Oregon Chapter Sierra Club, Hells Canyon Preservation Council, & LOWD-Blue Mountains Biodiversity Project; Scoping Comments on the Umatilla NF Mirage Project in the North Fork John Day Ranger District, July 28, 2009

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July 28, 2009

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Scoping Comments on the proposed Mirage Vegetation Management Project

Please accept these comments on behalf of the Hells Canyon Preservation Council, the Oregon Chapter Sierra Club, and the League Of Wilderness Defenders-Blue Mountains Biodiversity Project regarding the proposed Mirage Vegetation Management Project. Our organizations have reviewed the June 29, 2009 notice for the proposed Mirage Vegetation Management Project.

HCPC is a non-profit conservation organization based in La Grande, OR with approximately 1,000 members. HCPC's mission is to protect and restore the inspiring wildlands, pure waters, unique habitats and biodiversity of the Hells Canyon-Wallowa and Blue Mountain Ecosystems through advocacy, education and collaboration, advancing science-based policy and protective land management. HCPC actively participates in Forest Service proceedings and decisions concerning the management of public lands within the Umatilla National Forest (UNF), and is an interested public for timber sales within the North Fork John Day Ranger District and other districts within the Umatilla Forest.

The Oregon Chapter Sierra Club represents over 20,000 members throughout Oregon, including over 1,000 Juniper Group members throughout central and eastern Oregon. Nationally, the Sierra Club represents well-over one million members. Sierra Club members feel strongly about nature, wilderness, wildlife and the environment. Our members regularly enjoy hiking, camping, birding, wildlife watching, recreation and ecological study within the national forests of central and eastern Oregon, including the project area within the North Fork John Day Ranger District of the Umatilla National Forest.

LOWD-Blue Mountains Biodiversity Project has many members and volunteers throughout the Northwest. Members and volunteers of the LOWD-Blue Mountains Biodiversity Project regularly use the Umatilla National Forest, including the project area, for hiking, ecological study, watching wildlife, viewing forest native botanical diversity, and avian species study.

The Mirage Project if developed and implemented as proposed would significantly and irreparably harm the ecological integrity of the area's forest ecosystems and salmonid waterways, harming wildlife, aquatic, and native botanical species habitat and populations, further jeopardizing viability for ESA and Oregon state listed species and regionally listed species of concern. Jointly, our three organizations have the following comments on the Mirage Vegetation Management Project.

Proposed Mirage Vegetation Management Project

Location: Grant County, OR, approximately 7 to 9 air miles south of Dale (actual distance undisclosed in the notice, with the road distance likely longer), in the Indian Creek subwatershed (25% of the watershed), T. 8 S., R 31 E. (sections 24-25) & 32E. (sections 7-9, 16-23, 25-30, 31-36), T. 9 S., R. 32 (sections 1-3, 12) & 33 E (sections 6-7).

Analysis area: 29,817 acres:

- 7,439 acres of management "treatments";
- 2,487 acres of commercial and non-commercial logging-thinning;
    - 982 acres of C3 "Big Game Winter Range";
    - 1,423 acres of C4 Wildlife Habitat;
    - 82 acres of C5 Riparian (Fish & Wildlife);
- 1,932 acres of commercial logging;
    - 1,039 acres in 20 logging-thinning units;
    - 687 acres in 7 logging and non-commercial thinning units;
    - 206 acres in 6 near clear cut "shelter wood" logging units;
    - Logging disturbance projected to extend over 2 years;
    - ¼ acre landings averaging every 25 acres across the project units;
- 17 CCF of "merchantable material" (projected saw logs & wood fiber – "chip or hog fuel" components not disclosed);
- Ground based logging throughout the entire 1,932 acres, using forwarder, skidder, or "similar system" (specific acreage and provisions not disclosed);
- Forest Plan Amendment allowing logging in C3 Big Game Winter Range (total designated area 4,414 acres, of which 982 acres are proposed for logging), and C4 Wildlife Habitat (total designated area 7,690 acres, of which 1,423 acres are proposed for logging), as the Habitat Effectiveness Index fails to meet Umatilla Forest Plan standards for satisfactory and marginal cover;
    - C3 satisfactory cover = 1.1%, total cover =27.6%, and HEI = 56
    - C3 LRMP standards: satisfactory cover = 10%, total cover = 30%, HEI = 70
    - C4 satisfactory cover = 0.9%, total cover =18.4%, and HEI = 50
    - C4 LRMP standards: satisfactory cover = 15%, total cover = 30% HEI = 60

  The proposed amendment would alter LRMP standards "for the duration of the project" to log in areas where HEI fails to meet Forest Plan standards, further degrading wildlife habitat quality. The proposal fails to disclose how long post project before the area may begin to meet LRMP standards.
- 555 acres of non-commercial thinning in 21 units;

- Slash and woody debris treatments include manual (lop, scatter, and pile), mechanical (grapple pile, grind, &/or crush), biomass removal, and burning, including soil damaging pile burning;
- 6,700 acres of burning;
    - Undisclosed extent of mechanical and hand fire line, and rehabilitation actions;
    - 60% of the 6,700 acre area would be blackened over a period of up to 5 years;
    - Aerial, ATV, and drip torch ignition during spring and/or fall seasons;
- Opening 59 miles of closed roads, requiring road reconstruction maintenance;
- Using 72 miles of open and seasonally open roads (the total for seasonally open, period and reason for seasonal closure(s), and use period(s) for these are not disclosed);
- Construction of 1 mile of new road (incorrectly referred to as temporary – as road use impacts persist for decades to centuries, ecologically such roads are not temporary);
- Snowplowing and hauling disturbance in the Desolation Big Game Winter Range C3 area, on roads 3988,3990,3986, and 3980;
- "Hazard tree" removal throughout the 132 miles of logging haul routes on both open and closed roads;
- 206 acres of tree planting (p. pine, w. larch, & d. fir), with use of plastic (Vexar) tubing;
- Gopher trapping on 206 acres;
- Undisclosed BMPs to be employed to address invasive plants;
- Undisclosed provisions for soil disturbance rehabilitation, and prevention;
- Undisclosed Oregon State water quality status for the area's salmonid waterways, upland tributaries, and spring headwaters;

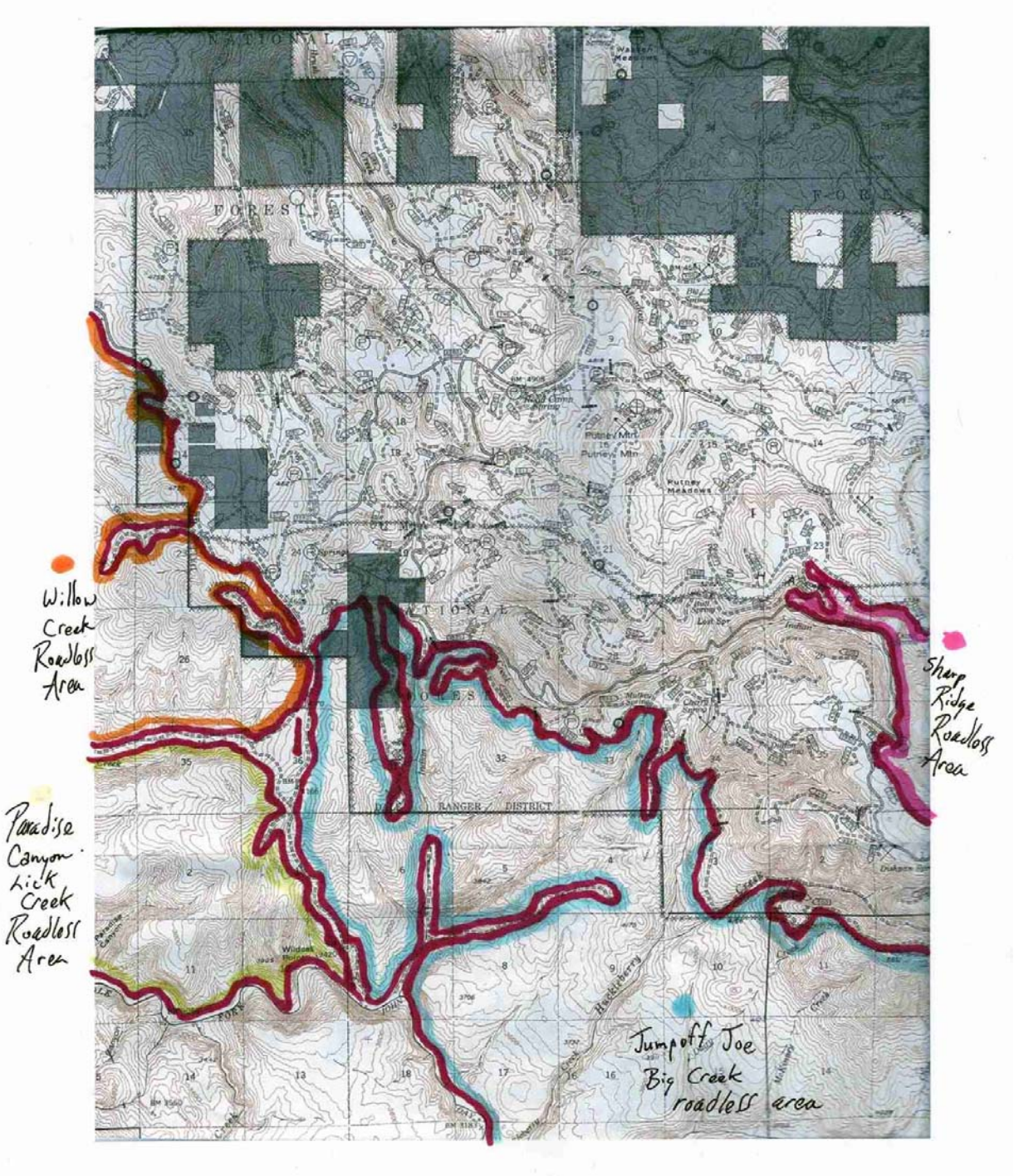
The Need for an EIS

NEPA requires the Forest Service to prepare an EIS for all major federal actions that "may significantly affect the quality of the human environment." 42 U.S.C. § 4332(2)(C). If an agency decides not to prepare an EIS, it must supply a "convincing statement of reasons" to explain why a project's impacts are insignificant. Blue Mtns. Biodiversity Project v. Blackwood, 161 F.3d 1208, 1212 (9th Cir. 1998) (also holding that a "plaintiff need not show that significant effects will in fact occur" that it is enough for the plaintiff to raise "substantial questions whether a project may have a significant effect" on the environment). Because this proposed project includes widespread scientifically controversial commercial logging actions in an area with significant public recreational, natural, roadless (inventoried and uninventoried Contiguous Roadless Extent), potential wilderness areas, salmonid watersystems (and upland headwater tributaries), and imperiled wildlife populations and habitat values; and which has extensive past and ongoing cumulative impacts issues; NEPA requires a scientifically founded legally compliant EIS be developed for this proposed project. As demonstrated herein, the proposed project actions are significantly scientifically controversial, and as proposed largely have little credible scientific support. Exponentially increasing climate change and related issues of forest carbon sequestration are also at the forefront of forest management priority. The actions as currently proposed evidence an in depth EIS analysis process is necessary for as project of this scale and environmental significance.

Significant Issues Requiring an EIS

Contiguous Roadless Extent

The map following depicts inventoried and uninventoried roadless areas within the Mirage analysis area, including proposed logging and action units within these areas of Contiguous Roadless Extent. An EIS is necessary for significant environmentally altering management actions which would irretrievably alter the roadless, natural, and potential wilderness qualities of the greater project area.



Ecologically Significant LRMP Management Areas

The proposed project notice states that the Mirage Project analysis area encompasses 29,817 acres. This is a substantially large project area, located in a mix of ecologically important C-3, C-4, and C-5 – Big Game (elk), Wildlife Habitat, and Riparian management areas. The notice discloses that 4,414 acres of designated Big Game, 7,690 acres of designated Wildlife Habitat, and an undisclosed acreage of designated Riparian areas exist within the analysis area. The notice further discloses that 2,487 acres of these ecologically important areas are proposed for logging and other management disturbance actions. NEPA requires a comprehensive EIS analysis to accurately and sufficiently assess ecological conditions and objectives, cumulative impacts, scientific recommendations, and to develop a full range of scientifically supported, ecologically and legally tenable management action alternatives for consideration.

Environmentally Critical Conditions and Issues

Currently the above noted C3 and C4 management areas fail to meet Umatilla Forest Plan standards for Habitat Effectiveness Index (HEI). The notice states that the agency proposes to waive these standards, allowing further degradation to the habitat cover and quality of significant portions of these elk and wildlife management areas through a mix of commercial logging, thinning, and burning activities. The notice states that Forest Plan standards would be waived for the duration of the project, however, upon project completion the area's would have been degraded even further from compliance with LRMP standards and objectives. NEPA requires a thorough analysis of conditions, scientific recommendations, short and long-term resource objectives, impacts to affected wildlife species and area environment, and the development of a range of alternative action options before such irretrievable management actions may be considered and approved. An EIS is clearly necessary for a project of this significance in impact and scope.

Scientific Controversy

The actions proposed in the notice for the Mirage Project are scientifically controversial at best, and largely not supported by credible scientific research recommendations. Proposed actions include:

- Scientifically insupportable logging, thinning, and burning in upland mixed conifer, mixed fire severity forest systems.
- Proposed actions would significantly reduce and impair the carbon sequestration capacity of the affected forest areas at a time when issues of logging contribution to carbon release, and logging caused reductions in forest carbon sequestration play significant roles in exacerbating exponentially increasing global and localized climate change. Logging degradation of carbon sequestration capacity is counter to the imperative societal necessity of effectively and proactively addressing, minimizing, and reducing the impacts of climate change.
- Significant degradation of critically important wildlife habitat, affecting not only elk in designated C3 areas, but adversely impacting interior forest dependent wildlife species including ESA and Oregon State listed species such as bald eagles, wolves, lynx, wolverine, salmonid species, and others; regional species of concern including goshawk, neotropical migrant and native birds, and others; and management indicator species including pileated, three-toed, and other woodpeckers, martin, and others. An EIS is necessary to credibly assess direct and cumulative impacts to these many species of

concern evidencing declining population and habitat loss trends, and develop action alternatives that are capable of maintaining and recovering their habitat and population abundance.

- Wolves are known to be returning to eastern Oregon. The project area contains and is adjacent to extensive roadless area habitat favored by wolves, and includes connective habitat between wilderness areas to the northeast and roadless to the south of the project. Far ranging wolverine and lynx also depend upon wilderness, roadless, and connective habitat such as is found within and near the project area. An EIS is essential to accurately addressing potential impacts of the proposed project upon these ESA, Oregon State, and regional species of concern.
- Soil communities are the very foundation of forest resilience, biodiversity, and abundance. Subsurface soil community research emphasizes the critical importance of protecting and maintaining the ecological integrity, hydrology, and functioning of forest soil communities. As extensive ground and vegetation disturbing actions are proposed, an EIS is essential to developing action alternatives that incorporate credible scientific research recommendations capable of achieving the ecological purpose and need objectives of this proposed project.
- The project area contains important salmonid watersystems, tributaries, and headwaters. An EIS is imperative to ascertain the direct and cumulative impacts issues, and short and long-term recovery objectives for salmonid waterways and populations within and downstream of the proposed project. The notice fails to disclose if any of the analysis area waterways are on Oregon States 303(d) list as water quality impaired, or when the most recent stream reach surveys were conducted within and adjacent to the project area.

Our organizations have provided the Umatilla National Forest decision makers and planning staff with the full scientific research reports, studies, recommendations, and articles (as well as extensive supporting site-specific surveys, photos, and graphs) related to the issues noted above. We have requested that this research be reviewed, disclosed in the NEPA analysis, and incorporated into developed alternatives and selected project actions as required by NEPA, Presidential directive, and environmental policy law. Below is a list of science exhibits sent previously to the North Fork District concerning the Farley timber sale, and additional research sent to the Umatilla National Forest and Pacific Northwest Region Regional Forester concerning the Cobbler Project appeal. If you do not have any of these scientific reports sent previously, please let us know which ones are needed, and we will promptly send these to your planning staff for review and inclusion in the Mirage Project NEPA analysis for alternative development. As science, similar to natural forests, is not static, we will also be updating our research exhibits and will provide additional pertinent studies as these are added. The following studies are included in our previous comment and appeal exhibit compilations of applicable scientific research, reports, judicial caselaw, and conservation issues, and have all been sent in full to the Umatilla National Forest. As such, these should be available to planning staff and decision-makers for review and incorporation into the proposed Mirage Project (as noted before, if any of these are needed please let us know and we will resend them, thank you):

I. Fire Thinning Science Volume I *Contents*:

1. Effects of Fire and Post-fire Salvage Logging on Avian Communities in Conifer-dominated Forests of the Western United States (Kotliar, 2002)
2. Fire on the Mountain: Birds and Burns in the Rocky Mountains (Kotliar, 2005).
   The collective influence of fire and human activities on the landscape influences avian community structure and dynamics.
3. The Effects of Postfire Salvage Logging on Cavity-Nesting Birds (Hutto & Gallo, 2006).
4. Appeal from the United States District Court: Appeal the district court's denial of preliminary injunction to halt the implementation of several United States Forest Service post-fire logging sales in the Umatilla National Forest.
5. Fire, Fuels and restoration of ponderosa pine-Douglas fir forests in the Rocky Mountains, USA (Baker et al, 2005).
   A restoration model based on low-severity fire modeling, focusing on thinning and prescribed burning to restore historical forest structure.
6. Be careful what you wish for: the legacy of Smokey Bear (Donovan & Brown, 2007).
   An alternate approach to wildfire management.
7. Postfire management on forested public lands on the western United States (Beschta et al, 2004).
8. Overstory and understory development in thinned and under-planted Oregon Coast Range Douglas fir stands. (Chan, et al, 2006).
9. Postfire logging hinders regeneration and increases fire risk (Donato, et al, 2006)
10. Postfire logging hinders regeneration and increases fire risk (Donato, et al, 2006)
11. Postfire impacts on forests and wildlife (Hutto, 2005)
12. Executive Summary: Interim protection for late successional forests, fisheries and watersheds (1993).
13. Study: Reforestation rich after fires: looking at the aftermath of wildfires in the forests of southwestern Oregon and Northern California (Barnard, 2007).
14. Fire regime considerations: Key issues in fire regime research for fuels management and ecological restoration (Veblen, 2003).
15. Forest Dreams, forest nightmares: An ecological and economic look at the Blue Mountains and the changes that have taken place since settlement (Langdon, 1995).
16. Preemptive and salvage harvesting of New England forests: When doing nothing is a viable alternative, (Foster & Orwig, 2006).
17. Changes in downed woody material and forest structures after prescribed fire in ponderosa pine forests, analyze changes in downed woody material and forest structure (trees and snags) measured within one year after prescribed fire treatments completed in Arizona and New Mexico in order to see effects on wildlife populations and their habitat (Saab).
18. Toward meaningful snag-management guidelines for postfire salvage logging in North American conifer forests. Effects of postfire logging on black-backed woodpecker and cavity nesting birds (Hutto, 2006).

19. Birds in the black: *Through following avian wildlife, a UM scientist has discovered that burned forests play a critical role in the health and diversity of the Western landscape* (Jamison, 2005).
20. Research Article: A landscape model quantifies error in reconstructing fire history from scars. *Errors in reconstruction may lead to a misunderstanding of the role of fire or incorrect restoration prescriptions. Here, a stochastic landscape model is used to quantitatively assess the accuracy of a commonly used statistic* (2005).
21. Logging to control insects: The science and myths behind managing forest insect "pests". (Black, the Xerces Society for Invertebrate Conservation, Portland, Oregon, 2005).
22. Neo-tropical migrant and native birds: The impacts of timber logging on neo-tropical migrant and native birds.
23. Fire severity in conifer forests of the Sierra Nevada, California (Odion & Hanson, 2006).

    A study of both spatial and temporal patterns of contemporary fires in the Sierra Nevada Mountains, California and how they are linked to species diversity.

24. Fire ecology of Ponderosa Pine and the rebuilding of fire-resilient Ponderosa Pine Ecosystems (Fitzgerald, 2005).
25. Research Proposal: Post fire management of snag forest habitat in the Sierra Nevada, (Hanson, 2006).

    Investigation of the association of three woodpecker species with four habitat strata following fire in the Sierra Nevada, assessment whether one species in particular, the Black-backed Woodpecker, may generally be restricted to forest recently burned at high severity ("snag forest habitat"). Also investigates the factors that best explain post-fire conifer mortality, and thus the creation of snag forest habitat, as well as the extent of natural conifer regeneration in snag forest patches that are left unmanaged following severe fire.

26. Scorched forests best left alone, study finds. Biscuit salvage – Logging after the fire killed seedlings and added tinder, research by an OSU-led team says. (Milstein, 2006, Oregonian).
27. Summary Report – Winter habitat use by Spotted Owls on BLM within the boundaries of the Timbered Rock fire (Andrews & Anthony, OCFWRU, DFW, OSU, 2004).
28. Short-term effects of wildfires on spotted owl survival, site fidelity, mate fidelity, and reproductive success (Bond et al, 2002).
29. Associations between forest fire and Mexican Spotted Owls, (Jennes et al, 2004).
30. Stress (Waring, OSU, 2004)

    A brief analysis of the kinds of tolerance and avoidance mechanisms that trees evolved to withstand specific stresses.

31. Studies to find danger to forests in thinning without burning (Robbins, New York Times, 2006).

Missoula, Montana – Thinning forests without also burning accumulated brush and deadwood may increase forest fire damage rather than reduce it, researchers at the Forest Service reported in two recent studies.

32. Thinning and nitrogen fertilization in a Grand Fir stand infested with Western Spruce Budworm. Part IV: An ecosystem management perspective (Waring, 1992).

Allowing pine forests to be replaced with fir through fire protection and selective logging has increased the nitrogen demand beyond that readily supplied in the ponderosa pine/true fir type. Fertilizing with one application of nitrogen at the time of an insect outbreak may reduce mortality and associated fire hazard through a period of up to 5 years.

33. United States Court of Appeals – Oregon Natural Resources vs. Timber Products.
34. Assessment of site index and forest growth capacity across the Pacific and Inland Northwest U.S.A. with a MODIS satellite-derived vegetation index (Waring et al, 2006).

Foresters, scientists, and policy makers would benefit if region-wide maps of potential forest productivity were available at decadal intervals to record changes, seek causes, and plan for the future.

35. The watershed impacts of forest treatments to reduce fuels and modify fire behavior (Rhodes, 2007). (Pacific Rivers Council)

This report examines the effects on watersheds and aquatic resources from forest fuel reduction treatments aimed at modifying wildland fire behavior on public lands.

Fire & Forest Science Vol. II Contents:

- Wildfire Charcoal and Soil Processes, Thomas H. DeLuca et al
- Contributions of Pinus Ponderosa Charcoal to Soil Chemical and Physical Properties, Christopher M. Briggs in Briggs, Breiner, Graham, 9 May 2005.
- Chemical composition of forest floor and consequences for nutrient availability after wildfire and harvesting in the boreal forest, E. Thiffault[1] , K. D. Hannam[2], S. A. Quideau[2], D. Paré[1], N. Bélanger[3], S.-W. Oh[4] and A. D. Munson[5] , March 2008.
- Nitrogen mineralization and phenol accumulation along a fire chronosequence in northern Sweden, Zhanna Yermakov[1, 2] and David E. Rothstein[1], May 2006.
- Changes in understory composition following catastrophic windthrow and salvage logging in a subalpine forest ecosystem, **Cristina M. Rumbaitis del Rio,** 2006
- Contributions of Pinus Ponderosa Charcoal to Soil Chemical and Physical Properties, Christopher Briggs, 2005.
- Biochar: A Soil Amendment that Combats Global Warming and Improves Agricultural Sustainability and Environmental Impacts, recent report compilation of scientific research.
- Communication on BioChar and its implications for forest and societal management, and role in ongoing climatic change.

- Biogeochemical Consequences of Wind and Salvage Logging Disturbances in a Spruce-Fir Forest Ecosystem, C.M. Rumbaitis-del Rio and C.A. Wessman.
- And Several Additional New Studies also….
- **Neotropical Migrant & Native Birds research.**
- **"Forests, Fires, Resilience & Restoration" Sierra Club Presentation.**

Forest Ecological Science and Legal. Vol. III

- Obama Order on Scientific Integrity (also within the text of the appeal);
- Avifaunal Response to Fire…, N. Kotliar et al, 2007;
- Oregon Biodiversity in a Changing Climate, J. Lawler et al, 2008;
- Public land, timber harvests, and climate mitigation: quantifying carbon sequestration potential on US public timberlands, Depro et al, 2007;
- Testimony before the House Subcommittee on National Parks, Forests, and Public Lands… M. Harmon PhD, March 3, 2009;
- Forest fuel reduction alters fire severity and long term carbon storage in three Pacific Northwest ecosystems. S. Mitchell, M. Harmon, K. O'Connell;
- 50 Year Trend in June Temperature, 1951-2006, E. OR, E. CA, ID, S.W. MT, NV, UT, W. WY;
- Olympic Forest Coalition vs. USFS, Case #CO7-5344 RBL, 5-09-08;
- Impacts of timber harvesting on organic matter…, M.F. Jurgensen, 1996;
- Citizens for Better Forestry et al vs. USDA et al, Case # C 08-1927 CW, 6-30-09;
- Surveying the NEPA and the Emerging Issues of Climate Change,…, J. Mendelson III;
- Court Rulings on Climate Change…;
- Fire Ecology in Rocky Mountain Landscapes, W. Baker 2009;
- Historical and Anticipated Changes in Forest Ecosystems of the Inland West of the US, W. Covington et al, 1994;
- Aspen Regeneration in the Blue Mountains of NE Oregon, D. Shirley & V. Erickson, 2001;
- Mountain Pine Beetle Issues in the Western US, G. Wuerthner, 2009;
- Implementation of National Fire Plan Treatments Near the Wildland Urban Interface in the Western US, T. Schoennagel et al, 2009;
- Beetle Infested Forests Are Not "Destroyed", M. Rocca & W. Romme, 2009;
- Changes in Native and Non-Native Fish Assembleges and Habitat Following Wildfire (MT), C. Sestrich, 2005;
- The European Spruce Bark Beetle – From Pest to Keystone Species, J. Muller et al, 2007;
- Bark Beetle Outbreaks and Regeneration, M. Jonasova & K. Prach, 2004;

Additionally, during recent appeal informal resolution meetings with Umatilla decision-makers and planning staff, we requested that the agency specifically identify what scientific studies, recommendations, and conclusions support the logging actions in their similarly premised Wildcat and Cobbler Projects. We requested that this response be specific, rather than the mere listing of studies and vague, out of context, references to studies contained in the NEPA

analysis for these projects. During the recent Cobbler Appeal meeting, Umatilla officials said they were unprepared to answer this question, but that the Regional Appeal Deciding Officer would include specific answers to this question in their final review of our appeal. In reviewing the recent Wildcat Appeal denial letter from the Regional Appeal Deciding Officer, where these same appeal questions of scientific controversy and lack of scientific support for project actions were raised by our organizations, the Forest Service fails completely to answer this question specifically.

We herein request, at the onset of this proposed project, that the Forest Service specifically cite the scientific reports, and their clear conclusions and recommendations, that it plans to found its proposed Mirage Project management actions upon. We also request the agency specifically address the recommendations and research conclusions of the above pertinent scientific studies, disclose and address issues of scientific controversy, and develop a full range of scientifically credible action alternatives capable of achieving ecological objectives of restoring and maintaining the forest ecosystem resilience, carbon sequestration, ecosystem functioning, integrity, connectivity, and abundant viable biodiversity of the proposed project area.

If agency decision-makers and planning staff have any clarifying questions that could help them answer this request, please contact our organizations directly. It was illuminating to recently receive a "read receipt" for our NEPA comments on the DIES for the Wildcat Project in the Heppner District, indicating that these had been opened for the first time, as computer technicians confirmed that the read receipt is only sent upon the first reading of the message and attachments to which it is attached. Illuminating because the read receipt was not received until over a year after the comments had been sent, and the Wildcat Project was in its appeal stage. It is disconcerting that federal environmental legal requirements that public comments be meaningfully reviewed and involved in Forest Service management projects were apparently ignored in the development of Wildcat, and that comments from the Sierra Club, which represents over one million US citizens, including over twenty-thousand Oregonians, and comments from the League Of Wilderness Defenders – Blue Mountains Biodiversity Project, which has many volunteers, members and supporters and a long record of direct involvement in Umatilla Forest projects, were also ignored. Answers to our Freedom Of Information Act Request and questions in the comments were never received or incorporated in the NEPA analysis.

To ensure a similar pattern does not occur with Mirage, we herein request either written, electronic, or telephone confirmation that these comments have been read (see contact information at the end of these comments). We additionally request answers to the questions and concerns herein regarding scientific controversy, uninventoried roadless areas, wildlife species of concern and recent to protocol surveys conducted for them in the greater project area, the status of whether project waterways and their downstream systems are 303(d) listed, whether the agency plans to conduct an EIS or other NEPA process (and if only an EA how it feels this can meet NEPA analysis requirements), and how these comments and concerns expressed herein may be incorporated into the developing Mirage Project.

Significant Cumulative & Concurrent Impacts

The proposed Mirage Project is located just over the Sharps Ridge dividing line, separating the Indian Creek subwatershed from the Farley Project in the Desolation Creek

watershed, only 2 to 4 air miles away. The Farley project is of a similar scale and management premise as the proposed Mirage Project, and was developed utilizing an EIS analysis process. Proposing another widespread logging project in the same geographic forest landscape (if either of these projects are eventually implemented) would subject the greater area's biodiverse forest dependent wildlife, aquatic, and other species to years of mechanized intrusion and management disruption of natural process, habitat qualities, and ecosystem functioning. As both areas are contiguous, separated only by a watershed ridge and a couple of miles, and as together both areas provide critically important connective forest habitat between the greater areas wilderness, old growth, and roadless forest habitat, and the many waterways and springs upon which wildlife depend, an EIS is clearly necessary to begin to address these significant cumulative concurrent project impacts responsibly and comprehensively.

Additionally, there has been substantial past logging throughout the greater forest area. Initial surveys of the proposed Mirage Project reveal a patchwork forest mosaic containing large areas of extensive past logging intermixed with ecologically important old growth, unroaded, and unlogged forest habitat. Road density throughout much of the proposed project is considerably in excess of wildlife thresholds and Umatilla LRMP objectives and standards, with a number of sections exceeding 4 and 5 miles of road per square mile. Proposing to utilize 132 miles of roads in the project area, opening 59 miles of closed roads and constructing an additional mile of road for a controversial proposed project that lacks scientific support for much of its proposed mixed conifer upland forest logging actions is in contravention to the nation's environmental policy laws, President Obama's Scientific Integrity directive, credible scientific ecological research and recommendations, the maintenance and recovery of imperiled wildlife populations, and the long term ecological well being, natural biodiversity, and public interests of the area. An EIS is required to begin to address the many diverse interconnected analysis issues of this proposed project.

Sequentially Concurrent Programmatic Actions

The Umatilla National Forest is engaged in a programmatic series of similarly premised, scientifically unfounded, ecologically harmful timber sales: Wildcat in the Heppner District, Cobbler in the Walla Walla District, and Farley in the North Fork John Day District. Two of our organizations are preparing to seek necessary judicial review on Wildcat to prevent unlawful environmental harms. All three of our organizations have a current standing appeal on Cobbler, which recently failed to reach informal resolution and is awaiting final agency review. Farley is in its appeal period, and our organizations are reviewing the FEIS analysis, Record of Decision, our project area forest surveys, and likely and potential impacts should this project be allowed to be implemented as planned. Dependent upon our comprehensive review, it is possible that Farley will also be appealed to prevent irreparable harms and hold the USFS accountable to this nation's environmental policy laws and its responsibility to manage for the ecological well-being of the Umatilla's public forests (appeals are not due until September).

The proposed Mirage Project has many of the same initial issues and conservation concerns of the other similar, nearly concurrent, Umatilla National Forest projects. We are seriously concerned about the proposed project's likely irreparable widespread logging and associated project harms throughout the North Fork John Day District project area, both as it is proposed alone, and significantly in combination with the nearby Farley Project. Mirage, as proposed by itself, would likely adversely affect wildlife, roadless, old growth, ecological

integrity, forest resilience, natural functioning, salmonid watersystems and populations, and violate the site-specific accuracy, scientific integrity, legal, and management requirements of federal environmental policy laws. In combination with Farley, these likely and potential harms are greatly exacerbated across the District's forest landscape.

All of these Umatilla Projects, in combination with potential future scientifically unfounded logging projects and recent past scientifically controversial and environmentally degrading logging actions, incrementally degrade the overall forest landscape integrity, and abundance and viability of terrestrial, avian, aquatic, and botanical biodiversity throughout the Umatilla National Forest "Blue Mountains' region. We strongly request the Umatilla National Forest, and the Pacific Northwest Region USDA-Forest Service comprehensively address their programmatic management direction; the incredible wealth of applicable scientific research and recommendations concerning forest management, resilience, restoration, and recovery of imperiled species of concern; and comply with national environmental policy laws and Presidential directives by responsibly revising their management direction and actions to incorporate scientific research, accurate site-specific conditions, and the recovery and maintenance of the ecological integrity and biodiversity of the region's public forests and watersystems.

Additional Initial Scoping Concerns

Field Trip Request

We recommend the agency plan a public field trip to the project area before the NEPA analysis and alternative development are completed. We request that the Forest Service contact interested public potential participants well in advance with a proposed range of dates for the trip, to better facilitate participation, rather than just announcing a date with only two weeks to a month of advance notice. Our conservation staff and volunteers are busy, as we are sure the agency staff can appreciate, with schedules booked often months in advance. It helps greatly if we have ample advance notice of a range of possible trip dates that could work for agency officials and planning staff, and can then cooperatively assure conservation representatives will be able to attend the trip.

Timber Targets Driving Forest Service Projects

If Forest Service regional timber target goals and/or other management objectives are driving this project's development and NEPA timeline, this must be disclosed to the public in the analysis for this project. Timber targets, which tend at best to sabotage ecological restoration goals and objectives, may not be permitted to supersede NEPA public participation requirements nor the requirements of environmental policy laws mandating projects be based upon site-specific conditions, high quality science and expert advice, and provide for the long term viability and recovery of native species populations and natural habitat.

Ecological & Scientific Foundation

Given the ecological importance of the area's forests and waterways, and the numerous biodiverse native species potentially affected, our organizations have significant conservation concerns with proposed commercial logging within this area. First and foremost, no commercial logging should be proposed that does not arise from credible scientifically supported restoration objectives and ecological needs. Proposed actions must be scientifically well founded and

substantiated with accurate post-project monitoring evidence from similarly premised completed projects. Proposed actions must result in both short and long-term ecological benefit to the area's forests, wildlife, native plants, soils, and aquatic species and habitat.

Projected Timber Volume

The scoping notice states that project activities would occur across the 29,817 acre analysis area, yielding approximately 17,000 CCF of merchantable material. We ask that this projected "merchantable material" figure be further meaningfully categorized for better public understanding, separating out saw log board foot volumes from chips or biomass for example, and the impacts of each category fully addressed.

Roads

The notice identifies that about 132 miles of road use will be needed for the proposed project, including the construction of approximately 1 mile of new so-called "temporary" roads (two roads totaling 1 mile), and an unspecified number of miles of reconstruction and maintenance of existing open and closed system roads. Much of the proposed Mirage project area is already excessively roaded, with road densities in excess of four and five miles of road per square mile (as noted above). Other areas are unroaded and/or unlogged old forest. Overwhelming scientific agreement concludes roads are detrimental to forest ecosystems, including numerous adverse impacts to waterways, salmonid and aquatic species, wildlife, hydrological functioning, soils, and forest ecological integrity and habitat quality. There should be no new system roads built as part of this project. In areas where road densities exceed LRMP standards, wildlife thresholds, and adversely impact natural resource values, excess road miles must be closed and thoroughly removed, recontoured, and restored to appropriate historical native ecological habitat and conditions. Absolutely no new system roads or so-called "temporary roads" should be constructed. On a scale of from 100 to 500 years that it takes for impacted soils, affected vegetation, hydrology, forest continuity, and ecological functioning to recover, there is no such thing as a "temporary road." The agency must fully disclose conservation science research, controversy, and recommendations regarding roads, including "temporary roads," in the Mirage EIS. We strongly recommend the project address existent road issues, including areas of excessive road density; the science on road impacts to wildlife, waterways, and forest ecosystems; current and past road washouts, failures, sedimentation, fragmentation, and hydrological issues. Actions must be incorporated that substantially reduce the number of roads in the project area, and that maintain the roadless, natural quality and connectivity of all existent unroaded areas.

Accurate Site-Specific Ecological Disclosures

The EIS must accurately disclose and assess the site-specific conditions, compositions, and cumulative impacts issues of the affected area forests. Mixed conifer forests are naturally mixed and high fire severity areas. Scientific research has noted the inability of logging-thinning to effectively reduce fire intensity and insect risks in such areas, concluding that mixed conifer, mixed severity fire ecology systems are not appropriate locations for fire and fuels reduction and insect risk reduction projects. The EIS for this project must disclose the full range of scientific research and recommendations concerning forest types in the Mirage area, including the ongoing

controversy concerning the effectiveness, applicability, and harms of fuels and fire risk reduction and insect risk reduction thinning-logging.

"Shelter Wood" Clear Cuts

The notice states that the agency plans "shelter wood" logging, a euphemism for near clear cut overstory and forest removal, disclosing that consequently regeneration planting will be needed on 6 units over 206 acres. All forest types and condition stages play important roles in the natural inherent biodiversity of the greater area forests. We strongly recommend against "shelter wood" styled clearcutting, overstory removal, and/or conversion of forest areas to compositions outside their natural optimum historically variable ranges. Project impacts must not adversely affect species of concern, including cavity nesters, other avian species, terrestrial wildlife, and/or aquatic species and habitat. Soils, including subsurface microbial communities, and surface forest vegetation, must be protected from harmful impacts.

Area Livestock Grazing

The notice does not mention livestock grazing in the area, or specific other cumulative impacts issues. As this is a purported fire risk reduction and forest health styled project, its EIS and action alternatives must address all other contributors to increased fire risks, fuel loads, hydrological functioning, soil moisture retention, nutrient availability, and reduced forest stand health and functioning. Among these are livestock grazing impacts, OHVs, roads, past logging, and altered hydrological patterns. Project alternatives must include provisions allowing for the ecological recovery of affected thinning and burning project units. Such units must be closed post-project to livestock grazing for a minimum recovery period of five to ten years, as recommended by scientific research.

Request for Additional Information and a Detailed Project Unit Map

Overall, the scoping notice contains very little information for the public to comment on, and provides only a very general location map. In particular, it fails to note roadless and old growth locations; watersystem quality and concerns; terrestrial wildlife species of concern, ESA listed species, aquatic species of concern, and botanical species of concern; past, recent, or nearby concurrent timber sales and management projects; project road densities; private lands conditions and cumulative actions; etc. We request more background information on all of these ecological issues. We also request the timely reception of a detailed map showing potential project units, road systems, topo-lines and geographical features.

Purpose and Need "Mirage"

The notice states that the Purpose and Need of the proposed Mirage Project is:

- "to improve the vigor, health and fire resistance in upland forest stands that are outside their historic, pre-fire exclusion conditions for structural diversity, stocking densities and fuel loads. Needs are:
    - Restore and maintain the amount of Old Forest Single Strata on dry upland forest; moving towards upper historical percentages; improve sustainability by restoring and maintaining appropriate species for this Potential Vegetation Group.

- Restore and maintain the amount of Old Forest Multi-Strata on cold upland forest; moving towards upper historical percentages, improve sustainability,
- Reduce stand densities to reduce insect and disease risk,
- Capture the commercial value of the trees that are removed.
- Return fire to adapted ecosystems, to maintain the character of a frequent fire regime, and reduce hazardous fuel loading where appropriate."

Many of the goals expressed by the notice are illusory (akin to the project's scientifically apt name – a "mirage"), and as such are unsound for at least two reasons in addition to those noted in the scientific research and referenced elsewhere herein. First, the historic forest conditions and forest health justification for this project is inherently flawed due to the belief that logging can correct past bad management practices, including fire suppression. The underlying assumption that a forest is generally healthier if properly functioning parts of the forest are removed is similarly unsupported by fact or contemporary credible scientific research (see research studies listed above and provided previously to the Umatilla Forest Service. If for some reason any of these studies are not accessible, please contact us and we will provide them to your planning staff and decision-makers once again, thank you).

The UNF has little scientific data to suggest that the "historic conditions" within the planning area are in fact representative of the plant associations that occurred prior to human manipulation of the environment. While some areas of the planning area may exhibit overstocked conditions, primarily among young understory trees, other portions of the planning area are functioning mature and old growth forests (as well as forest areas still recovering from over-logging). Generally, mixed conifer, mixed fire severity forests are complex and diverse in their natural range of variability, forest composition, and structure. Such forests are dynamic, changing dramatically and incrementally over time. At any one period they may vary considerably, from a mix of more open young and old trees and stands, to dense forests with an abundance of structural complexity, including dense thickets, snags, downed trees and limbs, and a range of tree ages from seedling to old growth. In short, there is no scientifically founded template by which to artificially manipulate the dynamic natural complexity, functioning, and varied cycles of mixed conifer mixed fire severity forest ecosystems.

The purpose and need of returning the area's ecosystems to a forest composition and fire regime more in-line with historic conditions is scientifically controversial at best, and largely insupportable outside of ponderosa pine lower elevation, frequent low fire severity forests. While it is generally assumed fire suppression, forest management activities, and grazing have altered the region's natural ecosystems significantly; this supposition must be fine tuned to the accurate historical occurrences and stand conditions within the project area. EIS analysis must assess the agency's premise that fire suppression has occurred in this area, and if so, for how long, and how effectively. Much of the more remote forests of the region have had very little effective fire suppression activities until relatively recent times. Most remote areas did not receive intensive fire suppression efforts until the 1950's or even later. What are the site-specific realities and history of the project area? How many fires have been suppressed and when? How many acres have burned, and when? What are the overall natural fire patterns, cycles, and ranges of variability? Many mixed conifer forest systems had a mix of infrequent and irregular fire cycles. As effective fire suppression has only occurred in limited areas for approximately 50 years at most, and as there exists evidence of relatively recent fires in the greater project area, it is highly

likely that the Mirage project forests are well within their natural range of variability as to fire and insect cycles.

Logging does not equate in any reasonable manner with restoration, and has limited use as a restoration tool. Logging cannot mimic natural fire – or for that matter, insect and/or other natural disturbance effects. Many species, including a range of regional woodpecker species of concern, rely on incrementally fluctuating forest density and corresponding insect abundance patterns for survival, sustenance, and homesites. Species are adapted to recurrent varied fire patterns as well, depending upon burned areas for supplemental foraging habitat. The EIS must address how proposed alternatives can appropriately restore forest ecosystems while maintaining natural cyclic patterns and current habitat for sensitive species.

Similarly, natural varied insect and fire cycles are essential for moving the forest around the landscape, replenishing soil nutrients, augmenting and altering vegetation locations and species territorial and foraging patterns, etc. Natural dynamic processes and landscape fluctuations are essential for maintaining forest resilience, integrity, biodiversity and abundance over time. Artificially attempting to manipulate or remake nature as proposed with the limited human understanding of complexly interwoven forest ecological processes and long-term cyclic functioning is a dangerous undertaking lacking in humility, holistic environmental awareness, scientific support, as well as verifiable locations where such actions have actually achieved their purported ecological goals.

Climate Change and Forest Carbon Sequestration

It is surmised that we may be entering an era where climatic conditions and fire frequency/severity more closely match conditions that occurred during hotter, drier periods approximately 4,000 years ago. However, ongoing human caused climatic changes, and degradation to forest ecosystems, have resulted in potentially far more serious risks to not only the region's forest ecosystems, but to the natural ecosystems across the entire Earth. Forests play significantly important roles in providing carbon sequestration essential to countering the impacts of human induced climate change. Removing trees and woody debris, and disturbing forest soils (where over half the carbon sequestration capacity is stored), run counter to the imperative societal need to protect, maintain, and restore forest carbon sequestration capabilities. The EIS must address these issues as they apply to the greater Farley project area. The EIS must also address the ongoing scientific controversy of whether thinning and fuels reduction logging will effectively help move the forest toward a more desirable condition, or in effect harm its ecological integrity, soils, waterways, and wildlife habitat qualities.

Restoration & "Fuels"

Forests by nature are comprised of a varied range of "fuels" – natural vegetation ranging from flowers, forbes, grasses, brush, to a varied range of tree species and conditions. Fires and insects are natural essential foundational components of forest ecosystems, and are largely beneficial in their effects over time. In the limited dry ponderosa pine forests where frequent low severity fires influenced forest growth and patterns, and within the limited areas where such fire cycles are verifiably absent for some time, there may be limited scientific support for ecologically careful small diameter tree and brush thinning and reintroduced controlled fire. In such limited areas, diameter limits are essential for credible restoration projects. There is little, if any, substantiating science which supports the logging of mature and old trees of any species as

part of a purported fire risk reduction restoration project. In resolving conservation issues with similar projects elsewhere in the region, the agency has dropped mixed conifer stands, unroaded areas, connective forests, and old growth stands from logging proposals, employed variable dbh limits ranging from 12" to 16" maximum, and provided for the retention of 30% of unit areas – leaving these unthinned to retain wildlife habitat and stand complexity and structure. The proposed Mirage Project must bring its management actions into compliance with scientifically supported and ecologically beneficial actions. Former Forest Service Chief Dombeck is quoted as stating that there is no valid rationale for cutting trees above 12" diameter for fuels and fire risk reduction.

As this project is billed as primarily fuels reduction, what is your overall reduction strategy? It is obvious that significant portions of total fuel loads cannot be removed from area forests, without destroying the forests themselves. The logging volume driven selective removal of commercial sized "fuels" in random spots does little to alleviate inherent fire patterns and risks naturally found in the region's forests. Instead of removing any trees above 8" to 10" (12" at most) diameter, which are inherently fire resistant, removing small diameter real fuels to create mature and LOS forest canopy shaded small-fuels free corridors between roads and open areas to inhibit fires would be far more appropriate. These actions should not occur within interior forest habitat far removed from private residences. Instead, given limited agency time and resources, and community priorities, such actions should be focused within ½ mile of occupied residences in inhabited areas. Management throughout the remainder of the region's forests should be based upon restoration needs and ecological protection and recovery objectives. In many similar projects, the selection of units seems to have little to do with fire risk reduction, usually leaving the area as fire prone after the project as before – or increasing fire risk and intensity due to excessive openings, slash piles and debris left in the project area, solar exposure and drying, loss of retained moisture, more ingrowth of brush and small fire-prone trees and shrubs, etc. As the proposed project area is far from human communities, there really is no ecologically or scientifically valid rationale for this proposed logging project. The EIS must address these significant issues.

Conclusion

There are many issues raised in the proposed Mirage Project actions. Already these initial scoping comments are far longer than the brief minimal notice for Mirage. The core ecological, scientific, legal, and conservation issues have been addressed repeatedly with the Umatilla National Forest over the course of the past few years. These issues and conservation concerns have recently culminated in the Umatilla's concurrent logging action NEPA processes for Wildcat, Farley, and Cobbler, as noted elsewhere above. As such, rather than repetitiously reiterate the information in our NEPA comments on the above three projects, and our appeals on Wildcat and Cobbler, we herein reference these comments and appeals, including all of their exhibits as part of these comments. All of these have been previously submitted to the Umatilla Forest Service and should be readily available to planning staff and decision-makers. We encourage the District's Mirage planning staff to thoroughly review these documents and supporting exhibits, in particular the applicable scientific studies included therein. If for any reason additional copies or information is needed, please contact us directly. We request the above concerns noted in these comments, and the issues addressed in the related comments and

appeals on similar Umatilla NF projects, be addressed and fully incorporated into the NEPA analysis and alternative development for the Mirage Project.

Given the scale of proposed logging and related management actions within designated wildlife habitat and elk management areas, in connective forest habitat in close proximity to large-scale roadless with potential wilderness qualities, including salmonid watersystems, and that proposed Mirage actions are located near yet another extensive scientifically unfounded logging project in the adjacent Desolation Creek watershed, from the onset it is clear considerable risk exists that our three organizations members' interests would be irreparably harmed if this project is developed as proposed in the June 29, 2009 notice. We strongly recommend the project's premise and purpose and need be revised to be consistent with credible scientific research recommendations. An EIS analysis is required for an action of this scale and scope. All developed action alternatives must be founded in the accurate ecological conditions of the area forests, and must be consistent with all applicable federal environmental policy laws, the Umatilla Forest Plan as amended, and the ecological objectives and recommendations of conservation science. We look forward to discussing the proposed project with Umatilla NF planning staff and deciding officials.

For the Natural Forest Heritage of Us All,

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