



Via: <https://cara.ecosystem-management.org/Public/CommentInput?project=44954>

January 28, 2019

Gary Asbridge, District Ranger
Paulina Ranger District
Ochoco National Forest
3160 NE 3rd St
Prineville, OR 97754

Dear Gary:

On behalf of the American Forest Resource Council (AFRC) and its members, thank you for the opportunity to comment on the Black Mountain Vegetation Management Project (Black Mountain) draft environmental impact statement (DEIS). Black Mountain is located on the Paulina Ranger District of the Ochoco National Forest in Crook and Wheeler Counties, Oregon. The planning area encompasses approximately 34,013 acres with approximately 15,810 acres of treatment. This area is a very important and popular to the residents of the area and to AFRC members.

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 Ochoco 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 61,000, 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 Black Mountain 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. We would like the Forest Service to recognize this importance by adding a statement to the purpose and need in Black Mountain to clearly articulate the importance of **contributing to economic viability and support to the local infrastructure**. Supporting and retaining local industry and providing useful raw materials to maintain a robust manufacturing sector should be a principal objective to any project proposed on Forest Service land, particularly those lands designated as General Forest as allocated and defined by the Ochoco Forest Land and Resource Management Plan (LRMP). 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.

NEPA is a procedural statute. It requires only that environmental consequences of an action be analyzed and disclosed. A project designed to produce timber production is entirely consistent with NEPA.

Forest Plan Amendments

AFRC supports forest plan amendments, treatments in aspen clones, riparian reserves and Late and Old Structure (LOS) stands.

AFRC does not support the change the Paulina District has made to limit harvest treatments to trees less than 21 inches at diameter breast height (dbh) only. This is a significant change from the scoping document where removal of trees equal to or greater than 21" dbh was proposed utilizing forest plan amendments. AFRC is in concurrence with the Ochoco Forest Resource Collaborative (OFRC) who also supports and advocates for the removal of trees greater than 21 inches dbh when it is appropriate to meet restoration objectives, which it clearly is on the Black Mountain project. AFRC is aware that the Snow Basin decision rejected site-specific amendments because of a lack of unique site characteristics. However, the Snow Basin decision **recognized that the combination of unique site characteristics and Forest Service expertise would be sufficient for site-specific amendments to be upheld**. On Black Mountain, there is a biological need to remove trees over 21" dbh and there is legal justification for amending the Forest Plan accordingly. We are concerned that the Forest Service initially supported removal of 21" trees during the scoping phase but changed that during the DEIS process. Please reconsider 21" limit for specific units or unit areas where specific justification is available. Such an amendment should easily withstand litigation and has the support of both the OFRC and AFRC.

AFRC requests that the Ochoco intensively manage plantations in the Black Mountain project area to provide wood products for future generations. Current forest management practices on the Ochoco do not reflect requirements from the National Forest Management Act (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 requests that the environmental assessment describes how the proposed action will meet the requirements of NFMA stated above.

In order to prepare economically viable timber sales, the Ochoco National Forest must increase the average diameter of trees designated for commercial removal as well as the average volume per acre removed. The forest products industry cannot survive (let alone thrive) on enormous volumes of small ponderosa pine and white fir. It is very difficult to create an economically viable product from juvenile ponderosa pine. When average stand diameters for removal of ponderosa pine are less than about 14 inches DBH, economic viability is dubious. Any “biomass” removal should also be designated as “subject to agreement” in the contract. There is not enough value in the material removed to “require” biomass removal. Biomass can be removed if it is economically viable to do so, but requiring removal undercuts the viability of the contract and could result in a lack of bids.

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.

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.

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

Aspen and Riparian Area Treatments

AFRC fully supports and advocates for activities that restore, promote and maintain aspen and hardwood, however we do not support leaving conifers of any size or age in these areas. Forest Service best available science, which is corroborated by the Rocky Mountain Elk Foundation, calls for removing *all* conifers from these areas. Conifer management in riparian areas and meadows is critical for establishment and growth of desirable shrubs, willows, grasses, and other suitable vegetation for the meadow or riparian area. Please refer to Forest Service General Technical Report, PNW-GTR-806, May 2010, Aspen Biology, Community Classification, and Management in the Blue Mountains. The added benefit is that larger trees, even on a very limited basis, will greatly improve the economic viability of this type of project.

The proposal in the *Noncommercial Hardwood Enhancement* areas is to “reduce conifer competition by cutting down and/or girdling conifers that have encroached into hardwood communities . . . Conifers up to 21” dbh may be felled or girdled so long as they do not qualify as old trees.” Various protection measures are cited to provide protection of the hardwoods. The proposal for *Riparian Restoration and Protection* calls for instream work with heavy equipment and placement of approximately 1,500 trees. Several things come to mind regarding these proposals, including leaving conifers in areas where the goal is to eliminate conifers and using heavy equipment in streams yet not allowing removal of trees from riparian areas because of potential damage from equipment. AFRC requests that the environmental assessment fully discloses the ecological relational for wanting to leave trees on the ground and not commercial treating the riparian areas. It is our belief that merchantable trees, regardless of size and age, can be removed from these areas without causing measurable environmental impacts and by doing so add to the economic viability of the project. This value can be returned to the site to assist in paying for the hardwood and stream enhancement work.

Roads

The environmental assessment should assess the entire road system within the project area. Once the road system that is needed to implement the proposed action is identified, the roads that are not needed at this time should be ecologically stabilized and considered “closed” rather than formally decommissioning. 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 possible.

Climate Change

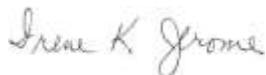
Carbon sequestration as it relates to climate change is a topic that often gets broadly analyzed in NEPA documents. The analysis that the Forest Service will likely be conducting through the ensuing environmental analysis will discuss forest health benefits, effects on carbon sequestration and storage potential and meeting the purpose and need all within the context of an economically viable timber sale. Black Mountain consists of a variety of treatments, including precommercial and commercial thinning, which may affect the treated stands ability to resist,

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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 regarding 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.

Thank you for the opportunity to provide DEIS comments on the Black Mountain project I look forward to following the implementation of this project as it moves forward. Please feel free to contact me if I can assist you with determining the economic feasibility of silviculture treatments and logging system requirements.

Sincerely,



Irene K. Jerome
AFRC Consultant
408 SE Hillcrest Rd
John Day, OR 97845
(541) 620 4466
ijerome@amforest.org

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