"NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken."⁴ "NEPA requires consideration of the potential impact of an action before the action takes place."⁵

NEPA mandates that when "there is incomplete or unavailable information, the agency shall always make clear that such information is lacking" (emphasis added).⁶

In this particular case the Forest Service must address several important areas of uncertainty.

FG-1

A. The Perfecto Creek Timber Sale proposal must consider in detail the impacts of roads in the planning area.

FG-2

The Gunnison National Forest has planned to create and/or reconstruct approximately 8 miles of roads for the Perfecto Creek Timber Sale proposal. Is the planning area meeting the forest plan standards for road density? Will the project bring the planning area into compliance with the standard?

The issues with road construction and maintenance are numerous, but particularly that they cause diminished soil conditions, reduced water quality, inferior wildlife habitat, as well as increased poaching and human fire ignitions. Wildfire frequency and seasonality are related to road density; 78% of human-caused fires occur within 265 feet of a road.

Effective restoration of our public forests will require a moratorium on most new road construction in combination with an aggressive decommissioning program for excessive road networks.

FG-3

B. The Perfecto Creek Timber Sale proposal must consider in detail the effectiveness of logging in order to control spruce-beetle outbreaks and address forest health.

FG-4

Insect outbreaks such as may be occurring in the Perfecto planning area are a natural and necessary process in spruce-fir forest ecosystems. It is not clear that the project is even necessary and the Forest has not considered whether the outbreak may even have a beneficial effect on forest health and wildlife populations.

It is important to note that there are no available concrete data regarding the total number of acres infested and the severity of the outbreaks, by region or nationally. There is no evidence or research finding that spruce-beetle outbreaks are outside their normal HRV and therefore need to be somehow controlled by humans. Indeed, Appendix A, pp. A-45, of the Rio Grande National Forest LRMP Final EIS concludes that "the number of

⁴ 40 C.F.R. 1500.1(b).

⁵ Perfecto Creek Timber Sale of Tenakee Springs v. Clough, 915 F.2d 1308, 1313.

⁶ 40 C.F.R. § 1502.22.

spruce beetle outbreaks during pre-settlement times is probably not significantly different from the amount of outbreaks after settlement". Insect outbreaks are a natural process in coniferous forest ecosystems (McGregor and Cole 1985, DellaSala et al. 1995, Dillon and Knight in prep.). Insect herbivores play important roles as recyclers of nutrients, agents of disturbance, members of food chains, and regulators of the productivity, diversity, and density of plants (Clancy 1993). At endemic levels, bark beetles are beneficial to forest health by culling out older, weaker trees (Samman et al. 2000). When conditions are favorable (particularly in warm, dry summers, Samman et al. 2000), bark beetle populations can irrupt and kill trees over thousands of acres (Veblen 2000). Insect outbreaks can affect stand dynamics on a landscape scale: Veblen et al. (1994) found that spruce beetle irruptions had affected 39% of his Colorado study area, and that the interval between beetle outbreaks averaged 117 years. Romme et al. (1986) found that beetle outbreaks have only a short-term effect on wood production; production levels accelerate following outbreaks and reach pre-outbreak levels within 6 to 15 years.

There are many ecological benefits associated with insect outbreaks. Beetle kills increase stand diversity on a landscape scale (Romme 1982), and are an important agent in maintaining the patch dynamics of coniferous ecosystems. Outbreaks have the beneficial effect of creating an abundance of large-diameter snags (Veblen et al. 1991), which provide critical foraging habitat for woodpeckers and nesting habitat for cavity-nesting birds and mammals. They also produce the complex structural habitats preferred by denning lynx (Koehler and Brittell 1990). Keller (1987) found that three-toed woodpeckers, which prey primarily on bark beetles, remain at low population levels until an insect outbreak, at which time the woodpeckers increase in number and reduce the peak beetle populations in an the outbreak and cause it to subside sooner.

Few publications offer any ecological justification or provide evidence from observational or experimental studies that indicate that there is a relationship between stand density and susceptibility to bark beetle infestation. Indeed, logging and firewood removal can actually spread bark beetle infestation by transporting infested wood to new forests; logging operations following bark beetle outbreaks can pose an extreme hazard to other forest areas. The only way to reduce the risk of spreading bark beetle infestation via these activities is to peel all logs before removing them from site. In order to reduce the outbreak hazard caused by the logging slash, the bark from all logs and slash must be peeled and burned or chemically treated; alternatively, all slash can be piled and covered with plastic sheeting and stored in the sun for an extended period of time (Massey and Parker 1981). Any thinning projects to increase the resilience of the forest to bark beetle attack must remove the majority of stressed trees and all slash within a very large area because bark beetles are capable of flying 3 to 6 miles in search of hosts, if not up to 30 miles. Furthermore, effective forest thinning must be implemented on this same spatial scale over only one or two years. Very often, this is prohibitively expensive and prone to failure due to the vast amount of stressed trees that must be treated in such a short amount of time (DeMars and Roettgering 1982).

FG 5 Should the epidemic continue and the spruce-beetle populations remain high, when and how does the Forest Service decide that the sanitation/salvage and/or thinning

*Perfecto Creek Timber Sale proposal
Forest Guardians Scoping Comments, 5/2/2005
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FG 5
cont... effort are not working? How is the project modified in this situation? How are future proposals informed by the results? Is there any evidence that salvage logging can have a positive impact on pest populations while maintaining forest biological diversity? We are unaware of any. To the contrary, former Forest Service Chief Jack Ward Thomas, in testimony before the Senate Subcommittee on Agricultural Research, Conservation, Forestry and General Legislation on August 29, 1994, acknowledged that, "the Forest Service logs in insect infested stands not to protect the ecology of the area, but to remove trees before their timber commodity value is reduced by the insects".

III. The Gunnison National Forest must provide an adequate cumulative effects analysis

The NEPA defines "Cumulative impact" as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future action regardless of what agency (Federal or non-Federal) or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."⁷

FG 6 The proposal must fully disclose the cumulative effects of livestock grazing, timber harvest, logging, thinning, prescribed fire, and road developments on water quality, forest health, wildlife habitat, noxious weeds, cultural resources, and other resources.

The recent decision in *The Lands Council v. Powell* makes clear that NEPA obligation are not met with a mere listing of other proposals, but requires careful disclosure of impacts of other proposals and adding up of impacts so they can be compared to management thresholds.⁸ This case says:

Cumulative effects analysis requires the Final Environmental Impact Statement to analyze the impact of a proposed proposal in light of that proposal's interaction with the effects of past, current, and reasonably foreseeable future proposals. See 40 C.F.R. § 1508.7. ... there is no discussion of the connection between individual harvests and the prior environmental harms from those harvests that the Forest Service now acknowledges. Instead, the Final Environmental Impact Statement contains only vague discussion of the general impact of prior timber harvesting, and no discussion of the environmental impact from past proposals on an individual basis, which might have informed analysis about alternatives presented for the current proposal. ... *Muckleshoot Indian Tribe v. United States*

⁷ 40 C.F.R. § 1508.7

⁸ *The Lands Council v. Powell* (379 F.3d 738, 744 9th Circuit, August 2004). <http://www.ca9.uscourts.gov/ca9/newopinions.nsf/9971F77E66C0452F88256EEF00572E6F?file=0335640.pdf?openement>. See also *Klamath-Siskiyou Wildlands Center v. Bureau of Land Management*, 387 F.3d 989, 993-94 (9th Cir. 2004); *Kern v. U.S. Bureau of Land Mgmt*, 284 F.3d 1062 (9th Cir. 2002); *Native Ecosystems Council v. Dornbeck*, 304 F.3d 886 (9th Cir. 2002); and *Ocean Advocates v. U.S. Army Corps of Engineers*, 361 F.3d 1108 (9th Cir. 2004).

Forest Serv., 177 F.3d 800, 809-10 (9th Cir. 1999) (“[A]n EIS must catalogue adequately the relevant past proposals in the area. . . . Detail is therefore required in describing the cumulative effects of a proposed action with other proposed actions.” (internal citation and quotation marks omitted)). Stated differently, the general rule under NEPA is that, in assessing cumulative effects, the Environmental Impact Statement must give a sufficiently detailed catalogue of past, present, and future proposals, and provide adequate analysis about how these proposals, and differences between the proposals, are thought to have impacted the environment. See *Neighbors of Cuddy Mountain v. United States Forest Serv.*, 137 F.3d 1372, 1379-80 (9th Cir. 1998); *City of Caramel-By-The-Sea v. United States Dept. of Transp.*, 123 F.3d 1142, 1160-61 (9th Cir. 1997). . . . For the public and agency personnel to adequately evaluate the cumulative effects of past timber harvests, the Final Environmental Impact Statement should have provided adequate data of the time, type, place, and scale of past timber harvests and should have explained in sufficient detail how different proposal plans and harvest methods affected the environment. The Forest Service did not do this, and NEPA requires otherwise. *Muckleshoot*, 177 F.3d at 809-10.

An adequate discussion of the cumulative effects of timber harvest and other proposals requires the agency to disclose, analyze, and consider:

1. a “detailed catalog of past present and future proposals;”
2. “the time, type, place, and scale of past timber harvests;”
3. “how these proposals, and differences between the proposals, are thought to have impacted the environment” and “explain[] in sufficient detail how different proposal plans and harvest methods affected the environment;” and,
4. “analyze the impact of a proposed proposal in light of that proposal’s interaction with the effects of past, current, and reasonably foreseeable future proposals.”

FG 7

There must be quantitative information regarding the types of proposals and their impacts that have occurred or will occur in the planning area. Quantitative analysis of the cumulative impacts of cattle grazing in combination with thinning, fuel breaks, recreation, fire suppression and roads in the planning area should be considered.⁹

V. The Implementation of this and other Similar Proposals May Threaten the Viability of Numerous Forest Species.

FG 8

The Forest Service must provide documentation that it is in compliance with NEPA regulations set forth at 40 CFR § 1500-1508 and FSM 2670, including the

⁹ See *League of Wilderness Defenders et al. v. Forest Service*, 2004 U.S. Dist. LEXIS 24413 (D. Or. 2004) (“This analysis falls short of being a sufficiently ‘hard look,’ or searching and thorough analysis of the cumulative environmental impacts of grazing on burned landscapes.”)

FG 8 requirement that the Service analyze the cumulative effects of this and other proposals on
cont... various terrestrial and aquatic wildlife species and various plant species.¹⁰

FG 9 NFMA also requires the Forest Service to analyze impacts to Forest Plan
Management Indicator Species (MIS), as found in the Gunnison amended LRMP. The
Forest should include information regarding species that utilize smaller diameter class
stands such as VSS 3 & 4, such as the Abert's squirrel.

Thank you for considering these comments for the Perfecto Creek Timber Sale
Proposal. We hope to work in a collaborative manner with the Gunnison National Forest
and other stakeholders to develop a proposal that all parties can support.

Sincerely,



Bryan Bird
Forest Program Coordinator

Chris Brittenburg
Forest Program Associate

¹⁰ 40 CFR § 1508.7.

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