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April 2, 2009

Comments on the Damon Wildland Urban Interface Project

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The Oregon Chapter Sierra Club has reviewed the March 5, 2009 notice, maps, and accompanying initial analysis proposal for the Damon Wildland Urban Interface Project. We have the following comments on this proposed “fire hazard reduction” project. Our organization has participated in the Blue Mountains Forest Partners collaborative process, including BMFP-USFS meetings and field trips, during the initial inception of this proposed project.

The Sierra Club represents over 20,000 members throughout Oregon, including the Club’s Juniper Group, which has over 1,000 members throughout central and eastern Oregon. Our members feel strongly about nature, wilderness, natural forest ecosystems, wildlife, fisheries, and the environment. Sierra Club members regularly enjoy hiking, camping, wildlife watching, birding, ecological study, and photography within the public lands of central and eastern Oregon, including the project area in the Malheur NF, Blue Mountains Ranger District.

Damon’s purported “fuels reduction” premise

The purported purpose and need for this project is at best scientifically controversial, and given the levels, extent, and impacts of the commercial logging proposed, is largely scientifically insupportable. The following article from the spring 2009 issue of the Sierra Club Conifer-Wild Juniper Journal addresses much of what’s problematic with the failure of the agency to found the Damon project on available applicable scientific research:

Restoring Forest Wildlands

by Asante Riverwind

Approaching Nature in humility beyond assumed knowing, in intuition and perceptive awareness inspired by wonder and awe at the depth of inter-relational complexity inherent in Earth’s ecosystems, far beyond the capability to fully grasp in a thousand lifetimes; we may realize nature is ever on a path of resilience, regeneration, and recovery. Patient in inherent wisdoms, nature is our wisest of teachers. It is not for us to “prescribe” treatments for nature; rather ‘tis for us to emulate nature’s dance and flow. Following ecological paths of balance and least resistance; learn to enjoy, live, and work with nature in harmony and appreciative respect, sustainably beyond the generations yet to be....

Scientists have postulated that we are past the “global tipping point,” with industrial impacts bringing unprecedented global climate change. With global pollutants, development, resource depletion, and exponentially increasing human population; changes to Earth’s ecological systems will continue

exponentially for many decades even if root causes were somehow halted today. Basically, we've just begun this "wild" Earth changes ride, with the climax yet far from sight.

Yet, Earth's ecological systems are resilient, adapting beyond our ability to fully understand. In the Pacific Northwest, our forest ecosystems are ecologically dynamic systems of complex biodiversity. Resilient, our forest systems are not truly in "crisis" or at risk of "catastrophic" calamity. European humans did not arrive in the western hemisphere "just in time" to save nature from committing ecocide. This is not to imply that societal intrusions and alterations of natural forest ecosystems have not resulted in ecologically harmful consequences, or that there is not a consequent potential for beneficial forest restoration and protection. However, such management must learn from and work with natural ecological processes, rather than attempt to remake forests to fit societal concepts and desires.

How do we help ensure restoration projects are held within acceptable ecological bounds? Projects must be based upon credible science substantiating an ecological "purpose and need" - if thinning for fires or insects, scientific research must be followed. Science shows thinning is not appropriate in mixed conifer, mixed fire severity forests. Science shows the infeasibility of logging to effectively address insects, especially in lodgepole pine and mixed conifer ecosystems. Scientific research guides projects to provide for the habitat needs and recovery of imperiled forest wildlife. Restoration science addresses the foundationally important role of soils and soil microbial communities, and the harmful impacts of excessive thinning and mechanical equipment. Scientific research addresses the protection and restoration of watersheds and aquatic species. Research recommends habitat and seasonal protections for avian species, and addresses the harmful impacts of extensive thinning to nesting, fledging, foraging, and hiding habitat, (research does the same for small mammals). Research recommends protection and recovery of rare native plants, and measures to prevent the introduction and spread of exotic invasive plants. These significant restoration objectives must be incorporated into recovery projects.

Understanding, let alone restoring complex forest ecosystems, is a challenging process at best. Some forest projects claiming to be restoration have proven to be so ecologically harmful that they need to be stopped outright. The fall 2008 legal victory stopping the Five Buttes timber sale in the Deschutes helped establish some initial legal, scientific, and ecological precedents for projects purporting to be restorative.

Over the past couple years, by working with federal agencies, ecologically inappropriate areas for thinning, including mixed conifer units, moist north slope areas, and high elevation areas have been dropped from unwarranted logging-thinning plans. Up to 30% of areas have been dropped for natural structure and cover. Diameter limits on cutting (16" in recent appeal settlements) help protect forest structure, habitat, and ecological integrity, along with provisions to retain all mature and old characteristic trees regardless of size.

Collaborative processes allow the involvement of local citizens - a recent HFRA thinning timber sale south of Bend had twelve residents join us in filing their own objections and changing the project to incorporate many of the above protective provisions. Where needed, conservation organizations must still be prepared for litigation, if this is the only recourse to protecting the ecological integrity of area forests.

There is a growing push to open public lands to "landscape scale thinning" (for fires, insects, disease). Plans for such projects range up to 35,000 to 50,000 acres over a ten-year period. Federal agencies must be held accountable to credible scientific recommendations, addressing not just the density of trees, but the protection and recovery of forest ecosystems and biodiversity. Protection and restoration of forest soils, soil microbial communities, and hydrology - the foundation of resilient forest ecosystems - must fundamentally guide such projects. Similarly, the recovery and protection of imperiled species populations and habitat must be an essential goal of this process.

We must heed caution that today's "thinning" mania echoes past similar processes in Europe, where there was an attempt to "clean-up" the forests. Today affected forests are lacking in biodiversity, wildlife, natural integrity, resilience, and vigor. Hopefully at least we will not repeat the deforestation and desertification accomplished by civilizations of the past - with far less technology and mechanical equipment than available today. Such ecological ruin is still visible in the blowing dusts, sands, and

denuded lands of vanished forests spanning across continents and islands from the Pacific Ocean through Asia, and the Mideast, along the continuum to the Mediterranean (archaeological records show Rome before its fall was concerned with deforestation and recycling). This continuum now extends from the sickly forests of Germany, to this hemisphere with our fragmented forests still caught in the grasp of irreparable logging and other management harms.

Ecological impacts have come full circle; as a global society we either learn from and not repeat the mistakes of the past or - with even greater speed given the available technology and population - continue to unravel earth's natural global ecosystems, exacerbating escalating climate change and ecological instability. Forests play integral roles in earth's ecological functioning. Carbon storage, oxygenation, fresh water systems, treasures of biodiversity - natural forests are irreplaceable and critically important in these "global warming" times.

Forests are also among the last natural refuges from mechanized society, with its incessant noise, stress, and ceaseless varied work. Do we want or need to unleash scientifically controversial large-scale mechanized logging loose throughout our remaining forests - replacing nature's serenity and solitude with mechanized mayhem?

In other words, let's be careful what "well-intentioned" management we unleash on public forest ecosystems. The track record of human management is a litany of "good intentions" gone awry - from clear cuts to supply a growing nation with timber; to creating access to public lands with the largest worst maintained road systems on earth; to "improved selective" logging of "decadent-dying" old growth and the replacement "plantations" of "young vigorous seedling trees;" to efforts to "clean-up" remote forest streams and waterways by clear cut logging; to harmful postfire "salvage" and "forest health" logging of old growth; to the growing call for landscape scale logging-thinning to "reduce the risk of fires, insects, and disease" and generate a "sustainable supply of wood" to economically faltering mills. Looking at the track record of impacts and scientifically disproven or questionable rationales, it appears insatiable society simply learns deviously new phrases to continue unsustainable demands upon forests and nature.

If agencies are sincere about reducing the risks of uncharacteristic fires and disturbance, restoration must begin by repairing the ecological deficits of the past, rather than incurring new deficits. Initial priorities include the ecological removal of existing slash piles, and the removal of harmful unmaintained roads - returning these to natural contours and native vegetation; projects should focus on restoring degraded salmonid waterways; focus on habitat protection and the recovery of imperiled forest species; revegetation of the region's numerous under-regenerated old clear cuts; etc. Initial restoration objectives could help establish ecological guidance for public lands management; necessary to prevent scientifically controversial landscape projects from becoming just another "less bad" timber sale, with yet another range of harms to forest ecology and biodiversity.

Hopefully humans will someday learn humility - that nature is ever on the path of resilience and self-restoration, healing from the degradations of human tampering. By protecting forest ecosystems, assisting and allowing natural processes rather than remaking nature based upon our limited understanding and assumptions, we may begin to repair the harms of the past, and responsibly address climate change issues affecting the future.

Damon's Ecologically Harmful and Insupportable Logging Plans

The Damon project has many inherent problems as proposed. The following are among some of these with the strongest levels of conservation concern and scientific contention:

- Proposed logging of inherently fire resistant trees
- ***Concerning the "fuels reduction" purpose and need:*** Forest structure naturally is composed of flammable organic vegetation, including living and dead brush and wood fiber. Fires, including "high-intensity wildfires," are natural components of forest ecosystems, without which such systems would cease to exist. The stated purpose and need must be further qualified to bring this objective into consistency with the area's natural ecological cycles and functioning, accurate site-

specific conditions, and with the recommendations of scientific research pertinent to the area's varied plant association community mosaics. What are the naturally occurring variations in fuel levels in area forests pertaining to plant association, localized moisture, and slope aspect variables that have occurred during the past two hundred years? It is likely that during fluctuating fire cycle intervals varying levels of fuels naturally accumulate. Some of the project area has experienced fires during this past century, with some areas having experienced relatively recent fires. It is likely these areas are not much out-of-sync with natural fuel levels and fire return intervals. Analysis must provide fire history information, and base project actions on scientifically supported methods to return the area's complex forest systems to natural fire cycle patterns, vegetative and structural compositions, and ecological processes pertinent to the localized mosaic of plant association compositions, and moisture and fire patterns.

- Much of the project area is far from
- ***Fire and fuel load variables:*** Fire intensity patterns vary across the landscape. A significant portion of the proposed project area is located in naturally varied mixed fire severity forest systems. Even ponderosa pine dominated forests, often purported to be low-severity fire systems, are over time actually on the lower intensity continuum of mixed fire severity systems, and as such occasionally burn severely to fluctuating extents as part of their natural ecological cycles. Mixed conifer forest stands, and the area's overall forest mosaic patterns, are dependent upon naturally fluctuating recurrent cycles that span the range of low intensity to mid and high severity fires. Complex ecological functioning, biodiversity, plant association group mosaics, and overall forest resilience is dependent upon ongoing dynamic natural fire cycle variations in fire severity and extent. Forest pathogens are in-part kept within natural check and balance patterns by fire cycle variations. Essential wildlife habitat quality, including foraging species biodiversity and abundance, as well as variable forest structure including dense stands/hiding and thermal cover, meadow openings, plant abundance, etc are dependent in-part upon fluctuating natural fire patterns. Soil communities and functioning are dependent in-part upon fire cycle fluctuations which provide nutrients, replenish depleted forest soils, and re-arrange the ever-changing dynamics of forest stand and vegetation compositions and species habitat locations. This purpose and need must be revised to incorporate the ecological realities and scientific research knowledge pertaining to the area's dynamic mixed severity forest stand mosaic compositions. Forests are not static. Objectives should be to work towards the protection and maintenance of natural ecological processes and resilience, which is ever-ongoing within nature. As such, the planned commercial logging as proposed is premised largely upon simplistic scientifically insupportable and ecologically erroneous assumptions. The NEPA analysis for this proposed project must responsibly disclose and address the range of scientific controversy and recommendations pertinent to the restoration and resilience of the area's forest ecosystems, wildlife, waterways, and ecological processes.
- ***Logging for insects and disease and associated fuel load rationales:*** As with the complexity of dynamic ecological processes noted above, insects and disease are inherent, beneficial, and necessary components of forest ecosystems. At times even "landscape to large-scale infestation by insects and disease" may naturally occur across significant portions of forest systems. However, current levels of insects and disease are far from either landscape or large-scale at present, nor have sufficient conditions been identified to credibly ascertain that such widespread levels of insect or disease caused tree mortality is likely at any time in the foreseeable future to occur on a scale that would be detrimental to long-term natural forest functioning, and resilience. Insect and disease levels within area forests are generally well-within natural variable endemic levels, and are largely very beneficial to forest structure, wildlife habitat, and soil community functioning. The NEPA analysis must disclose and assess the applicable scientific research related to natural ecological processes, including insects and disease, and the wildlife and invertebrate species

dependent upon forests insect and disease tree pathogens, and the “fuel loads” these may produce, for sustenance and habitat. Project analysis must disclose and address applicable scientific research that strongly recommends against commercial logging to influence or “reduce” insect and disease activity; noting that such logging is incapable of achieving the purported goals above, and instead results in significant adverse harms throughout the forest ecosystem that actually can result in exacerbating tree mortality and other impacts of insects and disease. As with fires, natural forest ecological processes bring inherent and fluctuating levels of resilience to the impacts of insects and disease. At times, insects and disease levels must peak to perform needed soil nutrient replenishment; natural stand thinning; changed localized stand and vegetative structure and compositions; boosts to predator species populations, habitat, and sustenance sources; preparing the course for the next ongoing phase of changing forest mosaic cycles and patterns. Mechanical manipulation through logging – other than very limited scientifically controversial small diameter tree and brush removal that is largely of little or no commercial economic value – has been well-proven through a significant number of scientific studies to be overall detrimental to forest resilience, both in the short and long-term.

- ***Commercial logging in aspen stands:*** Hardwood communities including aspen, cottonwood, and others; and RHCA objectives; are best enhanced by addressing the root sources of unnatural conditions. First and foremost among these are livestock grazing and changes in hydrological flow patterns caused by water diversions, and unnatural changes to soil and plant communities. Roads also impair and divert both surface and subsurface hydrological flows from prior natural patterns most hardwood communities depend upon. Logging also reduces moisture and nutrient availability, harms complex soil communities, and opens areas to trampling from livestock as well as – to some extent - native ungulates. Management actions in RHCAs must be consistent with credible non-controversial science research and recommendations, and largely must protect and maintain ongoing natural recovery and resilience processes in these areas. Removing livestock from RHCAs for a minimum of ten years is a foundational requisite for hardwood and riparian plant community recovery. Removing roadbeds located in or adjacent to RHCAs and restoring hydrological subsurface soil flows can be beneficial. Preventing the introduction and spread of invasive exotic plants, and reducing or removing current invasive plant populations with ecologically benign methods are also essential. Returning diverted waters to affected watersystems, and removing unnatural consumption demands upon available waters – such as livestock – is important to achieving this objective. Restoring natural fire cycles may also help, provided that this does not entail harmful mechanical equipment use and logging in these areas, and providing that livestock are prohibited from affected areas for at least ten years. Theoretical “conifer encroachment” in aspen and hardwood community areas generally only feasibly applies to small diameter young trees that may have grown in frequent fire areas since the last local fire. However, most RHCAs are actually infrequent mixed and high fire severity areas, and as such naturally had considerable vegetative and conifer growth occurring between less frequent or variable fire cycles. As such, any proposed removal of conifers in these areas must comport with the actual natural range of variability and scientific research pertinent to proposed action locations. The project analysis must disclose and address pertinent science and develop ecologically sound action alternatives that address root causes of RHCA impairment, and hardwood community abundance and resilience issues. Action alternatives should not involve scientifically insupportable or controversial logging, machinery, or road building in or near RHCAs, or in hardwood communities. Our organization strongly opposes commercial logging in aspen stands, and associated riparian and high wildlife habitat value areas.
- ***Logging in old growth areas:*** Science generally notes that old growth forest structure is dependent upon complex interwoven natural ecological processes; that nature is ever on a course of self-restoration and resilience; and that protecting natural ecological processes and forest

conditions is the best management course to maintaining and increasing the abundance of LOS stands. Science generally does not support commercial logging as a feasible action capable of attaining or maintaining old growth structure. Old growth is not a 'product' that can be artificially manufactured or retained by commercially logging and adversely tampering with natural forest ecosystems. Logging and road building fragmentation, soil community disturbance, compaction, and hydrological impairment caused by logging is antithetical to old growth forest structure and resilience in both the short and long term. The analysis must disclose the full range of credible scientific research pertinent to this project's ecosystems, ecological processes, salmonid watersheds, and wildlife. The project's developed alternatives must be based upon scientific research. If some developed alternatives are premised on scientifically controversial assumptions and actions, other action alternatives must responsibly and objectively embody the recommendations of conflicting science. Proposed actions must provide verifiable evidence that alternative actions are capable of actually achieving the project's stated goals, and must disclose scientific research that calls into question the efficacy and basis of proposed actions. Our organization strongly opposes commercial logging-thinning in old growth areas, recommending instead either strategically located limited edge-area small diameter thinning accompanied afterwards with either reintroduced or natural fires, or leaving the area to ongoing natural recovery processes.

The Proposed Damon Project must be consistent with pertinent scientific research and must meet the analysis requirements of the NEPA

In addition to the above issues, the NEPA analysis must address the following also:

- Are current deficiencies of large late and old forest structure within RHCAs the result of past logging, natural or human caused fires, livestock grazing, other conditions, or a combination of factors?
- Is ongoing livestock grazing contributing to current deficiencies in hardwood plant species and water quality?
- What are the past century's fire histories (occurrences, natural mosaic fire intensity and extent patterns, suppression incidences and extent of effectiveness, fire causes)? What are the natural ranges of variability in the natural fire frequency and severity patterns for project area forest stands? How do these patterns vary dependent upon elevation, moisture patterns and hydrology, and forest stand Plant Association Groups across project area forests? What are the cumulative changes to natural forest conditions, forest soil communities, moisture availability, and hydrological functioning that have occurred over the past century, and what are the past and ongoing causes of these changes?
- Utilizing a multiple centuries-long assessment (as feasible) of the area's natural range of variability and climatic fluctuations; are current forest conditions, including 'fuels' levels and fire patterns, within natural variable fluctuations for the area forest's Plant Association Groups? For example, mixed conifer mid elevation and north aspect forests tend to burn less frequently, with natural accumulations of dead woody materials and increasing stand density and complexity over time between longer periods of recurrent mixed fire severity cycles. Some lower elevation and south-facing ponderosa pine dominated PAGs generally have more frequent recurrent fires and less build up of woody debris and understory vegetation. It is important that project planning be tailored to fit, rather than unwisely tamper with, natural ecological processes and functioning.
- There is no need to include commercial logging as proposed to achieve the project's purported ecological objectives. Indeed science research documents significant harms from commercial logging that are antithetical to the project's stated purpose and need; and largely recommends against any commercial logging removal of trees and forest structure in mixed conifer, mixed fire severity forest stands. For drier more frequent fire ponderosa pine forest stands there exists a

varying range of scientifically controversial research and recommendations pertaining to limited levels of thinning small diameter trees in areas where three or more fire cycles have been missed and young tree and brush density levels are unnaturally high. Such research however, recommends strongly against the removal of trees that exhibit inherent fire resistant characteristics, as once removed these are soon replaced with more fire-prone trees and brush.

- To the extent that the stated ecological goals can be met, in addition to providing for the wildlife viability requirements of the NFMA and to protecting natural resource concerns including ecological functioning, forest soil communities, aquatic species, and water quality can also be met; it may be that there could be a limited component of small diameter wood resources resulting from the proposed project. However, economic objectives must be defined by scientifically supported ecological needs, and precluded at the onset from unduly influencing or directing project design and development.
- All thinning slash must be removed from the area within one year, as by the second year's summer season it would contribute significantly to greatly increased unnatural risk of severe fires in the project area, which would be antithetical to the purported project goals.
- Road density is already high in much of the project area. The agency already has far too many roads that it is incapable of maintaining, and which harm wildlife, aquatic systems, and forest ecological integrity throughout the area. There should not only be no new roads of any kind, including so-called "temporary roads" anywhere in the project area; the project must instead remove roads and restore roadbeds to natural forest topography and vegetation, and bring density levels into compliance with the LRMP and wildlife thresholds. The only feasible exception to this would be the removal of poorly located resource harming roads and the replacement of these where needed for travel with ecologically responsibly located roads – given due care to protect old growth trees, hydrology, waterways, and ensure the road is truly needed and that the area would not be better restored by removing the road entirely and not replacing it.
- Roadless areas, including uninventoried ecological unroaded areas, old growth areas, and mixed conifer mixed fire severity areas must be disclosed and protected from project actions, so that natural processes continue untampered with in these ecologically significant areas.
- Old growth and mature forest stands, connective habitat, RHCAs, and areas of ecological and recreational significance must be protected from management disturbance actions.

The NEPA analysis must develop viable plans to protect, maintain, and recover listed species, species of concern, and indicator species populations, habitat, distribution and abundance throughout the project area.

Violations of objective scientifically based NEPA analysis and meaningful public involvement

As proposed, we have serious ecological and legal objection to the Damon Project, which largely fails in its assumptions to be based upon credible science, and the natural variability of the area's ecological processes, functioning, and resilience. NEPA requires project analysis be objective, and fully disclose area conditions, pertinent science, and ecological and listed-species maintenance and recovery needs. NEPA prohibits analysis processes being misused for preconceived projects with forgone conclusions already in place. This is just the scoping period for the Damon area, and as such the notice should not be already proposing mapped out logging units and planned actions. Instead, this phase of the public NEPA process mandates meaningful scientifically sound, environmentally accurate objective analysis and public involvement. Instead, based purportedly upon the above presumptive and largely scientifically simplistic and insupportable "purpose and need," the District discloses the Damon project already involves:

- Commercial logging thinning as part of actions on 12,315 acres of forest;

- Commercial logging across 8,301 acres using ecologically damaging heavy ground based machinery, and removing trees up to 21” in diameter. As noted above such actions are in contravention to the majority of peer reviewed credible restoration and wildlife recovery scientific research;
- “LFT” actions (undefined) on 338 acres of “replacement old growth” and “pileated feeding areas” (this latter is ecologically ridiculous, as wildlife, including pileated are not confined within limited contrived “feeding areas” but generally traverse the forest territories as necessary to meet their sustenance and propagation needs);
- 342 acres of logging, thinning, and burning in old forest multi-strata (commercial removal of fire resistant trees, mature and old characteristic trees, or harms to soils, wildlife, and native vegetation should not be permitted);
- 327 acres of conversion of multi-strata old forest to single strata forest (any such conversion must be appropriate to natural localized PAG variables, and must not log inherently fire resistant trees or any mature and old characteristic trees regardless of diameter, and must also protect other natural resource concerns and native species habitat);
- 175 acres of multi-strata old forest logging of mature and old trees up to 21” dbh in the Swick old growth areas (our organization strongly opposes any commercial logging of trees in old growth areas);
- logging in goshawk areas – despite the project notice’s confused claims to the apparent contrary, scientific research recommends strongly against logging and associated management actions in goshawk territory;
- logging in aspen stands and RHCA’s (we strongly recommend that any actions in these areas be limited to non-commercial restoration actions only);
- biomass removal across 282 acres, with the admission that affected areas are likely to be damaged by soil compaction, and a failure to note that pile burning severely harms soil communities. Generally, reliance upon natural forest ecosystems for biomass materials is not ecologically feasible nor scientifically supportable, especially given the harmful impacts of currently available machinery and removal methods;
- roads – the notice proposes the construction of 7 miles of new roads, incorrectly referred to as “temporary” roads, despite long-term permanence of road construction and use impacts; 150 miles of road hauling use and disturbance for an undisclosed period of time;
- ground based tractor logging harmfully affecting 7,845 acres of forest soil and vegetative communities and wildlife habitat (and undisclosed watersystems), and an additional 781 acres of skyline yarding, also detrimentally impacting forest ecological communities and functioning;
- No disclosure of possible Forest Plan amendments associated with the proposed project;
- No disclosure of ESA, regional, and state listed species and species of concern that may be within the project area, and no information on species population status and trends, or on potential project impacts, objectives, or concerns related to species recovery objectives and habitat protection;
- No disclosures of water system quality listings (Oregon State 303(d) list) or listed aquatic species and species of concern that may be within the project area – or of project actions to restore these areas;
- No disclosures of cumulative impacts or simultaneous project implementation and management analysis that is or may occur within the proposed project area (active grazing allotments and impacts, OHV use and impacts in the area; other adjacent potential projects – Starr to the north, Jane to the south, Canyon to the north east, possible future projects (Seneca to the east?), etc.);

It is clear from reviewing the proposed project actions, and our ongoing surveys documenting the actual impacts of other similar projects across the region’s forests, that

implementation of the Damon Project's proposed logging activities would likely irreparably degrade forest ecology, wildlife habitat, and impair water quality in the area's watersheds, and be inconsistent with credible science and the purported ecological objectives of the project. Proposed new so-called "temporary" new road building; thinning of mature sized and mature and old characteristic trees; impacts to listed species, indicator species, and species of concern including (but not limited to) goshawks, flammulated owls, neotropical migrant and native interior forest bird species, possible lynx, wolverine, marten, elk, deer, possible wolves, bear, cougar, small mammals, bats, and other wildlife species; impacts from ground-based heavy logging machinery; ground and airborne sedimentation into area salmonid watersheds; unabated livestock grazing in project units with disturbance impacts to soils, vegetation, and waterways; and cumulative impacts from this and other area projects would undeniably result in further significant degradation of the ecological integrity, wildlife habitat, soil hydrology, and aquatic systems in and around the project area.

Scientific Recommendations and Ecological Accuracy

The project notice's proposed actions appear at best to be based upon scientifically controversial assumptions, goals, and management methods. Whether the agency's proposed actions will effectively and appropriately 'reduce fuel loads' is both ecologically simplistic and likely to depend upon the degree in which these actions embody scientifically supportable ecologically appropriate methods to effectively address naturally occurring forest fuels, fire risks, and naturally inherent insect mortality in forest ecosystems.

As this project begins its NEPA analysis, it is important the agency assess and disclose the full range of applicable scientific research. Proposed management actions must be supported with analysis disclosures of substantiating science AND disclosures of scientific controversy or nonsupport. Accurate site-specific conditions, cumulative impacts analysis, and disclosures and assessments of the proposed projects impacts upon species of concern must be presented in the NEPA analysis document. The project must base its planned actions on credible scientific recommendations towards protecting, restoring and maintaining the long-term ecological integrity and functioning of the area's forest ecosystems, ensuring the project meets the biodiversity, habitat, and viability requirements of native species of concern.

Common conservation ground can best be achieved when proposed actions are based upon credible ecologically non-controversial science research restoration recommendations; avoiding actions that could result in significant harms to natural forest ecology and biodiversity. Proposed actions should not exceed those scientifically necessary and capable of achieving legitimate ecological purpose and need goals. Removal of mature, old, and inherently fire resistant trees; unnatural logging removal or excessive manipulation of established forest structure; excessive thinning in ponderosa pine stand; logging-thinning in mixed conifer mixed-fire severity forest; use of heavy logging machinery; new, "temporary," and other road construction would adversely impact forest ecology, biodiversity, vegetation, soils, wildlife, avian, botanical & other species of concern populations and habitat; resulting in further degradation of the ecological integrity, wildlife habitat, soil hydrology, and natural systems in and around the project area.

Similar with other projects in the region, project provisions need to include:

- A. Providing for the retention of all trees with old and mature characteristics regardless of size, projected longevity, or condition;
- B. Interior forest stands should be ecologically maintained allowing natural cyclic processes, conditions, and functioning. Management actions should be designed to maintain and augment, rather than hinder, natural processes, and to provide for the viability and habitat needs of dependent forest species;
- C. Protecting soils and native plants by limited machinery use and requiring low impact light machinery and practices in all areas where machinery is employed;

- D. Protecting RHCAs and localized moist ‘riparian’ areas where these may seasonally occur, by prohibiting machinery use and logging in these locations;
- E. Seasonal restrictions on project implementation protecting avian species during nesting and fledging periods;
- F. No new roads of any kind may be built. Road reconstruction may not occur on naturally reclaimed non-navigable roads. Road density levels must be reduced throughout the project area, both in localized units and overall. Density levels may not be artificially diluted by averaging these with the inclusion of unroaded or entire project analysis area acres;
- G. No logging-thinning actions or machinery use may occur in unroaded or ecologically significant areas;
- H. Livestock grazing must be suspended for one year pre-project implementation and between 5 to 10 years post project from all affected action areas;
- I. Other provisions as ecologically appropriate.

The notice proposes a series of varied scientifically insupportable logging-‘thinning’ actions, rationalized by natural forest ecological components of fire/fuels, insects, and disease. Such actions have generally proven to be far more harm than benefit, varying in degree of harms dependent upon the extent of thinning employed and the location and timing of thinning actions.

Management actions work best when they are kept within the parameters of greater scientific consensus rather than controversy. Care must be taken limiting thinning to scientifically supported actions and locations. Project actions must ensure sufficient trees and forest stand structure remain to provide for the diverse optimum habitat needs of dependent wildlife species, and to provide for both localized and landscape scale forest ecological integrity. Management actions that excessively thin forests can be antithetical to project goals of reduced risk of severe fires and enhancing forest ecological resiliency. Excessive logging-thinning actions increase and exacerbate the risk of severe fires, as fire resistant mature and old trees are soon replaced with fire-prone brush and small diameter trees. Soils disturbed and impaired by heavy logging machinery cannot support the healthy subsurface soil microbial communities and hydrological functioning necessary to maintain healthy trees and forests. Existing populations of invasive plants can be further spread, and new introductions of exotic invasive plants may occur as a result of soil disturbing logging-thinning actions.

Limiting thinning to only smaller diameter trees, employing variable diameter thinning limits as appropriate to PAG site-specific conditions, has more scientific and ecological support. For example, limiting felling to trees <12” dbh, or a range of variable diameter limits specific to frequent fire PAGs from 10” to 14” dbh (16” dbh at most), is less scientifically controversial and more ecologically capable of achieving project purpose and need goals.

We look forward to reviewing the draft EIS (recommended) or EA for this proposed project. The NEPA analysis must disclose and assess:

- Old growth forest areas size and location;
- Listed species, focal species, indicator species, and species of concern in, transiting, and adjacent to the project area;
- Landscape scale and localized wildlife connectivity, including migration, foraging, and dispersal habitat and routes;
- Soil conditions, and soil microbial community qualities and impacts;
- Existing invasive plant population and location concerns, and invasive exotic plant introduction and spread issues;
- Ecosystem and soil hydrological patterns, seasonal moist riparian areas and flows, salmonid and other watersystems, 303(d) listed areas, and any affected aquatic species;

- Excessive road density issues, including plans to remove excess roads and bring the area into compliance with Forest Plan road density standards and wildlife thresholds. No new or temporary roads should be proposed;
- Inventoried and uninventoried roadless areas, and/or areas of significant ecological resource value or concern in or nearby the project area, including connective habitat within or along the project;
- OHV use and issues in and adjacent to the project area;
- The full range of applicable scientific research pertinent to the proposed project, including that which may substantiate proposed actions and that which recommends against such actions or addresses issues of scientific controversy;
- Natural fire cycles, patterns, and conditions that historically occurred in this area, fire occurrence in the area during the past 100 or more years, and recent current fire and management history;
- Natural cyclic changes in forest extent, fire patterns, and dependent species;
- Cumulative impacts for past, present, and future projects in and adjacent to the proposed project area, including livestock grazing, OHVs, other thinning-logging actions, burning, recreational projects, private lands projects and actions, and all other known or foreseeable actions;
- Issues of carbon sequestration and climate change, and project impacts affecting soils (which store the greatest banks of carbon and lose much of this when disturbed by logging), and forest structure and integrity (again logging significantly reduces carbon sequestration, contributing incrementally to exponentially growing climate change);

Other pertinent information as environmentally, scientifically, and legally appropriate.

Damon's purported "collaborative" basis

The Damon WUI Project is the second in a potential series of "fire risk reduction/restoration" projects originating from the Blue Mountains Forest Partners collaborative group; the first of these projects being the somewhat contentious, and as yet not implemented Dads Creek Project. The BMFP collaborative process was initiated to bring together diverse representatives of the region's conservation, timber, and local communities to bridge contentious perspectives and attempt to develop common ground ecologically based and economically feasible projects. This process has helped bring dialogue and incremental understanding in-part diffusing somewhat the volatile contention between the area's timber community representatives and conservation participants. Yet the process is still far from truly collaborative for a number of reasons:

- The lack of true ecologically sound common ground: the lack of the inclusion of restoration that is not associated with commercial logging revenues (restoring 303(d) listed waterways, restoring native species vegetation, protecting imperiled species habitats and developing achievable effective recovery plans for these species; reducing project extent strategically to allow for and augment ongoing natural ecological recovery and resilience processes; the continual push to commercially log in old growth, riparian, and ecologically significant areas; the unreasonable extent of the County Wildfire Protection Plan which goes far beyond community boundaries, across open grass lands, waterways, major highways, and old clear cuts to include far removed interior forest wildlands; the failure to require light on the land equipment and methods – and failure to address protection and recovery of the forests environmentally foundational soil microbial communities and soil hydrological functioning; the failure to require the removal of livestock from project areas where ground disturbance and fires are planned – to meet scientific recommendations for livestock removal during recovery periods of 5 to 10 years minimum; the failure to

acknowledge that removal of trees that exhibit fire resistant characteristics is antithetical to the stated goals of so-called fire risk and fuels reduction projects – as these are soon replaced by fire prone vegetation including brush, grasses, and small diameter trees; the continued inclusion of road building including so-called “temporary roads” fragmenting forest ecosystems, degrading wildlife habitat, impairing hydrological functioning, and opening routes for the spread of invasive exotic plants and impacts of OHVs (ecologically roadbeds continue to impact forest ecosystems adversely for many decades to centuries – far from temporary in the perspective of human and wildlife lifetimes); etc.;

- The general apparent inability of the group to meaningfully hear and incorporate the above conservation objectives and concerns into project planning and development; the cursory dismissal of our educational presentations (available to all on the Sierra Club website) – including ignoring our offers to present these publicly to the group in Grant County; and continuing adversarial pressure upon conservation perspectives from timber interests that result in cobbled together Frankenstein-esque projects such as Damon, and to a large extent Dads;
- The rush to push through a second project before the first is implemented and its impacts and effectiveness comprehensively assessed, so new projects can be revised accordingly to better protect natural forest ecology and achieve restoration objectives;
- The failure to meaningfully address and incorporate the full range of scientific research applicable to forest restoration projects; the ‘cherry picking’ selective misuse of fragmented science, Forest Service and timber volume oriented research, and high levels of as yet unaddressed scientific controversy of projects such as Damon and Dads;
- The level of contention during the final decision for the Dads project, with the agency initially including an ecologically important part of the Dixie unroaded area, with plans to build a road and log it as one of the units. This resulted in a withdrawal and revision of the original decision to better meet conservation and legal concerns, and the subsequent appeal of the project by timber industry representatives, necessitating conservation appeals also to maintain legal standing. While all was somewhat resolved, the levels of adversarial contention are largely indicative of a very flawed and dysfunctional “collaborative” process;
- Local conservation residents are still very wary of publicly participating in Blue Mountains Forest Partners meetings and process due to the pattern of very recent past years of intolerance, verbal abuse and physical threats to person and property, and the likely valid perception that public participation would place their employment and families in jeopardy. Intimidation and harms to area conservationists have included a smashed vehicle windshield, slashed tires, a shot mailbox, verbal threats, loosened and removed wheel lug nuts, an angry mob at a Forest Service field trip to the former Flagtail sale, and volatile slanderous radio and newspaper diatribes (see attached article “Breaking the Silence” from the spring 2006 Sierra Club Conifer – Wild Juniper Journal). To date, there is almost no involvement in the BMFP from local conservation residents, including Sierra Club members in the community who as yet feel they cannot represent ecological concerns without harmful and disrespectful repercussions.
- The John Day area community has had two of its medical doctors who dared speak out publicly to represent conservation issues, from the Clean Stream Initiative addressing grazing harms, to issues of rampant OHV abuse, outrageously harassed and driven under duress from the community. Harassment included fence cutting, cattle trespass, and shooting intimidation on adjoining land of Dr. Shipsey to the point he finally shot some trespassing cows and was legally charged; and the relatively recent well-poisoning of Dr. Bachtold, for daring to speak out against OHV disturbance on BLM public lands

surrounding his home, disrupting the quality of his and his families lives. No one has been apprehended for this poisoning crime, and to the best of our knowledge no one was ever charged for harassment of Dr. Shipsey including fence cutting and cattle trespass on his land. Instead, the Malheur NF is afraid to reign in rampant OHV harms and cross country travel in violation of agency directives and legal requirements. Compounding this are threats from county representatives to gather over two thousand names on petitions protesting any restrictions upon OHV travel on the national forest. In general, Grant County is still perceived as being dominated by socially anti-democratic, ecologically irresponsible, volatile behavior; leaving little room for respectful common ground accomplishments. To its credit BMFP is beginning to change this perception, however, the projects it has fostered remain far from ecologically responsible;

- The volatile underhanded public and behind-the-scenes attacks on our staff arising from contention over the Dads project and the non-collaborative Thorn and Egley projects; and the inability of the BMFP process to really address the roots of these issues, though at least the symptoms have abated with BMFP intervention. This inability, coupled with ongoing clamor for more logging and grazing, and continued diatribes against conservation groups, only further confirms our organization's local members concerns about attempting to participate in the BMFP agency, county, and timber dominated "collaborative" process.
- As a result of the synergistic combination of all the above; and compounded by budget constraints, high travel costs, and resource limitations; our organization has withdrawn from actively participating in BMFP. Generally, the projects being developed largely fail to be based upon sound ecological science and the recovery needs of the land, salmonid watersystems, wildlife, and native species; instead devolving to apparent "less-harmful" timber sales rather than legitimate restoration. As such, until local conservation members of our organization feel they can safely and respectfully participate, and until the ecological restoration foundation of cooperative projects is firmly established, it is in contravention to our organizations interests, and the needs of the forest ecosystems and their dependent species, to continue to participate in creating additional harmful timber sales that we may only have to appeal and stop. The NEPA legal process as such remains a more feasible path to legally and ecologically responsible projects, with far less resource demands that participation in the BMFP process requires, and far more accountability to ecological science and conservation;
- The Malheur National Forest is part of the ceded treaty lands supposedly managed for the perpetuity and abundance of natural resources for the area's native nations, including the Confederated Tribes of the Umatilla, Warm Springs, and the Burns Paiute. However, none of these nations are represented in the collaborative group, and to the best of our knowledge are not consulted by the BMFP group, with their concerns and interests being addressed and incorporated in proposed projects other than through the USFS NEPA process;
- Lastly, public lands belong to all citizens of this nation, not just those who feel safe, or are able to attend BMFP meetings. Participation in time-consuming localized collaboratives with disproportional representation of interests, gives false credence to what strays towards localized usurpation of national citizen rights for management on public lands. The voting processes utilized in an attempt to resolve divisive issues over the Dads project's inclusion of a roadless area as a logging unit, and over the inclusion of new roads (misnamed as temporary), where local timber interests out numbered conservation attendees, even though some of those attendees represented thousands to nearly one million organizational members, is just one example of the imbalance inherent in such misrepresentative group processes.

The tug and pull of various perspectives spanning the divide between conservation organizations and timber corporations, as re-interpreted by the Malheur Forest Service, has generally resulted in a pseudo-science logging motivated project that largely fails to incorporate needed restoration beyond limited thinning of small vegetation and reintroducing fire cycles; while sacrificing maturing “commercial sized” trees whose removal is ecologically unwarranted to appease timber economic desires.

Related concerns expressed regarding the similarly premised Dads Creek Project

The following is from our previous comments at the onset of the Dads Creek Project, submitted during that project’s inception (well before the near decision HFRA objection “train wreck’ at its contentious end). This serves as a reminder of the inherent potential common ground projects could have if they were to stay within the scientific and legal parameters required of legitimate public lands restoration projects:

The Dads Creek and future BMFP’s projects have the potential to both restore area forests, including their wildlife habitat and waterways, as well as contribute to local community fire risk reduction and economic objectives. As this project is the first of potentially many common-ground collaborative efforts in the Malheur’s forests, it is imperative its design, implementation, impacts and results are soundly founded upon ecological objectives and conservation science, and this initial project be an exemplary one creating a laudable pathway for the others to follow.

Towards these goals, the BMFP consensed, after months of at time contentious dialogue and field trips, to the Sept. 7, 2007 “Dads Creek Forest Restoration Project Final Recommendations.” It is the agency’s responsibility to fully incorporate these recommendations in developing an exemplary ecologically sound project, helping ensure a strong foundation for our continuing collaborative project efforts. A copy of these recommendations is included as part of these comments.

From the start, it must be noted that accomplishing restoration objectives by employing commercial logging thinning remains scientifically controversial at best. Commercial logging’s economic motivations have the potential to unduly influence the extent and impacts of thinning, resulting in significantly too many trees being felled than credible restoration goals may support. Economics can also result in the removal of larger diameter trees than restoration objectives can substantiate. As such, it is important that the agency employ conservation science in guiding its planning, unit locations, and thinning marking throughout this project. All trees that exhibit old growth characteristics, regardless of species or size, should be retained as fundamental components of the areas forest ecosystems.

Forests themselves are not “hazardous fuels.” This term really has no scientifically supportable place in describing natural components of forest ecosystems, where fire is an integral and recurrent component as well. (Unless of course such terms are describing cans of unnatural petrochemical fuels, human created flammable debris, or other unnatural conditions.) It is the restoration of forest resiliency and reduced risk of severe fires that are among the foundational restoration purposes of this project. It is not the woody debris, such as dry downed branches and dead lower limbs, which is in itself hazardous, but the seasonal patterns, human actions, and proximity of human residences that give increase to societal concerns of increased fire risk. Addressing risks to human residences is best accomplished by working with local owners to proactively reduce fire risks on their land, near their homes and buildings, and within ¼ mile of existing structures. To meet “hazardous fuels” concerns such cooperative private lands efforts should be incorporated into this project.

Similarly, insects including bark beetles are naturally inherent and essential components of forest ecosystems. Forests accomplish their own natural thinning by innumerable natural processes, including bark beetles, tussock moths, and other invertebrates, as well as a host of forest pathogens from root rots to slow-acting, semi-symbiotic mistletoe, which may weaken trees and increase their susceptibility to other pathogens – but in itself rarely kills. Rather than seek to control or near-eliminate these natural components, this project should be designed to facilitate a return of the area’s forests to a range of natural variability that is self-resilient over the long-term of time.

Woody debris and small diameter tree density in much of the project area has likely increased from optimum historical conditions. However, more than a lack of periodic fire, or a hypothetical increase in insect impacts, it has been past logging and ongoing livestock grazing that has resulted in a younger, denser forest. The area's now seasonally lowered water table, resulting from a combination of water diversions, increased seasonal peak flows, increased solar exposure, roads and altered hydrological patterns, and increased abundance of small diameter trees and brush vegetation, contributes significantly to an increased risk of summer during the dry summer season – as does the increased human presence and use of the area (which can result in accidental as well as arson fires).

Thinning itself has been scientifically shown to result in increased levels of small diameter trees and brush, as well as slash debris. Nature, always one to fill an opening, fills openings left by removed trees, replacing these with young tree seedlings as well as shrubs, grasses, and brush. It is important that openings left by thinning be minimal, and that recurrent periodic fires be allowed to naturally thin the area over the ensuing years. Otherwise, what benefit thinning may accomplish towards reduced fire risk is usually lost within ten years, as more fire-prone brush and small trees fill in thinned openings. The 28 acres currently planned for regeneration thinning is inappropriate to the restoration and science-based goals of this project.

Restoring and protecting soils are also essential to accomplishing project goals. Soils resiliency, moisture retention, and subsurface soil microbial community conditions and viability play a foundational role in determining overall forest resiliency and reduced susceptibility to severe fires. Current plans that permit the use of heavy logging machinery for thinning must be changed, with provisions mandating the use of light-on-the-land machinery instead. It is inconsistent with the achievement of project goals to require slash treatment machines to have low ground pressure, but not also require similar low-ground impacts of logging skidders, tractors, and other machinery. The answer is not to remove slash machinery provisions, but instead to utilize similar provisions for thinning machinery also.

Steep slopes above 25% should not have any medium diameter or greater diameter trees removed. If thinning is needed to meet ecological objectives in steep areas, felled trees of medium and greater diameter should be left in place to help provide for long-term slope stability as well as wildlife habitat and soils nutrients. There should be no surface disturbing skidding or yarding across slopes greater than 25%.

Restoration of the area's 303(d) Oregon State listed salmonid waterways should be a strong part of this project. Hydrology and water availability more than thinning, have greater influence on reducing fire risks and increasing forest resiliency. Restoration designs should include removing or reducing livestock grazing, identifying and reducing sedimentation sources, retaining existing riparian vegetation and planting additional riparian shading vegetation, stabilizing above stream slopes, restoring as possible hydrological flow patterns and levels, and improving stream bed cobble habitat for aquatic species, among other possibilities.

Achieving ecological restoration objectives

It is imperative that the suppositions underlying the proposed project are sound, for the eventual results to be ecologically consistent with the needs of the area and the integrity of the ecosystem. It is important that the historical natural and existing conditions of the area be correctly ascertained, to avoid erroneous assumptions that could undermine and subvert the project from achieving ecologically desirable restoration goals. The Dads Creek project's watersheds are a naturally varied mosaic of different forest types and conditions. North facing slopes, moist areas, and higher elevations tend to have higher levels of fir trees in these area's mixed conifer forests than south facing, dry areas, and lower elevation sites. It is important that thinning objectives incorporate these differences. Simply employing an average 50 sq. ft. basal area formula is antithetical to the ecological restoration objectives for much of the area's mixed conifer, moist, and high elevation forests. This variable basal formula should be primarily employed in historically dry, south facing pine forest sites. Mixed conifer areas proposed for restorative thinning are much more complex forests, and can naturally vary in basal area stand density from 80 to well over 120 sq. feet of basal area.

Providing for variable levels of unthinned areas is important in maintaining wildlife habitat for numerous interior forest species. Similar projects in the region have employed a range of 15% to 30% unthinned areas. Surveys for affected species of concern, such as goshawks, neotropical migrant and native birds, cavity nesters and others should be conducted before the project is implemented. Seasonal restrictions on thinning should be employed, prohibiting thinning and hauling during nesting and fledging periods for avian species. The project itself must not result in further loss of viable habitat of wildlife species of concern in the area.

Pile burning is most often in contravention to restoration objectives (unless piles are kept small), as burning large piles sterilizes forest soils beneath them, taking many years for affected areas to begin to recover. The burning of large slash piles should not be part of this project. Instead other more ecologically and economically appropriate methods should be employed to reduce slash generated by this project.

It may be appropriate to assess and develop a full range of varied science-based alternatives – not just one alternative as proposed under HFRA, with differing approaches and methods utilized as appropriate to localized resource concerns and objectives. Given the diverse opinions inherent in this collaborative group and ongoing scientific controversy regarding the efficacy and appropriateness of commercial thinning as restoration, developing different alternative approaches based upon varied scientific recommendations will help provide for selecting those most acceptable for different unit areas based upon ecological concerns.

Conclusions Regarding Damon

The NEPA analysis must develop a full range of truly different scientifically and ecologically substantiated action alternatives. To help identify additional conservation concerns, we herein reference the substantial ecological, science, and legal concerns and issues already provided to the agency planning staff and decision-makers in our previous comments (and/or appeals & objections as applicable) on the Knox, Thorn, Crawford, Canyon, Dads Creek, Egley, and other Malheur NF logging and/or fuels reduction-thinning styled projects.

We recommend delaying further action on Damon until the Dads Creek project has completed its implementation in whole or large part, and an assessment is made regarding that similarly premised project's impacts and restoration objective effectiveness – or lack thereof. We look forward to discussing these and related conservation concerns with agency decision-makers and planning staff soon.

For our natural 'wild' forests,

A handwritten signature in black ink that reads "Asante Riverwind". The signature is written in a cursive style and is positioned above a horizontal line.

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Quotations, however, eloquent or inspiring, cannot compare to a day spent free amidst the wonders of wild nature.