



Via Email: comments-pacificnorthwest-malheur-bluemountain@fs.fed.us

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Blue Mountain Ranger District
c/o Sasha Fertig, Ragged Ruby Project
Malheur National Forest
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Dear Sasha:

Thank you for the opportunity to comment on the Ragged Ruby Project (Ragged Ruby) draft environmental impact statement (DEIS). Ragged Ruby is located on the Blue Mountain Ranger District of the Malheur National Forest, approximately nine miles north of Prairie City, Oregon in Klamath and Grant County. The project encompasses approximately 34,000 acres of National Forest System Lands (NFS). This area is a very important and popular area to the residents of Grant County and to American Forest Resource Council members.

The American Forest Resource Council (AFRC) is a regional trade association whose purpose is to advocate for sustained yield timber harvests on public timberlands throughout the West to enhance forest health and resistance to fire, insects, and disease. We do this by promoting active management to attain productive public forests, protect adjoining private forests, and assure community stability. We work to improve federal and state laws, regulations, policies and decisions regarding access to and management of public forest lands and protection of all forest lands. AFRC represents over 50 forest product businesses and forest landowners throughout the West. Many of our members have their operations in communities adjacent to the Malheur National Forest and the management on these lands ultimately dictates not only the viability of their businesses, but also the economic health of the communities themselves. The state of Oregon forest sector employs approximately 76,000 with AFRC's membership directly and indirectly constituting a large percentage of those jobs. Rural communities, such as the ones affected by this project, are particularly sensitive to the forest product sector in that more than 50% of all manufacturing jobs are in wood manufacturing.

Purpose and Need

AFRC supports the landscape scale and "all hands all lands approach" for management and supports forest plan amendments, treatments in aspen clones, riparian reserves and Late and Old Structure (LOS) stands. Our members depend on a predictable and economical supply of timber products off Forest Service lands to run their businesses and to provide useful wood products to the American public. The treatments on the Ragged Ruby Project will likely provide

short-term products for the local industry and we want to ensure that this provision is an important consideration for the decision maker as the project progresses. As we will discuss later in this letter, the importance of our members' ability to harvest and remove these timber products from the timber sales generated off this project is paramount. Supporting local industry and providing useful raw materials to maintain a robust manufacturing sector should be a principal objective to any project proposed on NFS lands, particularly those lands designated as timber and range, but also on lands designated as old growth, riparian and winter range. NEPA is a procedural statute. It requires only that environmental consequences of an action be analyzed and disclosed. A project designed for timber production is entirely consistent with NEPA.

- AFRC supports treatment of Old Growth Management Areas as defined in the Malheur Land and Resource Management Plan (Forest Plan) MA13. These areas need to be managed to enable them to continue to meet the Forest Plan direction of providing habitat for wildlife species dependent on old growth stands. Most of these stands have become over-stocked and need to be thinned to promote the health and sustainability of the old growth trees. The Forest should use a project- or site-specific Forest Plan amendment in order to remove trees greater than 21" diameter at breast height (dbh). The National Forest Management Act (NFMA) provides that a Forest Plan can "be amended in any manner whatsoever." 16 U.S.C. § 1604(f)(4). This allows the Forest Service to carve out exceptions to the Eastside Screens where necessary to achieve the desired condition within a specific area. AFRC is aware that the Snow Basin decision rejected site-specific amendments because of a lack of unique site characteristics. AFRC disagrees with the reasoning of the Snow Basin decision. However, the Snow Basin decision still recognized that the combination of unique site characteristics and Forest Service expertise would be more than sufficient for site-specific amendments to be upheld. On the Malheur there is a biological need to remove trees over 21" dbh and there is legal justification for amending the Forest Plan accordingly. AFRC supports the forest plan amendment in Alternative 2 to remove white fir trees greater than 21" dbh. However white fir in eastern Oregon is often defective, especially as it attains larger diameters, and AFRC suggests that any white fir greater than 21" dbh that are cull, have frost cracks, or are otherwise not suitable for creating merchantable material be girdled and left for wildlife thereby contributing to the "large structure" that is so highly sought after. Requiring removal of large cull trees costs industry money and doesn't provide useable materials for our nation.
- AFRC does not unilaterally support leaving all trees that "appear mature and old – generally over 150 years in age." Throughout the project area, consider removing some ponderosa pine regardless of diameter if they appear old due to suppressed growth or are greater than 150 years if they are competing with legacy old growth pine in the overstory. AFRC members are concerned that current management practices in warm dry forests are eliminating healthy pine growing stock while favoring less vigorous trees. Current management activities often do not manage for the "maximum benefits of multiple use sustained yield management" as required by the National Forest Management Act, 16 U.S.C. § 1601(d)(1).

- AFRC requests that the Malheur intensively manage plantations in the Ragged Ruby project area to provide wood products for future generations. Current forest management practices on the Malheur do not reflect requirements from NFMA. NFMA was enacted in response to court decisions that ongoing forest management was limited by the Organic Act. The Multiple Use Sustained Yield Act (MUSYA) had carried forward the Organic Act's direction that forests were to be managed for "preserving the living and growing timber and promoting the younger growth."¹ MUSYA confirmed that National Forests are to be managed for "timber" as well as other uses. 16 U.S.C. § 528. It reaffirmed the Organic Act's purpose "to furnish a continuous supply of timber for the use and necessities of citizens of the United States." 16 U.S.C.A. § 475. The "younger growth" language from the Organic Act was ruled to restrict certain types of management. NFMA adopted a more balanced approach, amending the language of the Organic Act that directed "promoting the younger growth" to NFMA Sec. 6(m)(1), 16 U.S.C. 1604(m)(1): "prior to harvest, stands of trees throughout the National Forest System shall generally have reached the culmination of mean annual increment of growth[.]" In eastern Oregon that culmination occurs at about 100 to 120 years. If the Forest is not intensively managing its plantations, it is not furnishing a continuous supply of timber, nor is it promoting younger growth that has been part of forest policy from the beginning.
- AFRC supports improvements in the Dixie Butte inventoried roadless area to restore the characteristics of ecosystem composition that would be expected to occur and natural disturbance regimes.

Maximizing Treatment Area

The consideration of active management on every acre of appropriate land, regardless of its land allocation, is important to our membership as each year's timber sale program is a function of the treatment of aggregate forested stands across the landscape. Based on the Ragged Ruby DEIS, it appears that in the proposed action (Alternative 2) is proposing commercial thinning on approximately 12 percent of the project area and a combination of commercial and noncommercial thinning on approximately 27 percent of the planning area. AFRC would like to see the agency treat a higher proportion of the landscape, and, we urge the Forest Service to look for ways to maximize treatment where it is proposed and to avoid deferring units or setting aside portions of units for what is often referred to as "skips." Skips within these watersheds are plentiful, what is not plentiful are openings. The individual, clumps and openings (ICOs) will develop naturally in a relatively short amount of time without the "over engineering" that is currently taking place with extremely complex marking guides. The introductory pages in the Ragged Ruby DEIS clearly articulate the urgency and need to dramatically reduce the vegetation densities in the project area, primarily to reduce the potential for uncharacteristic wildfire on this landscape, to the benefit of virtually all the resources and values at risk in this area.

Economics and Operating Restrictions

The timber products provided by the Forest Service are crucial to the health of our membership and local economy. Without the raw material sold by the Forest Service, these mills would be unable to produce the amount of wood products that the citizens of this country

¹ (USFS Organic Act, Act of June 4, 1897, 55 Cong. ch. 2, § 1, 30 Stat. 11, 35)

demand. Without this material, our members would also be unable to run their mills at capacities that keep their employees working, which is crucial to the health of the communities that they operate in. These benefits can only be realized if the Forest Service sells their timber products through sales that are economically viable. This viability is tied to both the volume and type of timber products sold and the manner in which these products are permitted to be delivered from the forest to the mills. There are many ways to design a timber sale that allows a purchaser the ability to deliver logs to their mill in an efficient manner while also adhering to the necessary practices that are designed to protect the environmental resources present on Forest Service forestland. To be clear, we are advocating that you consider the economic viability of the project and make sure that it is designed in a way that makes sense for the market. This is not the same thing as maximizing economic value of the project.

AFRC advocates allowing as much flexibility as possible within the contract while still meeting the management goals and guidelines contained in the NEPA document. This flexibility allows the purchaser to use the most economically viable systems thus keeping the ability to pay higher stumpage rates. Placing restrictions on the specific machinery to be used severely impacts the economic viability of the timber sale while not improving the end result. Descriptions should be limited to “ground based” or “cable” with a description of the objectives and outcomes desired. Locking in the specific type of logging system in the NEPA document removes flexibility during the implementation stage. All areas that exceed slope requirements for ground based logging in the Forest Plan should be analyzed for tractor as well as skyline and/or helicopter. The objective of this exercise is to provide maximum flexibility during the implementation phase of the project. The primary issues affecting the ability of our members to feasibly deliver logs to their mills are rigid operating restrictions. We understand that the Forest Service must take necessary precautions to protect natural resources; however, we believe that in many cases there are conditions that exist on the ground that are not in step with many of the restrictions described in Forest Service EAs and contracts (i.e. dry conditions during wet season, wet conditions during dry season). We would like the Forest Service to shift methods for protecting resources from that of firm prescriptive restrictions to one that focuses on descriptive end-results; in other words, describe what you would like the end result to be rather than prescribing how to get there. This includes seasonal operating restrictions around goshawk nests, elk calving areas, etc.

Roads

Constructing forest roads is essential if active management is desired. Proper road design and layout should pose little to no negative impacts on water quality or slope stability. Consistent and steady operation time throughout the year is important for our members not only to supply a steady source of timber for their mills, but also to keep their employees working. These two values are intangible and hard to quantify as dollar figures in a graph or table, but they are important factors to consider. The ability to skid, yard and haul timber in the winter months will often make the difference between a sale selling and not.

The road system proposals must be closely reviewed to verify the status of these roads on the ground. If there are roads that have grown over and are not utilized in the Ragged Ruby Project, they should be considered “closed” rather than formally decommissioning if they are not contributing to resource damage. Road infrastructure is extremely important, and expensive to

construct. It may be necessary to utilize these roads again in the future. With the road bed already in place the costs of re-opening are reduced. Seasonal closures or other measures to close roads that are utilized rather than “decommissioning” should be considered if at all possible. AFRC urges the Forest Service to utilize existing road beds and closed roads for temporary road construction required to access the Ragged Ruby project area whenever possible. Generally, we do not support permanently decommissioning roads and removing them from the system as these roads are often necessary for future access and management activities. Utilizing other methods to prohibit use of these roads, such as gates and barriers, is a much better use of limited dollars while providing flexibility for unknown future needs on the landscape.

Riparian Area Treatment

AFRC urges the Forest Service to consider proactive management in riparian reserves/riparian conservation areas. Typically, the overstocked and uniform stand characteristics that exist in the uplands also exist in the riparian areas. It has been well documented that thinning in riparian areas accelerates the stand’s trajectory to produce large conifer trees and has minimal effect on stream temperature with adequate buffers. Removal of small diameter suppressed trees has an insignificant short-term effect on down wood, and ultimately a positive effect on long-term creation of large down woody debris and large in stream wood, which is what provides the real benefit to wildlife and stream health. We encourage the Forest Service to focus their riparian reserve treatments on a variety of native habitats. Utilization of gap cuts to promote early seral habitat in the reserves, treatments to diversify all areas of the reserve, and prescriptions that account for the full range of objectives that INFISH mandates should be considered.

AFRC urges the Forest Service to remove *all* large and old conifer trees from dry meadows and aspen/hardwood/shrub restoration areas. Historically these species were generally not present and their continued presence, regardless of age and size, provides a seed source and proliferates the current problem. It is imperative that treatments be applied at a “landscape scale” if the vast number of acres encompassed by the Malheur are going to be effectively moved to a more “resilient forested condition.” Please refer to Forest Service **General Technical Report, PNW-GTR-806, May 2010, Aspen Biology, Community Classification, and Management in the Blue Mountains** page 28.

Prescribed Burning

The Ragged Ruby project proposes to implement up to 34,000 acres of prescribed burning. Is this a realistic goal? How much prescribed burning was completed in 2018? How many acres are currently waiting to be burned? Given the number of both imposed and natural restrictions on prescribed burning it would be appropriate to provide some alternative methods of accomplishing fuels reduction.

Wildlife

AFRC requests that the Forest Service clearly define and provide empirical data supporting what comprises effective “wildlife connectivity corridors and pine marten habitat.” Are pine marten actually present in the area? Are these animals currently utilizing wildlife corridors? What characteristics actually define a “functional” wildlife corridor?

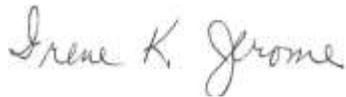
Climate Considerations

Carbon sequestration as it relates to climate change is a topic that often gets broadly analyzed in NEPA documents. The analysis that the Forest Service will likely be conducting through the ensuing environmental analysis will discuss forest health benefits, effects on carbon sequestration and storage potential and meeting the purpose and need all within the context of an economically viable timber sale. Ragged Ruby consists of a variety of treatments, including precommercial and commercial thinning, which may affect the treated stands ability to resist, respond, or be resilient to climate change in the project area. The direct, indirect, and cumulative effects of carbon sequestration and storage and its relationship to climate change in regard to this project must be viewed at much larger scales than the general project area because the scientific literature regarding these, only support analysis on larger scales. There is a large body of literature on management strategies that have the greatest carbon sequestration benefit. In general, actively managing the forest will produce a positive net increase in carbon sequestration thus a positive benefit to reducing anthropogenic effects on climate change (IPCC, 2007). AFRC urges you to analyze the type of treatments being proposed and determine through the literature how they will affect carbon sequestration potential through time.

AFRC urges the Forest Supervisor Trulock to select Alternative 2 as the preferred alternative for implementation. Alternative 2 provides the most acres treated and restored that benefit the local economy, the forest products industry, the livestock industry, and the most improvements to wildlife and riparian resources.

Thank you for the opportunity to provide comments on the Ragged Ruby DEIS. I look forward to following the implementation of this project as it moves forward. Please contact me if you have any questions.

Sincerely,



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