

STANDARDS 37 AND 38: FOREST MANAGEMENT, OLD GROWTH AND WILDLIFE HABITAT

Primary Objectors:

- **Harold Singer**
- Center for Biological Diversity and the John Muir Project, Earth Island Institute, **Justin Augustine;**
- Sierra Forest Legacy, **Craig Thomas and Michael Graf**

Interested Person: Heavenly Resorts

Summary: Objectors proposed combining Standards 37 and 38. The Forest Service agrees to the concept of combining the standards, but does not agree with some of the proposed language changes. The objectors' version omits key phrases that change the intent of the standard. Objectors removed the phrase "*or below the desired conditions for the area*" from the original SG 37. While the LTBMU had intended the phrase as an additional habitat protection, we recognize that this language did not accurately convey the intent. The Reviewing Officer proposes to instruct the Responsible Official to change the phrase to "*and not below canopy cover retention required in standards and guidelines for TEPCS species.*" The revised LTBMU language would more clearly protect habitat; for example, if 10% canopy reduction would exceed other required minimum canopy retention standards and guidelines, then the retention standards and guidelines (e.g. PAC or HRCA standards) would take precedence.

Objectors also replaced "*WUI*" with "*WUI defense*". LTBMU does not specify "*defense*" in order to ensure that fire behavior standards are met throughout the entire WUI (defense and threat zones).

FEIS version:

SG37. *In late seral closed canopy stands (greater than 50 percent canopy closure), treatments shall not reduce canopy cover in dominant and co-dominant trees by more than 10% across a stand, or below the desired conditions for the area. [Standard]*

SG38. *Retain current late seral-closed canopy (greater than 50 percent canopy closure) stands and when considering thinning of these stands, retain this seral stage as closed canopy outside of the WUI. Within the WUI, retain this seral stage as closed canopy if fire behavior objectives can be met. [Standard]*

Objectors' remedy:

Retain current late seral-closed canopy (greater than 50 percent canopy closure) stands and when considering thinning of these stands, retain this seral stage as closed canopy outside of the WUI Defense. Do not reduce canopy cover by more than 10%. Within the WUI Defense, retain this seral stage as closed canopy if fire behavior objectives can be met. [Standard]

Previous Forest Service Instruction:

Agreed that Standard 37 is not necessary because the language in SG38 is very similar. Recommend combining SG37 and SG38 into one standard.

Proposed revised Forest Service instruction:

In late seral closed canopy stands (greater than 50 percent canopy closure), treatments shall not reduce canopy cover in dominant and co-dominant trees by more than 10% across a stand, and not below canopy cover retention required in standards and guidelines for TEPCS species. When considering thinning of these stands, retain this seral stage as closed canopy outside of the WUI. Within the WUI, retain this seral stage as closed canopy if fire behavior objectives can be met.
[Standard]