February 11, 2017

Dear Ranger Gould and selected IDT members,

Please accept these comments on the **Gibsonville Healthy Forest Restoration project.**

"It is horrifying that we have to fight our own government to save the environment."
Ansel Adams

"We must protect the forests for our children, grandchildren and children yet to be born. We must protect the forests for those who can't speak for themselves such as the birds, animals, fish and trees."
Chief Edward Moody

"God has cared for these trees, saved them from drought, disease, avalanches, and a thousand tempests and floods. But he cannot save them from fools.
John Muir

"The Eyes of the Future are looking back at us and they are praying for us to see beyond our own time."
Terry Tempest Williams

I am sending these comments to the email address for comments **and** the IDT members. The IDT members collectively prepared this pathetic pre-decisional EA. These comments describe their errors. They must be held accountable for what they have done. As a retired USFS employee (NEPA, appeals and litigation coordinator) I observed too many ID Teams cast aside their mandate to serve the public … and instead serve-up the Responsible Official with volume by ignoring most adverse environmental effects. It's clear the IDT members on the Feather River district are NEPA-clueless. Join the party Ranger Gould. No competent USFS line-officer would allow a draft EA like this to be seen by the public.

Comments

This comment letter contains 35 clearly labeled comments. I will expect 35 responses. I would like you to provide meaningful responses to my comments, so I labeled and numbered them so you would not overlook or miss them. They are indented and numbered using the word **Comment #** that's bold, in 11-pitch font and underlined.

Opposing Views Attachments

The opposing views attachments to these comments present the research conclusions of hundreds of independent scientists (best science) that the USFS routinely ignores and rejects.

The attachments are identified in the text of these comments in bold type and underlined (i.e. **Opposing ViewsAttachment #6**).

Responsible Officials are legally required to provide meaningful responses to each Opposing View: Each opposing viewpoint is different and is related to a unique subject, therefore a single response attempting to deal with all opposing views simultaneously does not respond to responsible opposing views as required by 40 CFR 1502.9(b) quoted below:

> 40 CFR 1502.9(b) *"Final environmental impact statements shall respond to comments as required in part 1503 of this chapter. The agency shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency's response to the issues raised."*

For the readers convenience I have included electronic links to the source documents that contain the opposing view. As you can see in the law quoted above, the Responsible Official must respond to all opposing views (regardless of source) that are not irresponsible. Rejecting the opposing view because it's an "opinion" does not comply with 40 CFR 1502.9(b). "Viewpoint" and "opinion" are synonmyms.

Request for changes to be made to the final NEPA document: Please respond to each opposing view and post the responses online for the public to see.

Failure to provide meaningful responses to responsible opposing views regardless of their source will violate 40 C.F.R. § 1502.9(a) and 1502.9(b) and. 42 USC § 4372(d)(4).

Note that the courts require federal agencies to comply with 40 CFR 1502.9(b). The plaintiff's attorney(s) will reference these precedent-setting court opinions if the Responsible Official does not respond to the violations of law discussed in these comments.

In ***Center for Biological Diversity v. United States Forest Service***, Argued and Submitted July 15, 2003, In the United States Court of Appeals, Ninth Circuit, the court stated:

> "Accordingly, we find that the Final EIS fails to disclose and discuss responsible opposing scientific viewpoints in the final statement itself in violation of NEPA and the implementing regulations. We therefore reverse the district court's grant of summary judgment and remand to the district court with directions that it remand the final statement to the Forest Service for further proceedings consistent with this opinion."

In***Sierra Club v. Eubanks***335 F. Supp. 2d 1070 (ED Cal. 2004), the court stated:

> "credible scientific evidence that [contradicts] a proposed action must also be evaluated and considered."

In***Seattle Audubon Society v. Lyons***871 F. Supp. 1291, 1318 (W.D. Wash. 1994), the court stated:

> "[the EIS] must also disclose responsible scientific opinion in opposition to the proposed action, and make a good faith, reasoned response to it."

In***Seattle Audubon Society v. Moseley***798 F. Supp. 1473 (WD Wash. 1992) , the court stated:

> "[t]he agency's explanation is insufficient under NEPA … not because experts disagree, but because the FEIS lacks reasoned discussion of major scientific objections."

In***Sierra Club v. Bosworth***199 F.Supp.2d 971, 980 (N.D. Cal. 2002), the Court held that the Forest Service violated NEPA when it failed to:

> "disclose and analyze scientific opinion in support of and in opposition to the conclusion that the…project will reduce the intensity of future wildfires in the project area."

Comment #1: Ranger Gould, a few of your IDT members might be aware of the damage logging and roading this sale will do to the amenity resources the public pays them to protect. They know they must overlook and ignore the resource damage this timber sale will inflict in order to provide you with your precious volume.

I ask the resource specialists reading these comments to remove their USFS-supplied blinders and understand the USFS has an overriding timber (produce volume) agenda and culture.

Request for changes to be made to the final NEPA document: Please assure that your Chapter III effects disclosures for No Action and the Proposed Action are consistent with the science I present in the Opposing Views Attachments. Understand that in the vast majority of cases maintaining the status quo (No Action) will have no direct or indirect effects. The IDT members must realize their job is to honestly disclose accurate predicted effects … not pave the way for logging.

Comments on the Proposed Gibsonville Timber sale

I hope you all understand that some members of the public know the USFS timber sale NEPA scheme well.

The Responsible Official enters the NEPA process knowing they will not consider the public comments. It's a NEPA requirement but impossible to prove whether it was done or net.

USFS employees are taught members of the public who take the time to compose comments are pesky outsiders interfering in USFS business. They are taught they are the professionals. They wonder why public just can't understand the pressure applied to USFS employees to never write

anything that might jeopardize getting-out-the cut and spending all allocated NFTM dollars each FY.

The IDT members know it's their job to invent reasons to dispense with public comments regardless of content and validity. They save time by copying & pasting their effects disclosures from past NEPA documents. They know they won't be called to justify their untrue statements because 1) the DRF always rejects meaningful public objection points, and 2) the vast majority of the national forest owners don't have the money to take court action when their objection is rebuffed. They know they can have their way with public land in order to serve their corporate masters with impunity.

Ranger Gould, and IDT members, for a minute please open your mind and allow yourself to understand how much the general public loves their undeveloped national forests. Picture an unlogged section of forest adjacent to a logging unit. You can't possibly believe the countless natural resources that symbiotically interact to create a fully functioning forest are healthier in the logged area do you? A forest is infinitely more than conifer trees. Measuring forest health according to the health of trees is wrong. However doing so validates the USFS timber agenda and culture.

I retired after in 2003 after working 31 years working for the USFS. I was the forest planner, NEPA coordinator, NEPA document legal compliance reviewer, and appeals/litigation coordinator for 7 years before I retired. I was the IDT leader for NEPA documents done by Supervisor's Office employees. Please allow me to share what I observed and learned during these years.

Timber drives the agency

I watched the timber machine on the Nez Perce NF in north Idaho switch into high gear many times. Indeed, line-officers who failed to meet their supervisor's volume expectations were punished in a number of ways … including limiting or eliminating their promotion opportunities. Accumulating volume was a big deal to them as it is with line-officers on the Plumas NF. I worked with 2 Rangers who had the "volume at any cost" attitude. Is this the case on the Feather River district? In working with specialist in R-1 as I taught the 1900-1 (beginning NEPA) course I found out the non-timber resource specialists aren't all the same and approach NEPA IDT work in different ways.

- **Some know the agency is using them to assure the predicted effects of tragic are twisted to appear beneficial.** They know their Chapter 3 environmental effects disclosures for the Proposed Action must never say anything that might cause the public to question whether the sale is really ecosystem friendly.

- **Some play the game well.** They know the USFS serves its corporate masters first. They know the agency admires, rewards and promotes "team players." They know "team players" never write anything critical about a timber sale, thus they are timber sale enablers. They have an "I'll discard my land values & ethics, do what they want, and soon I will stand out from the others & be promoted to a higher paying job" attitude.

- **Some still believe 1) their IDT input is used and valued, 2) the USFS complies with the law, and 3) the agency really serves the public**. They trust the USFS. They don't ask questions. They are obedient. They have a "Oh well, they are the line-officers and know the big picture better than I do" attitude.

"Managing" (a.k.a. logging and roading up) the national forests will not benefit the economy of local communities near as much as not logging and reaping the recreation/tourism dollars.

Comment #2: Ranger Gould, national forests are not private industrial tree farms, nor should the be treated that way to achieve tree farm goals … volume at any cost.

You claim you need to provide wood products to "Utilize removed material –timber and smaller trees –to create an economic benefit locally and generate partial funding for the required noncommercial thinning and burning fuel treatments; (pg 3). As I show below, tourist and recreation-derived revenues that keep the "ma and pa" businesses (motels and restaurants etc.) alive make timber harvest revenues look negligible in comparison. Most members of the public visit their national forests to enjoy outdoor recreation. Please read the following information that contradicts what the USFS teaches you and your obedient IDT.

Title: The Timber Scam
Published by: *The Jackson Progressive*, 6/25/2000
Link: http://www.jacksonprogressive.com/issues/misspolitics/timberscam.html

Excerpt:

> "In addition, a 1995 report notes that even the most timber dependent economies are reporting a net increase in jobs, attributed in part by the prospects of increased environmental protection. Even the Forest Service predicts that this year recreation, hunting, and fishing will contribute 38 times more income to the nation economy than logging, and it will create 31 times more jobs. When the timber industry starts acting as if it is a protector of jobs, suspect a smokescreen; the industry is notorious for job destruction and union busting, and is no friend of labor. If they were honest, they would be screaming about lost profits and corporate welfare, but jobs gets people upset, which in turn helps to solidify their cozy deal with the taxpayers."

Title: Forest Service Proposes Massive Logging Program in an Area Bigger than the Great Smoky Mountains National Park
Published by: Southern Environmental Law Center, 2017

Link: https://www.southernenvironment.org/news-and-press/press-releases/us-forest-service-proposes-opening-most-of-the-popular-pisgah-nantahala-n

Excerpts:

> "This proposal is absolutely the wrong direction for the forest," said Ben Prater, director of conservation for Wild South. "Times have changed, and our mountain economy doesn't depend just on logging anymore. We should be capitalizing on our wonderful Blue Ridge forests, not cutting them down. Treating practically the entire Pisgah-Nantahala as a 'crop' is simply irresponsible."
>
> The Pisgah-Nantahala National Forest has become a tourism and recreation destination, and revenue generated by visitors is a major driver of the western North Carolina economy. The National Forests of North Carolina are the third most visited national forest in the country. Industrial logging not only damages scenery and natural features, which are the key draw for half of those visits, but also requires popular areas to be closed to the public for months at a time while trees are being cut. "They're our public lands," says Prater. "Where is the balance?"

Title: Idaho Public Lands and Outdoor Recreation Drive Our Economy
Published by the *Teton Valley News*, January 19, 2017
Link: http://www.tetonvalleynews.net/opinion/editorials/idaho-public-lands-and-outdoor-recreation-drive-our-economy/article_47df976e-de84-11e6-9103-5bb92498afd1.html

Excerpts:

> "First, it will enlist federal economists to put a dollar figure to the money outdoor folks spend annually, ending once and for all any debate at the sheer size of the nation's outdoor recreational economy. One outdoor industry study puts the figure at $646 billion annually. In Idaho the study shows $6.3 billion in consumer spending, 77,000 direct Idaho jobs, $1.8 billion in wages & salary and $461 million in state and local tax revenue. These numbers show how the outdoor recreation economy stacks up against other industries consumer spending, such as the automobile industry and gasoline and pharmaceuticals.
>
> Secondly, federal recognition of the outdoor economy will draw attention to the 640 million acres of public grounds that are the foundation of the massive outdoor economy. Simply put, the argument for conserving public lands for tourism will transform the argument from anecdotal to empirical. This is one of the reasons the Teton County Commissioners voted for the amendment to oppose federal land transfers."

Comment #3: Of course all Americans need and use wood and paper products. In the year 2000, 6 percent of US timber harvests came from federal forests administered primarily by five agencies -- the Forest Service, the Bureau of Land Management, the National Park Service, the Fish and Wildlife Service, and Defense/Energy Departments. The national forests account for most (68%) of the total 6%. If the USFS were to eliminate or modify illegal timber sales like this one, the national forest derived volume would fall below 4.1% but private timber land and the timber industry forest landholdings could easily make this up. Please don't claim this timber sale is needed to help supply the public's need for wood products.

Come to grips with the fact that logging and roading undeveloped national forests is opposed by the majority of Americans who enjoy outdoor recreation. This timber sale violates multiple

> United States' environmental laws which I will address below. This should be reason enough to withdraw the sale or significantly modify it to comply with the law.

I have included more information on the value of outdoor recreation in the **Tourist Preferences Attachment**.

Request for changes to be made to the final NEPA document: Remove this Purpose & Need statement:

> "Utilize removed material –timber and smaller trees –to create an economic benefit locally and generate partial funding for the required noncommercial thinning and burning fuel treatments;"

After reading this far I'd guess some of the IDT members are angry. After all, "who does this member of the public think he is. I'm the resource specialist." Other IDT members are wondering if their IDT efforts serve the public or the natural resource extraction corporations. A few IDT members don't care because "it all pays the same."

I suggest the IDT Members have the courage to examine the following 3 Publications that describe USFS Mismanagement

Plundered Promise: Capitalism, Politics and the Fate of the Federal Lands
March 2001

The book can be purchased at Amazon.com: https://www.amazon.com/Plundered-Promise-Capitalism-Politics-Federal/dp/1559638486/ref=sr_1_1?ie=UTF8&qid=1471452678&sr=8-1&keywords=plundered+promise+capitalism+politics+and+the+fate+of+the+federal+lands

Here's an excerpt from a book review available at the Amazon link ebove:

> *"What has been done to our public lands? Irreplaceable forests harvested for lumber. Vast expanses of rangeland leased at rates far below market value. Mineral resources extracted with little or no royalties paid. These and other actions have brought unparalleled benefit to private interests -- and massive costs to society at large. They are but the most visible signs of the fundamental flaws in the current system of federal lands management. In "Plundered Promise," leading resource management scholar Richard W. Behan presents an engrossing history and analysis of public lands management in the United States, as he describes how we arrived at the current situation and examines what we can do to rectify it."*

Toward a Natural Forest
April, 2015

By retired Deputy USFS Chief Jim Furnish

Here are several excerpts:

> *"What saddens me is that the head of a once-trusted agency implicitly admitted that its leaders lied and broke the law."* (page 11)
>
> *"He (Jim Hagemeier) wanted these forests to retain their natural character, not become yet another forest landscape of cookie cutter homogeneity."*
>
> *"For any forester schooled in agency dogma, this meant war. Bureaucratic war anyway. Foresters worked at maximizing timber production, minimizing cost, designing the best logging practices, ensuring a fair price for the sale, and overseeing logging operations toughly but fairly. You log it right, and people will like what they see --- or at least you explain to them that they should like it even if they don't*." (pages 28 and 29)
>
> *"In large part, forest plans held to the agency's timber-first priority. Environmental groups waged war."* (page 59)
>
> "*Fewer and fewer people accepted sweeping vistas dominated by clear-cuts and new roads. Instead, they valued naturalness, clean water, abundant fish and wildlife, and a deep sense of connection with the land. They were anguished at what the Forest Service was taking from the forest at the expense of future generations."* (pages 113 and 114)
>
> "*A different set of societal values emerged, inviting the agency to change. The failure to respond to this value shift had profound consequences for the Forest Service. How many polls that show 90 of the people hate clear-cuts does one have to read before concluding that it's time to do something different*?" (pages 134 and 135)
>
> "*Similarly, roadless areas had long been regarded by the Forest Service as merely the next place one goes to log more trees*." (page 151)
>
> "*The timber industry, as well as many people in Forest Service leadership, continued to view roadless area protection antithetical of multiple use mandates.*" (page 151)
>
> "*Next, the agency leaders need to explicitly embrace the mandate of ecosystem management, which I would describe as value-driven resource management with a goal of maintaining or achieving naturalness. Primary values should be clean water and air, abundant fish and wildlife, quality recreation opportunities, and sustaining landscape function*." (page 198)

Here is Mr. Furnish's conclusion:

> *"How much are public forests worth? They are priceless."*

I suggest all USFS employees who wish to learn the truth about the agency they work for buy Mr. Furnish's book at:

http://www.towardanaturalforest.com/

A federal prosecutor in Eugene, Oregin in the late 1980s and early 1990s reflects on his national forest timber theft cases.
January 1, 2012.

From a Guest Viewpoint column published in the *Eugene Register Guard* Link: http://forestcouncil.org/the-timber-racket-by-former-federal-proscutor-jeffrey-kent-eugene-register-guard/

Excerpts:

> *"When I arrived in Oregon in the mid-1980s in the middle of the forest wars, I believed that poor Smokey Bear was trapped in a hellacious battle between rabid environmentalists and greedy timber companies and was doing the best he could to balance competing interests in his ham-handed paws. A decade later I became convinced to my core that Smokey was a tamed denizen of industry."*
>
> *"Regulatory dereliction manifests itself in government timber sales in many ways. Standard timber sale contracts overwhelmingly benefit the industry, typically leading to net taxpayer losses on timber sales after the public has paid for logging roads and other costs. Contractual breaches often result in additional company profits rather than penalties when the fines for taking timber illegally are far below the price paid by the mills for illicitly cut timber. Clear-cuts approved by the Forest Service destroy forest diversity but make it less expensive for timber companies to log sites. I observed these and many other flaws over the course of 10 maddening years."*
>
> *"High-ranking Forest Service supervisors routinely referred to the timber industry as their "partner" rather than as companies doing commercial business with the government. This terminology betrayed naiveté and carried a strong suggestion of a political rather than a regulatory choice of words."*
>
> *"If anything, some Forest Service managers became even more intransigent with law enforcement, even ordering its agents not to share reports of potential timber theft with the meddlesome federal prosecutor in Eugene. These forest supervisors viewed the congressional and industry mandate to "get the cut out" as far more important than making sure that the cutting was lawful."*
>
> *"The establishment of the Timber Theft Task Force led to an even more significant investigation. One sliver of the national forest near Salem, the North Santiam Canyon, was intensely scrutinized in a far-ranging grand jury investigation and prosecution. Statistical analyses revealed that over decades major companies in that area were reporting through log scalers — hired by the companies with the endorsement of the Forest Service — 30 percent less merchantable timber than Forest Service timber cruisers concluded was present in the timber sale sites. The companies were not required to pay for the timber that was scaled as defective."*

Believing humans can improve upon Nature is the ultimate arrogance. I'm sorry the IDT members have so much to learn about the natural world.

Before I begin my specific comments I'll share an observation that applies to all USFS timber sale NEPA documents. The absurdity of the Purpose & Need is a good indicator of the 1) level of likely ecosystem destruction that will be caused by the logging and roading activities and 2) the level of the Responsible Official's panic and hysteria related to **not** "getting-out-the-cut."

Most IDT members should know logging 1.9 square miles and constructing 1.7 miles of road does not accomplish the goals described in the Purpose and Need statements. Ms. Cisneros, Mr. Janeway, Ms. Roberts, Ms. Arroyo, Ms. Moore, and Mr. Angulo, rather than speaking up to eliminate the clear resource damage that this timber sale will cause you all look the other way and play the game, and pretend everything is fine. Self deception is not healthy.

As I will show below, the IDT members have collectively 1) violated the public trust and 2) violated the law. Ranger Gould, they know you desperately want this timber sale offered so you will receive "credit" for the volume. Indeed, when a line-officer does not "get-out-the-cut" their climb up the USFS promotion ladder is stifled. The IDT members know they must do whatever is necessary to assure this does not happen.

IDT members should not be afraid to shed their USFS-supplied blinders. It's refreshing to deal with reality.

I ask Ms. Cisneros, Mr. Janeway, Ms. Roberts, Ms. Arroyo, Ms. Moore, and Mr. Angulo to consider the following questions. Your answers will reveal a lot about you.

- Have I ever wondered why the USFS teaches me things about my resource that contradict what I learned in college?

- Do I really believe Americans who don't want their national forest developed are rabid "enviros" to be disliked or hated? Why would the USFS teach me this?

- The last time I helped to plan and design a project that I knew would devastate my resource, did I look the other way and believe everything was fine because my Ranger or Supervisor said so?

- Why does my Ranger or Supervisor hide the fact that their real priority is volume and not properly functioning natural resources?

- Am I comfortable working for an agency with a timber agenda and culture?

- Do my Chapter 3 effects disclosures tell the public that No Action will harm the resource I am responsible for protecting?

- If I would have written the Purpose & Need myself and was certain nobody would know the author, would it have been similar to the P&N for this sale?

- Do I really believe logging and road construction will satisfy the P&N goals for this sale?

and last but not least ……..

- Do I really believe logging and roading the fragile forest will "restore" it and bring it back to health?

Comment #4: It's clear that the line-officers on the Plumas National Forest did not learn from the Agriculture Department's inspector general's findings based on a 1999 audit of the USFS timber program. Here are excerpts from a *New York Times* article describing the OIG findings begins:

> "Federal auditors have found that the Forest Service frequently fails to assess, prevent or correct environmental damage from logging on the national forests.
>
> After inspecting 12 timber projects in the field from 1995 to 1998, the Agriculture Department's inspector general found that all were deficient and that "immediate corrective action is needed."
>
> A new report on the audits found that the environmental studies required before logging was approved were poorly done, the rules to protect streams and wildlife habitat from undue damage during logging were not followed, and the steps planned to repair some of the harm after logging were not carried out.
>
> The inspector general, Roger C. Viadero, reported on Jan. 15 to Mike Dombeck, chief of the Forest Service, that the review had found "numerous serious deficiencies." Agency officials generally agreed with the report's conclusions and recommendations." "

The complete text of the NYT disclosure can be read at the following link:

http://www.nytimes.com/1999/02/05/us/audit-faults-forest-service-on-logging-damage-in-us-forests.html

Here's the same information reported by the National Center for Policy Analysis:
http://www.ncpa.org/sub/dpd/index.php?Article_ID=12468

Here's the text of the audit:
https://www.usda.gov/oig/webdocs/088011.pdf

For 3 decades USFS leaders have told the public agency projects are grounded in "best science." This timber sale does not comply with the statements of the USFS leaders.

A March 9, 2009 White House Memorandum to heads of executive departments and agencies states:

> *"Science and the scientific process must inform and guide decisions of my Administration on a wide range of issues, including improvement of public health, protection of the environment, increased efficiency in the use of energy and other resources, mitigation of the threat of climate change, and protection of national security.*
>
> *The public must be able to trust the science and scientific process informing public policy decisions. Political officials should not suppress or alter scientific or technological findings and conclusions. If scientific and technological information is developed and used by the Federal Government, it should ordinarily be made available to the public. To the extent permitted by law, there should be transparency in the preparation, identification, and use of scientific and technological information in policymaking. The selection of scientists and technology professionals for positions in the executive branch should be based on their scientific and technological knowledge, credentials, experience, and integrity."*
>
> Source: **MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES**
> THE WHITE HOUSE**,** Office of the Press Secretary, March 9, 2009
> http://www.whitehouse.gov/the-press-office/memorandum-heads-executive-departments-and-agencies-3-9-09

Executive order #13563 issued on January 18, 2011 requires federal agencies to use best available science:

> *"General Principles of Regulation.* (a) Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation. It must be based on the best available science."
>
> **"Sec. 5.** *Science.* Consistent with the President's Memorandum for the Heads of Executive Departments and Agencies, ''Scientific Integrity'' (March 9, 2009), and its implementing guidance, each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions."
>
> Source: **Improving Regulation and Regulatory Review**
> Executive Order 13563 of January 18, 2011
> Published in: the Federal Register, Vol. 76, No. 14 Friday, January 21, 2011
> http://www.gpo.gov/fdsys/pkg/FR-2011-01-21/pdf/2011-1385.pdf

Other United States' laws require the use of best science.

> "(2) Conservation and management measures shall be based upon the best scientific information available."

Source: **16 U.S.C. § 1851 : US Code - Section 1851: National standards for fishery conservation and management**.
http://codes.lp.findlaw.com/uscode/16/38/IV/1851

Comment #5:Attachment #15 contains quotes by Hilda Diaz-Soltero, Dr. Ann Bartuska, Chief Dale Bosworth, Associate Chief Sally Collins, Chief Dr. Mike Dombeck, Chief F. Dale Robertson, Agriculture Secretary Dan Glickman, and USFS Chief Tom Tidwell, who all tell the public the USFS depends on "best science" as the basis for it's projects. The recommendations of hundreds of Ph.D. independent scientists with no interest in volume is clearly "best science." How do you justify ignoring this science?

Comment #6: It's clear the IDT has consciously excluded many science documents written by independent scientists from the References section of your pre-decisional EA that describe the likely resource harm that will be inflicted by commercially logging this timber sale.

In order for the public to provide meaningful comments on this draft EA shouldn't they be given the whole story? This should include science that justifies timber sales and science explaining timber sale-related resource damage.

Here is science literature with particularly important excerpts authored by well respected scientists including a USFS employee:

Committee of Scientists' (COS) Third Draft Preliminary Report
July 98

COS findings were used by the USFS to establish policy. See:
http://www.cof.orst.edu/org/scicomm/document.htm

COS background:
This 13 member panel of preeminent scientists was convened by Agriculture Secretary Dan Glickman in December 1997 to recommend ways the Forest Service could better manage its forests and grasslands. Their final report was used to guide the preparation of the 2000 Final Rule on Forest Service Planning used to develop forest plans to comply with the National Forest Management Act of 1976.

On March 15, 1999 Secretary Glickman announced the release of a series of recommendations by a panel. He said "Today, the Committee of Scientists has recommended a new planning framework for the management of our forests for the 21st century." His complete statement can be read at:
http://www.fs.fed.us/emc/nfma/includes/cosreport/0104.txt

A more detailed explanation of the COS is included in the USFS document at this link:
http://www.fs.fed.us/emc/nfma/includes/cosreport/cossynop.pdf

The scientists said in their July 1998 report that sustainability--the preservation of plants, animals and habitats-- should be the first priority in managing Forest Service natural resources. Here's an excerpt from their report.

"*Preservation of future stewardship options is rarely possible when current rates of resource exploitation are high. Preserving options assumes an acceptable "decision space" will be available to address the environmental problems confronting future human generations. However, many forest and range ecosystems have experienced intensive resource management and utilization by Euro-Americans with adverse effects on their productive potential. The most significant changes in these systems have occurred over the last 200 years."*

Comment #7: The 2000 forest planning rule was developed using the guidance of the final 1998 Committee of Scientists report. It said "sustainability--the preservation of plants, animals and habitats-- should be the first priority in managing Forest Service natural resources." Hundreds of Ph.D. scientists quoted in the **Opposing Views Attachments** describe how timber sales with Proposed Actions similar to the Gibsonville timber sale will harm and sometimes destroy plants, animals and their habitats near the sale. Why do the Committee of Scientists' recommendations not apply to the Plumas National Forest?

Request for changes to be made to the final NEPA document: Include applicable science literature (describing benefits and damage caused by logging & roading) in the References section.

Also, assure that the References section includes some source literature for the science quotes in the **Opposing Views Attachments**.

Issue #1 ----- After reading the attachments to these comments any intelligent, unbiased human being would conclude the proposed Gibsonville timber sale "restores" nothing but the purchaser's financial bottom line.

I cannot believe there are still USFS employees who really believe commercial timber sales "restore" anything. You know "restoration project" is the new USFS buzzword for timber sale. It seems that someone on the Plumas National Forest would have known Webster's definition of "restoration" before they incorrectly use the term in this public document. Who are you people?

People who aren't driven to comply with the agency's timber agenda understand the tragic ecological impacts of logging especially after reading **Opposing Views Attachments #1and #4** and viewing the photos in **Attachment #26.**

Those with the courage to read these attachments with an open mind will understand the Gibsonville timber sale does not "restore" anything according to the real definitions of "restore" shown below

Webster – "to bring back to or put back into a former or original state"

American Heritage – "To bring back to an original or normal condition: restore a building; restored the patient to health."
Collins – "to return (something, esp a work of art or building) to an original or former condition"

Ask yourself how plundering the forest's natural resources with noisy skidders and tractors weighing 17 tons with spinning wheels and tracks brings the forest "back to an original or normal condition."

Indeed, the USFS uses the term "restore" and "restoration" to trick and deceive the public into believing timber sales are ecologically friendly. An agency that uses these slimy tactics (and agency employees who assist) does not serve anyone or anything but their self interest. Do you really want to be apart of this? A few of you know exactly what's happening but your job pays too well.

Here's a little history on "restoration projects." The public's opposition to timber sales and commercially logging their national forests had been steadily increasing. In the fall of 2008 Chief Kimbell took action hoping to regain agency credibility. She knew she must never take action to really reduce the adverse impact of logging so she chose deception to maintain agency timber goals as part of her attempt to placate and pacify the public. She issued verbal direction to the Regional Foresters to phase out the use of the terms "timber sale" and "logging" in documents that might be read by the public. "Timber sale" was to be replaced with "restoration project" and "logging" was to be replaced by "treatment." USFS line-officers are taught to say and do anything to serve-up volume to their corporate masters. The well meaning members of this IDT know they must play the game and be "team players" to maintain their promotion opportunities in the timber dominated agency. Perhaps by now a few IDT members know they are selling their good names.

Comment #8: The USDA Office of Inspector General concludes that commercial timber sales are not restoration projects. To wit:

> "We concluded that commercial timber sales do not meet the criteria for forest restoration." (Pg. 11)
>
> Long, Richard D., U.S. Department of Agriculture Office of Inspector General
> **"Western Region Audit Report: Forest Service National Fire Plan Implementation"**
> *Report No. 08601-26-SF*, November 2001.
> http://www.usda.gov/oig/webdocs/08601-26-SF.pdf

Ranger Gould, why do you disagree with the OIG by referring to your Gibsonville timber sale as a "restoration" project?

Comment #9: Ranger Gould, after reading your pre-decisional EA its clear you reject the following scientific advice. I will expect your final EA to contain science authored by respectable scientists not connected with the USDA that refutes the quote below published by the NOAA fisheries Office of Protect Resources. Nobody in their right mind would believe an action that "significantly alters fish habitat quantity" is a "restoration" project as you say. Please explain why NOAA should not be trusted.

"Land use activities associated with logging, road construction, urban development, mining, agriculture, and recreation have significantly altered fish habitat quantity and quality. Associated impacts of these activities include: alteration of streambanks and channel morphology; alteration of ambient stream water temperatures; degradation of water quality; reduction in available food supply; elimination of spawning and rearing habitat; fragmentation of available habitats; elimination of downstream recruitment of spawning gravels and large woody debris; removal of riparian vegetation resulting in increased stream bank erosion; and increased sedimentation input into spawning and rearing areas resulting in the loss of channel complexity, pool habitat, suitable gravel substrate, and large woody debris."

Pacific Salmonids: Major Threats and Impacts
Published by NOAA fisheries Office of Protect Resources, May 15, 2014
http://www.nmfs.noaa.gov/pr/species/fish/salmon.html

Comment #10: Ranger Gould, after reading your pre-decisional EA its clear you reject the following scientific advice. I will expect your final EA to contain science authored by respectable scientists not connected with the USDA that refutes the quote below written by Dr. Arthur Partridge. Clearly, an action that "destroys soil, watersheds and biodiversity of native forests" is not a "restoration" project as you say.

"Forests are structured systems of many life forms interacting in intricate ways and disturbances are essential to their functioning. It's not fire, disease, fungi, bacteria and insects that are threatening the well being of forests. Disease, fire, windthrow, and other disturbances are a natural part of the forest ecosystem and assist in dynamic processes such as succession that are essential to long term ecosystem maintenance. The real threat facing forests are excessive logging, clearcutting and roadbuilding that homogenize and destroy soil, watersheds and biodiversity of native forests."

Partridge, Arthur Ph.D., professor emeritus, University of Idaho
Statement at a Press Conference with Senator Robert Torricelli
about S. 977 and HR 1376), the Act to Save America's Forests
April 28, 1998, U.S. Capitol
http://www.saveamericasforests.org/news/ScientistsStatement.htm

Comment #11: Ranger Gould, after reading your pre-decisional EA its clear you reject the following scientific advice. I will expect your final EA to contain science authored by respectable scientists not connected with the USDA that refutes the quote below written by Drs. Ehrlich, Foster and Raven. An action that "damages watersheds, destroy wildlife habitat and imperil plant and animal species" is not a "restoration" project as you say.

"For much of the past century the Forest Service, entrusted as the institutional steward of our National Forests, focused its management on an industrial-scale logging program. The result of the massive logging and road construction program was to damage watersheds, destroy wildlife habitat and imperil plant and animal species."

"The continued logging of our National Forests also wastes American tax dollars and diminishes the possibilities of future economic benefits. The Forest Service lost $2 billion dollars on the commercial logging program between 1992-1997. Annually, timber produces roughly $4 billion while recreation, fish and wildlife, clean water, and unroaded areas provide a combined total of $224 billion to the American economy. Forests purify our drinking water - 60 million Americans get their drinking water from National Forests. When the dramatic values of ecological goods and services are taken into account, it is clear that protecting National Forests creates more economic benefits than continued logging."

Ehrlich, Anne Ph.D., David Foster Ph.D. and Peter Raven Ph.D. 2002
"Scientists Seek Logging Ban on U.S.-Owned Land"
New York Times, April 15, 2002
http://www.nativeforest.org/campaigns/public_lands/stb_5_30_02.htm

Comment #12: Please read what scientists think about your claim that logging restores the forest. **Opposing Views Attachment #21** is quite clear.

At the end of these comments you will find **Opposing Views Attachments #1 and #4**. They contain quotes by several hundred Ph.D. independent scientists not affiliated with the USDA. They are experts in their fields. They describe in detail how logging and road construction harms and sometimes destroys the following natural resources so important to the proper functioning of the forest ecosystem. Respected scientists show time and again that the following resources will be plundered and rendered nonfunctional by logging activities. Once again, who do you serve when you claim logging restores these resources … the public or corporate America?

- aquatic ecosystems
- wildlife and fish habitat
- recreation, tourism and scenery
- water quality
- native plants

Who are you to reject this science? Accumulating volume and spending all your NFTM allocation this FY simply isn't worth the natural resource damage you will inflict. How can you possibly claim this timber sale is a "restoration project?"

Request for changes to be made to the final NEPA document: Eliminate "Restoration" from the sale name and eliminate the word "restore" from the text of the final EA.

Failure to do so will violate:

18 USC § 1519 and the public trust.

40 CFR § 1500.1(b) because actions were not taken to protect, restore, and enhance the environment, and

40 CFR 1500.2(f) because actions were not taken to avoid or minimize any possible adverse effects of their actions on the quality of the human environment.

18 U.S.C. § 1001 (a)(3) because you knowingly and willfully "relied on false writing or document" inconsistent with the science conclusions of scores of independent Ph.D. scientists "knowing the same to contain any materially false, fictitious, or fraudulent statement or entry."

<u>Issue #2</u> ----- Logging road construction causes significant ecological harm. You know this yet you consider it necessary collateral damage to removing your precious volume. Please analyze an <u>action</u> alternative in detail that does not construct any new roads (temporary or system). You should know enough about NEPA to claim the No Action alternative does <u>not</u> satisfy this request.

> **<u>Comment #13:</u>** Page 6 indicates you plan to construct 1.7 miles of new road as part of the Proposed Action. A report authored by Gerald Coghlan, WO Acting Director of Engineering in 1998 indicates there are 372,956 miles of existing road in our national forests (page 5 of the 1998 report). The agency currently constructs 2,000 miles of system road per year. At this rate there are 409,000 miles now in our national forests. In addition to that, there is at least double this amount of unsurfaced, sediment producing, outsloped, temporary roads that have not been obliterated by "putting them to bed" where the fill is returned to the cut. The average distance to the moon is 384,403 miles. There is enough road in our national forests to go to the moon and 17% of the way back … and you propose more. Can you comprehend this? Isn't there enough road?
>
> Don't believe me? See the 1998 report at this link:
> http://www.fs.fed.us/eng/road_mgt/roadsummary.pdf

Please read **<u>Opposing Views Attachment #4</u>** to learn what the independent scientists say about forest roads. No responsible, professional line-officer would consider building new roads <u>anywhere</u> in the forest for any reason. More importantly, no self respecting IDT specialist would believe providing volume for corporations is more important than eliminating road damage … especially aquatic damage.

A "no road construction and reconstruction" alternative will likely reduce the sale volume some. However, it stands out among the possible action alternatives that should be analyzed in detail because it reduces the adverse environmental effects while still meeting the purpose and need for the project. Ranger Gould, some members of your IDT know this. Ask yourself why they are afraid to voice their opinions.

> **<u>Comment #14:</u>** Don't exclude a "no new road" alternative from analysis in detail by claiming the P&N will not be met. The P&N includes timber harvest but it does not specify a volume of number of acres. The "no new roads" alternative will reduce the acres treated, but will still meet the P&N since some harvest would still occur. This alternative is very important because it eliminates road-construction related adverse natural resource impacts. To reject it by claiming it does not meet the P&N would be a lie. The judge will understand this.
>
> **<u>Comment #15:</u>** Without exception, road construction and reconstruction are activities that cause damage to some important natural resources in the forest. New road construction is particularly detrimental to aquatic and wildlife resources. Chief Dombeck's statement below supports this fact.

"Roads often cause serious ecological impacts. There are few more irreparable marks we can leave on the land than to build a road."

Dr. Mike Dombeck, Chief, US Forest Service
Remarks to Forest Service employees
and retirees at the University of Montana
February 1998

Link to statement:
https://www.uwsp.edu/cnr/gem/Dombeck/MDSpeeches/CD%20COPY/Chief%20Mike%20Dombeck%27s%20Remarks%20to%20Forest%20Service%20Employees%20and%20.htm

By ignoring Chief Dombeck's roads impact conclusion you imply that he's an idiot.

Opposing Views Attachment #4 contains ecological road-caused damage statements by hundreds of Ph.D. scientists describing Chief Dombeck's observations in greater detail.

Comment #16: Since best science and Dr. Dombeck agree that there are "few more irreparable marks we can leave on the land than to build a road", isn't this is a valid reason to analyze a "no new road" alternative in detail?

Comment #17: The Administrative Procedures Act directs judges to set aside an agency action if the court determines that the action is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A). A line-officer who ignores best-science and instead makes a Decision on weak, meager evidence provided by people with financial interest in a sale being sold (i.e. IDT members that represent timber and engineering) is guilty of violating the APA. You will violate the Act if the final EA does not contain an action alternative with no new road work.

Comment #18: The USFS restoration website athttp://www.fs.fed.us/restoration/ defines restoration:

"Restoration means creating and maintaining healthy, resilient forests capable of delivering all the benefits that people get from them—clean air and water, carbon sequestration, habitat for native fish and wildlife, forest products, opportunities for outdoor recreation, and more. When we restore our Nation's forests, we create jobs in rural communities and benefit the environment at the same time."

For thousands of years healthy forests have contained many unhealthy areas and thankfully were never resilient to the following beneficial disturbance events: insect activity, disease and fire. These undeveloped forests currently deliver clean air and water, carbon sequestration, habitat for native fish and wildlife, opportunities for outdoor recreation, and more. Best science teaches us that in most cases logging that removes the trees will muddy the water and harm fish habitat, contribute to climate change, destroy wildlife habitat where the trees are removed, and destroy the scenery so loved by recreationists. Its time the USFS stops deceiving the public hoping they will think logging is ecosystem friendly.

Comment #19: Ranger Gould, you propose to construct new roads in the forest to give you the opportunity to log the forest knowing both activities cause unacceptable natural resource damage. Research conclusions made by over 100 independent Ph.D. scientists constitute "best science" which Chief Tidwell tells the public drives USFS projects. **Opposing Views Attachment #4** contains these science conclusions. Here is an excerpt from a publication

authored by 3 USFS employees that should convince any professional resource manager to harvest timber from existing roads:

> *"Rarely can roads be designed and built that have no negative impacts on streams. Roads modify natural drainage patterns and can increase hillslope erosion and downstream sedimentation. Sediments from road failures at stream crossings are deposited directly into stream habitats and can have both on-site and off-site effects. These include alterations of the channel pattern or morphology, increased bank erosion and changes in channel width, substrate composition, and stability of slopes adjacent to the channels." (pg 1)*
>
> *"All of these changes result in important biological consequences that can affect the entire stream ecosystem." (pg 1)*
>
> By Furniss, Michael J.(hydrologist), Love, Michael Ph.D. (hydrologist) and Flanagan, Sam A. (geologist) …. all Six Rivers National Forest employees
> **"Diversion Potential at Road-Stream Crossings."** USDA Forest Service.*9777 1814—SDTDC.* December 1997.
> http://www.stream.fs.fed.us/water-road/w-r-pdf/diversionpntl.pdf

Request for changes to be made to the final NEPA document: Analyze a no new road construction (including temp roads) action (emphasis added) alternative indetail and assure the environmental effects disclosures are accurate.

Failure to analyze a timber sale with no new road construction will violate:

- 40 CFR 1500.2(e) and (f) because you did not choose to avoid or minimize adverse effects of the project upon the quality of the human environment without complete knowledge of all likely adverse effects.

- 40 CFR 1500.2(e) and (f) because it did not "identify and assess the reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment

- NEPA Sec. 101(b)(2) because the Responsible Official does not "assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;"

- NEPA Sec. 101(c) because "The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment."

<u>Issue #3</u> ----- Human beings wouldn't think of taking action if there were even a small chance it would cause a child to die painfully from cancer later in life. Doing so just because one's employer says its OK is criminal.

The Proposed Action at page 6 states:

> *"Known and encountered non-native invasive plants –weeds –would be removed; all project activities would be done in accordance with best management practices for controlling invasive plants;"*

You do not describe how they will be removed. Research shows exposure to herbicides that contain glyphosate (a chemical manufactured by Monsanto) sometimes has lethal consequences. Wouldn't the public want to know this? Please do no use herbicides that contain glyphosate.

Have you ever watched someone die who had so much more to accomplish in life. Read the obituaries. You will discover most people died from cancer. There is a preventable cancer epidemic in America. When you read an obituary in 5 to 10 years where the diseased died of cancer you might be responsible if you apply glyphosate. An intelligent person would read the science below and choose an alternative to glyphosate application in the blink of an eye. Do you trust Monsanto to put safety ahead of profit? Why do they claim you could drink a glass of Roundup and not be affected?

The ability to make independent decisions and not respond to pressure to do the wrong thing is the trait of a real leader. Not spewing poison on public land where families camp, hike and picnic is the sign of a human being. Do any of you believe Monsanto's claim that it's safe to drink Roundup?

Many carefully designed studies link glyphosate to horrendous bodily harm. How will you be at ease with yourself over the rest of your life knowing you planted the cancer seed where families will camp or hike? Your choice to apply glyphosate will be a litmus test that determines whether you are a sadist or a public servant.

The science that would convince any intelligent, caring human to use an alternative to herbicides that contain glyphosate is contained in the **<u>Glyphosate 1 attachment.</u>**

<u>Request for changes to be made to the final NEPA document:</u> Assure it states "herbicides that contain glyphosate will not be applied." The DN must also contain this quote.

You know failure to <u>specifically</u> tell the public this chemical will not be applied to public land leaves the door open for glyphosate application. This violates:

> 18 U.S.C. § 1001(c) because the Responsible Official relied on a <u>single</u> (emphasis added) research conclusion that glyphosate is safe made by a lab with possible ties to Monsanto (Syracuse Environmental Research Associates--SERA) knowing the research conducted

by hundreds of independent scientists reveals glyphosate exposure may cause birth defects, miscarriages, premature births, cancer - non-Hodgkin's lymphoma and hairy cell leukemia, DNA damage, autism, irreparable kidney and liver damage, infertility, learning disabilities, ADHD and other neurological disorders (especially in children), mitochondrial damage, cell asphyxia, endocrine disruption, bipolar disorder, skin tumors, thyroid damage, decrease in the sperm count and chromosomal damage

40 CFR 1501.2 (b), 40 CFR 1502.16(a) and (b), and 40 CFR 1508.8(b) because Chapter 3 omits important environmental effect disclosures related to glyphosate research (i.e. glyphosate exposure is statistically correlated to birth defects, miscarriages, premature births, cancer - non-Hodgkin's lymphoma and hairy cell leukemia, DNA damage, autism, irreparable kidney and liver damage, infertility, learning disabilities, ADHD and other neurological disorders (especially in children), mitochondrial damage, cell asphyxia, endocrine disruption, bipolar disorder, skin tumors, thyroid damage, decrease in the sperm count and chromosomal damage cancer)

40 CFR §1508.27(b)(2) because the intensity discussion fails to discuss the degree to which the proposed action affects public health or safety.

The Apr. 21, 1997 Executive Order No. 13045 because the Responsible Official does not ensure that this project will not disproportionately expose children to environmental health risks and safety risks.

40 CFR §1508.27(b)(2) because the FOIA intensity discussion fails to discuss the degree to which the proposed action affects public health or safety.

<u>Issue #4</u> – Vigor and Increased Growth of Trees is Important only to Foresters who Manage Private Industrial Tree Farms where Every Tree is Destined for the Mill to Generate Profit.

The pre-decisional EA for your timber sale at page 4 states:

> *"Reducing tree densities enhances forest health, increases tree vigor, reduces tree mortality and susceptibly to insect, disease and drought."*

Who are you people who think reducing tree densities "enhances forest health?" A forest with a mix of healthy, dying and dead trees is an indicator the forest is healthy. There is no need to increase the vigor of trees in national forests. Insect and disease activity are beneficial natural

disturbance events. I suggest the entire staff of the Feather River RD take a course in beginning forest ecology before another NEPA document is started or a decision for this project is signed.

I hope the employees on the rest of the forest are more professional than those working on the Feather River RD.

In the national forests there are forest values that are infinitely more important to the 322 million owners of the forests than the money generated by harvesting merchantable trees. Undeveloped forests contain different conifer species that grow under different conditions. This contributes to varying growth-rate levels. This is the essence of biodiversity. Why has this fact escaped you?

A biodiverse forest contains unique habitat niches for wildlife species that are not found in stands with vigorous fast growing trees.

> **Comment #20:** Ranger Gould, your pre-decisional EA for the Gibsonville timber sale indicates one of your objectives is to create conditions that will produce vigorous trees. Forests with vigorous, fast growing trees are what foresters managing private industrial tree farms strive to create. Why? These forests maximize profit because the trees grow to merchantable size sooner. Profit is maximized when the trees are vigorous and grow rapidly. Unlike tree farms, a healthy forest has a mixture of decadent, slow growing trees and vigorous trees.
>
> All healthy populations of living things have dead and dying individuals. Your wildlife biologist knows there are many wildlife species dependent on dead and dying conifer tree species.
>
> **Comment #21:** Ranger Gould, you present no monitoring data showing there is a shortage of vigorous trees in the sale area. You present no data showing why and how increasing the percentage of vigorous trees will enhance the health of the countless natural resources in the area. A man-made forest will never contain natural biodiversity.

The national forests must not be managed as tree farms.

Request for changes to be made to the final NEPA document: Please tell the public why spending their tax money to take action to create fast growing, vigorous trees is more important than letting the trees grow at their own rate which provides biodiversity. Identify the flora and fauna in the forest that thrive in decadent slow-growing forest conditions and the species' that will flourish in the forest you propose to create.

Failure to do so will violate:

40 CFR 1500.1(c), 40 CFR 1500.1(c) and 40 CFR 1500.2(f) because the proposed logging will not "protect, restore, and enhance the quality of the human environment."

40 CFR § 1500.1(b) because actions were not taken to protect, restore, and enhance the environment, and

40 CFR 1500.2(f) because actions were not taken to "avoid or minimize any possible adverse effects on the quality of the human environment."

<u>Issue #8</u> ----- The pre-decisional EA fails to describe the effects to Air Quality, Botany, Cultural, Hydrology, Soils, Special Uses, Minerals, Recreation & Scenery, and Roads in Chapter 3.

<u>Comment #22:</u> At page 11 you write this:

> "This section summarizes the potential impacts of the proposed action and alternatives for each impacted resource. Resources that were minimally impacted and therefore not further analyzed include: Air Quality, Botany, Cultural, Hydrology & Soils, Lands & Special Uses, Minerals, Recreation & Scenery, and Roads & Engineering."

Who are you people who think building 1.7 miles of new road and logging 1.9 square won't affect the 8 resources you chose to ignore? 40 CFR 1500.1(b) and 40 CFR 1508.8 say nothing about "minimally impacted." Effects include beneficial and harmful effects. Ranger Gould, I suggest you contract-out future NEPA document preparation until you and your IDT members successfully complete a rigorous course in NEPA. NEPA requires you to disclose the predicted impacts. Period!

<u>Comment #23:</u> Without exception, EAs and EISs for timber sales written on other national forests contain effects disclosures in Chapter 3 that describe how or whether the timber sale might affect Air Quality, Botany, Cultural, Hydrology, Soils, Special Uses, Minerals, Recreation & Scenery, and Roads. You known this timber sale might affect Air Quality, Botany, Cultural, Hydrology, Soils, Special Uses, Minerals, Recreation, Scenery, and Roads. You have chosen to hide this information from the public in order to reduce controversy associated with the Proposed Action which will increase the chances you will get your precious volume.

<u>Request for changes to be made to the final NEPA document:</u> Include disclosures in Chapter 3 showing the effects of timber sale implementation to Air Quality, Botany, Cultural, Hydrology & Soils, Lands & Special Uses, Minerals, Recreation & Scenery, and Roads & Engineering that will result from logging, road construction and burning that will occur as part of this project.

Failure to do so will violate 40 CFR 1500.1(b) and 40 CFR 1508.8 which state: ""Effects and impacts as used in these regulations are synonymous. Effects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative."

Also you will be in violation of 40 CFR 1501.2(b), 40 CFR 1501.5(c-3), 40 CFR 1502.15, 40 CFR 1502.16 (a, b, and d), and 40 CFR 1504.1.

<u>Issue #9</u> ----- The pre-decisional EA does not discuss how the timber sale's logging and slash/RX burning activities will be mitigated to <u>assure</u> protected bird species' individuals and their habitat are not harmed <u>inanyway</u>.

> **<u>Comment #24:</u>** Ranger Gould, your References section does not contain the following important literature or comparable literature, therefore your migratory bird discussions are based on unsubstantiated speculation. The public expects more from a professional wildlife biologist.
>
> > DeGraaf, R. M., Rappole, J. H. 1995. Neotropical migratory birds: natural history, distribution, and population change. Comstock Publishing Associates. Cornell University Press, Ithaca, New York
> >
> > Migratory Bird Treaty Act. 1918. 16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755, as amended. NatureServe. 2015. NatureServe Explorer: An online encyclopedia of life [web application]. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer.
> >
> > Memorandum of Understanding between the U.S. Department of Agriculture, Forest Service and the U.S. Fish and Wildlife Service to Promote the Conservation of Migratory Birds. (December 08, 2008).

It is not only possible but highly likely that that logging and slash/RX burning will harm the habitat and/or kill individual birds. This is especially true of young birds that cannot flee the danger: Ms. Arroyo and Ms. Roberts, any professional wildlife biologist would know this and take appropriate action. The Treaty requires the NEPA document to include information showing why the following damage will not occur. The plaintiffs' attorney will expect the NEPA document to contain specific action that will be taken to prevent:

> "harm the birds with logging-related pollution",
> "detrimentally alter the bird's habitat",
> "environmentally degrade the area surrounding the bird's habitat", and
> "kill bird chicks by destroying their nests or eggs".
>
> Note: The 4 quotes above come directly from the Act.

This pre-decisional EA does not comply with the Act.

<u>Request for changes to be made to the final NEPA document:</u> Identify the birds that exist in and near the project area that are protected under the Migratory Bird Treaty Act and discuss how these birds will be protected during burning and timber harvest operations. The Act makes no allowance to consciously harm these birds for any reason.

Failure to do so will violate the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) as amended by: Chapter 634; June 20, 1936; 49 Stat. 1556; P.L. 86-732; September 8, 1960; 74 Stat. 866; P.L. 90-578; October 17, 1968; 82 Stat. 1118; P.L. 91-135; December 5, 1969; 83 Stat. 282; P.L. 93-300; June 1, 1974; 88 Stat. 190; P.L. 95-616; November 8, 1978; 92 Stat. 3111; P.L. 99-645; November 10, 1986; 100 Stat. 3590 and P.L. 105-312; October 30, 1998; 112 Stat. 2956)

I suggest you contact Greg Butcher the WO Migratory Bird coordinator at gbutcher@fs.fed.us He will describe the Treaty in detail. Ranger Gould, Ms. Arroyo and Ms. Roberts, if the NEPA document isn't corrected to comply with the Treaty there is a chance you will all be subpoenaed and asked by the plaintiffs attorney why the Treaty does not apply to the Plumas National Forest.

Violating an international Treaty isn't trivial is it?

Issue #13 ---- Increases in national forest logging do not stabilize or enhance the economy of small communities located near the forest.

One of your purposes listed in the P&N at page 3 for this timber sale is:

> *"Utilize removed material –timber and smaller trees –to create an economic benefit locally and generate partial funding for the required noncommercial thinning and burning fuel treatments;"*

This is a cut & paste get-out-the-cut P&N statement that appears in your past timber sale draft EAs and DEISs. It's used in timber sale NEPA documents on every national forest in America. Didn't you ever wonder about this? Do you really think this is a need? Do you think the public thinks this is needed? Of course not. A few of the IDT members know this is USFS code language that really means to please the natural resource extraction corporations with as much volume as possible. They know they must be "team players." "Team players" write anything to assure the volume associated to the Proposed Action becomes reality. To be a team player, IDT members must tell the public not to worry because the resource damage will be "short-term". The so-called specialists on this IDT are clearly timber sale enablers masquerading as people who care about the amenity resources in the forest.

Like many other timber sale NEPA documents this one contains many "short term" impacts … impact that combine. This is why NEPA requires a cumulative effects disclosure. The cumulative effects disclosures in Chapter 3 do not address the cumulative impact of the many "short term" impacts.

Consider the following excerpts from a research paper that examined community stability vs. increased logging. The study was done on small communities near national forests in Washington State:

> "The relationship between timber harvest and the overall economic health of Washington communities assumed to be most dependent on logging and forest products runs counter to commonly held assumptions."
>
> "Despite a 93 percent decline in National Forest timber harvests and the loss of 7,300 forest products jobs statewide between 1988 and 1998, the number of people employed outside of forest products expanded by 726,000 (total employment increased 33 percent), total real income expanded by almost 50 percent, and population rose by 23 percent."
>
> "Economic vitality was especially evident in the largely non-metropolitan counties adjacent to National Forest lands in eastern and southwestern Washington. Although 3,000 forest products jobs were lost, more than 170,000 jobs were added outside that sector. The counties adjacent to the National Forests were not driven into economic depression as a result of 70 to 90 percent declines in federal harvests. Instead, average real income, employment, and population expanded significantly."
>
> "Even within relatively isolated areas, such as the northeastern tier of counties, there was considerable economic vitality despite the declines in federal timber harvests. In general, all areas gained population at rates above the national average. Some areas, such as Okanogan County, did almost as well as the state's metropolitan areas despite the decline in federal harvests."
>
> "The relatively high unemployment rates in many of the eastern Washington counties adjacent to National Forests cannot be attributed to the decline in federal harvests. Those counties had even higher unemployment rates at the time of peak harvests in the late 1980s. The unemployment rates in excess of the state average did not rise as federal harvests fell dramatically from these peak levels."
>
> "While its true that average real pay is low in the eastern and southwest Washington counties adjacent to National Forests, this low pay is not the result of the decline in federal harvests. Average real pay plunged during the 1980s while federal harvests were rising to peak levels. In fact, while federal harvests fell in the 1990s, average pay stabilized or increased."
>
> "Federal payments to local governments from revenue generated by local National Forest lands declined with federal harvests during the 1990s. This, however, did not cause an overall decline in the revenues available to local governments. Local and state economic vitality allowed local government revenues to double in the 1990s despite the reduction of the National Forest contributions."
>
> From "*The Economic Impact of Preserving Washington's Roadless National Forests*" by Thomas Michael Power, Ph.D., Professor of Economics, University of Montana, June 13, 2000.
> Links to complete article: http://www.kettlerange.org/power/ExecSummary.htm
> http://www.kettlerange.org/power/powerreport.htm

Comment #25: Dr Power makes the following conclusions from his research findings:

> "Even within relatively isolated areas, such as the northeastern tier of counties, there was considerable economic vitality despite the declines in federal timber harvests."
>
> "The relatively high unemployment rates in many of the eastern Washington counties adjacent to National Forests cannot be attributed to the decline in federal harvests. Those counties had even higher unemployment rates at the time of peak harvests in the late 1980s."

Please describe why Dr. Power's research does not apply to the ******* National Forest.

Title: Economic Benefits of Land Conservation

Excerpts:

> "Outdoor recreation, including hunting, fishing, hiking, wildlife watching and boating is big business. It brings day and overnight visitors to an area and communities reap the economic benefits when visitors buy meals and snacks, stay overnight in hotels, buy specialized equipment, lease land, and pay for travel costs. When a community protects itsnatural resources (emphasis added), it protects the reason outdoor tourists come to the community."
>
> "Between 2000 and 2003, hunters, fishers and wildlife watchers traveling to U.S. Forest Service (USFS) managed lands specifically for those activities spent $1,697.4 million within 50 miles of the USFS unit. These expenditures included travel items (such as food, fuel, and lodging), and non-travel items (including souvenirs, ammunition and other hunting supplies, and entertainment). Hunters had $725.4 million/year in expenditures, anglers annually spent $708.9 million, and wildlife watchers added another $263.1 million in annual retail sales."
>
> "As these expenditures were spent and re-spent by businesses, additional economic impacts were created for state and national economies. Hunting, fishing and wildlife viewing on USFS lands supported 42,342 jobs and $194.0 million in annual federal income tax receipts."
>
> Published by: Pennsylvania Land Trust, 2008
> Link: http://conservationtools.org/guides/94-economic-benefits-of-land-conservation

When the recreating public bypasses and evades communities with timber driven economies surrounded by "managed" national forest land these communities loose out on their share of the recreation-generated community stability benefits reported in 2006 shown below. In the last 11 these benefits have increased. The level of the 10 year increase in recreation benefits exceeds the total jobs & revenues created by national forest "management" (a.k.a. logging).

- Contributes $730 billion annually to the U.S. economy
- Supports nearly 6.5 million jobs across the U.S.
- Generates $88 billion in annual state and national tax revenue
- Provides sustainable growth in rural communities
- Generates $289 billion annually in retail sales and services across the U.S.
- Touches over 8 percent of America's personal consumption expenditures—more than 1 in every 12 dollars circulating in the economy

Source of these statistics:
http://outdoorindustry.org/images/researchfiles/RecEconomypublic.pdf?26

ECONorthwest reached conclusions similar to those of Dr. Power quoted above:

Excerpts:

"(1) Despite years of rhetoric and misinformation, national and regional economies are not dependent on logging National Forests. The most often cited misconception is that the regional economy of the Pacific Northwest declined after a court injunction and related events reduced National Forest logging. In fact, instead of collapsing, the region's economy expanded and the Pacific Northwest weathered virtually unscathed the national economic recession that occurred at the same time as the court injunction.

(2) National Forests now produce goods and services that are much more significant than the value of logging.

(3) The Forest Service logging program has caused devastating impacts in the ability of the National Forests to provide economically valuable goods and services. Reversing the damage caused by logging will be costly but ignoring the need to restore damaged forests will cost even more."

From: EcoNorthwest, "**Seeing Forests for their Green: Economic Benefits of Forest Protection, Recreation, and Restoration**", August 13, 2000
http://econw.com/our-work/publications/seeing-forests-for-their-green-economic-benefits-of-forest-protection-recre/

U.S. Undersecretary of Agriculture Jim Lyons states that recreation revenues from national forests significantly exceed timber revenues. See:

Excerpts:

""There's been a perception American forests are only good for servicing American woodlots," said U.S. Undersecretary of Agriculture Jim Lyons before a recent conference of outdoor industry execu tives. "But our business really is broader than that. There's a huge rise in recreation demand on natural resources. It's getting harder to provide the quality recreation experience Americans enjoy and expect. Despite our efforts, demand is clearly outstripping supply." "

"From his perch at the podium, Lyons eyed leading makers of backpacks, wetsuits, tents, hiking boots, canoes and the like. "If recreationists don't have a quality experience, they won't be real interested in buying your stuff. So, you've got a role to play in supporting these changes. Frankly, I think it's time you stepped up to the plate and began to play it." "

"Lyons backed up his statements with figures from the draft RPA (Resources Planning Act) of 1995. This document states that $130.7 billion dollars in gross domestic product will be created b billion dollars from fish and wildlife benefits. Only $3.5 billion dollars will be generated by timber harvest."

A 1998 presentation to the National Trails Training Partnership by U.S. Undersecretary of Agriculture Jim Lyons' statements quoting figures from the draft RPA (Resources Planning Act) of 1995.
http://www.americantrails.org/resources/economics/EconForestRec.html

Also see this compelling information:
http://illinois.sierraclub.org/piasapalisades/factshee.htm

Here's more from the Portland *Oregonian*:

"Increased logging on federal lands will not fix these problems. Instead, it will diminish jobs in one of Oregon's fastest growing industries, outdoor recreation. The outdoor recreation industry employs about

140,000 workers in Oregon (logging and wood-products manufacturing employ fewer than 30,000). Nationally, jobs in outdoor recreation are growing 5 percent annually. High-quality recreation attracts middle- and high-income families to settle in rural counties, too, boosting local economic activity. There is abundant research and data showing that our federal forests would do far more for workers, families and local businesses if managed for ecosystem and human health rather than as tree farms."

From: Logging expansion won't help rural communities
Portland *Oregonian* online, June 29, 2014
http://www.oregonlive.com/opinion/index.ssf/2014/06/logging_expansion_wont_help_ru.html

Comment #26: Why do you reject the findings and conclusions of Undersecretary of Agriculture Jim Lyons who states "recreation revenues from national forests significantly exceed timber revenues." Elsewhere in these comments are the results of public survey information indicating the public is less likely to recreate near areas that have been logged, thus logging diminishes recreation revenue. Since recreationists avoid areas that have been logged the many "ma and pa" businesses that depend on recreation are harmed. How do you justify harming the revenues of motels, gas stations, restaurants etc. to increase the profits of a very large corporation?

Please describe why Undersecretary Lyons' conclusions about community stability do not apply to the Plumas National Forest.

Comment #27: You reject the research conclusions of 241 Ph.D. scientists quoted in **Opposing Views Attachment #1** who demonstrate how logging-related harm (and in a few cases destruction) is inflicted on multiple natural resources in and near the sale area. Incredibly, you rely on the advice of 3 or 4 timber employees financially motivated to sell timber. You know the log for community stability P&N statement appears in at least 80% of all timber sale NEPA documents. This has become the commonly used excuse by USFS line-officers to sell unneeded timber sales and you use it here.

Comment #28: If you were really concerned about local community stability and local job creation you would offer this sale as an SBA sale to prevent a large timber corporation from logging it using their own labor. This would prevent the logs from being hauled many miles to be processed at a mill far removed from the small communities you claim need economic help. Of course your motivation to sell this timber sale has nothing to do with community stability. We both know "local community stability" and "local job creation" is part of the USFS dishonest script to trick the public into accepting tragic timber sales.

Request for changes to be made to the final NEPA document: Either:

1) remove the following statement from the P&N:

"Utilize removed material –timber and smaller trees –to create an economic benefit locally and generate partial funding for the required noncommercial thinning and burning fuel treatments;"

OR

2) offer the sale as an SBA sale and say so in the final NEPA document,

OR

3) include the text or links to the text of the following papers (referenced above) in an Appendix to the NEPA document. Line-officers must not withhold such important information from the public. Congress promulgated laws to prevent zealous federal officials from behaving in such a manner to feather their nest.

> *"The Economic Impact of Trails-Forest Recreation's Growing Inpact"*
>
> *"Seeing Forests for their Green: Economic Benefits of Forest Protection, Recreation, and Restoration",*
>
> "*The Economic Impact of Preserving Washington's Roadless National Forests*"
>
> A 1998 presentation to the National Trails Training Partnership by U.S. Undersecretary of Agriculture Jim Lyons

Failure to do so will violate 40 CFR 1500.1(b) because environmental information is not available to citizens before decisions are made.

Issue #16 ----- Noise and Dust caused by Timber Harvest Adversely Affects Recreation and Wildlife, thus these Adverse Social and Environmental Impacts must be Disclosed in Chapter 3 with follow-up changes made to the timber sale design to eliminate these adverse effects

Sadly, the pre-decisional EA fails to mention noise and dust resulting from logging activities. The noise is clearly evident and disruptive to recreationists and wildlife species several miles away from the source.

> **Comment #29:** Ranger Gould, anyone responsible for protecting the land owned and loved by 322 million Americans must understand that their job under NEPA requires them to disclose and analyze all effects (positive and negative) resulting from project implementation. This includes industrial noise and dust effects. You have failed to analyze noise effects. Here is the science. None of the literature below is contained in the References section of this pre-decisional EA. Why?

ANIMALS TO HUMANS: BE QUIET, ALREADY
Link: http://www.truth-out.org/news/item/36446-animals-to-humans-be-quiet-already

Excerpt:

"In recent years scientists have become increasingly aware of the acoustic environment's importance to wildlife -- to behavior, communication and ultimately survival. And it's becoming increasingly clear that noise humans produce -- from road traffic, aircraft, ships, oil and gas extraction, mining, military activity, and other sources -- should be considered a widespread pollutant *that is, as Fristrup and colleagues noted in a recent paper,* "detrimental to wildlife and natural systems." *"*

Effects of Noise on Wildlife
Published by the Nature Sounds Society
Link: http://www.naturesounds.org/conservENW.html

Excerpt:

"Human-induced noise pollution is one of many factors contributing to the depletion of wildlife populations. Laboratory studies and limited field research have uncovered four major ways in which animals are adversely affected by noise pollution:

- *hearing loss, resulting from noise levels of 85 db or greater;*
- *masking, which is the inability to hear important environmental cues and animal signals;*
- *non-auditory physiological effects, such as increased heart rate and respiration and general stress reaction; and*
- *behavioral effects, which vary greatly between species and noise characteristics, resulting in, for example, abandonment of territory and lost reproduction."*

Noise pollution threatens animals
Published by BBC Earth News

Excerpt:

"Many animal species evolved hearing sensitive enough to take advantage of the quietest conditions; their hearing is increasingly compromised by noise," Dr Barber told the BBC.

That intrusion can have a significant impact on the way wild animals communicate.

Noise impacts to wildlife –A review of pertinent studies
Published by Penn State University

Excerpt:

"*Songbird density declined with noise, pairing success declined with noise, young males got noisy territories*" (Bayne,Habib, and Boutin2008,Habib, Bayne, and Boutin2007)

Recommendations for Improved Assessment of Noise Impacts on Wildlife
Published by The *Journal of Wildlife Management*, 2006

Excerpt:

"Noise impacts on terrestrial animals can take many forms, including changing habitat use and activity patterns, increasing stress response, decreasing immune response, reducing reproductive success, increasing predation risk, degrading conspecific communication, and damaging hearing if the sound is sufficiently loud. (Bowles 1995, Larkin et al. 1996).

Andersen, D.E., O.J. Rongstaf and W.R. Mytton. 1990. **Home range changes of raptors exposed to increased human activity**. *Wildlife Society Bulletin* 18:134-142.

Banner, A. and M. Hyatt. 1973. **Effects of noise on eggs and larvae of two estuarine fish**. Transactions of the American Fisheries Society 102:134-136.

Bond, J. 1971. **Noise: its effect on the physiology and behavior of animals**. *Agricultural Science Review* 9:1-10.

Dorrance, M.J., P.J. Savage and D.E. Huff. 1975. **Effects of snow-mobiles on white-tailed deer.***Journal of Wildlife Management* 39:563-569.

Grubb, T.G., L.L. Pater and D.K. Delaney. 1998. **Logging truck noise near nesting northern goshawks**. *USDA Forest Research Service Note RMRS-RN-3*.

Memphis State University. 1971. **Effects of noise on wildlife and other animals**. United States Environmental Protection Agency Office of Noise Abatement and Control Washington, D.C. Document NTID300.5.

van Dyke, F.G., R.H. Brecke, H.G. Shaw et al. 1986. **Reactions of mountain lions to logging and human activity**. *Journal of Wildife Management* 50:95-102.

Request for final NEPA document modifications: Please assure Chapter 3 discloses the noise effects to wildlife species according to the literature presented above. Chapter 3 should also disclose how noise and dust may adversely affect the recreation experience of human visitors to the forest.

Failure to do so violates 40 CFR 1508.3 because these likely indirect adverse effects were not discussed in Chapter 3. The omission of this information from Chapter 3 also violates 42 USC section 7641 and Title 42--The Public Health and Welfare, Chapter 65-- NOISE CONTROL, Sec. 4901.

Issue #17 ----- The you do not disclose how implementing the Gibsonville timber sale will affect climate change. Indeed, logging increases the CO2 in the atmosphere.

The pre-decisional EA omits the commonly known climate change effect of timber harvest that's even taught in high school. Where have you been Ranger Gould?

Do you really think the WO would have a special section on Sustainability and Climate change with a Director and 7 employees to advise Chief Tidwell on climate change if it weren't important? Are you aware that Ms. Cynthia West is the Director of the WO climate change

section? Here is Ms. West's contact information. She will not be happy knowing you chose to omit the commonly known climate change effect of timber harvest that's even taught in high school.

Phone Number: 202-205-1278
Email: cdwest@fs.fed.us

If the final draft EA does not accurately disclose the direct and indirect effects of logging this sale on climate change it will be necessary to contact Ms. West, explain the issue and email her your draft EA. Of course you will be directed to correct the problem and allow the public another opportunity to comment.

There is much science literature dealing with climate change and timber harvest currently available. I'm not surprised none were in your References section. I have selected several articles. I show the author, the name of the document, when and where it was published and a short excerpt from the document.

Forest sector carbon management, measurement and verification, and discussion of policy related to mitigation and adaptation of forests to climate change. Carbon Management 2011
Published in *Carbon Management*, 2011
Law, B. and M.E. Harmon Ph.D.
Link: http://terraweb.forestry.oregonstate.edu/pubs/lawharmon2011.pdf

Excerpt:

> *"Thinning forests to reduce potential carbon losses due to wildfire is in direct conflict with carbon sequestration goals, and, if implemented, would resulnfkt in a net emission JHUof CO2 to the atmosphere because the amount of carbon removed to change fire c7xnbehavior is often far larger than that saved by changing fire behavior, and more area has to be harvested than will ultimately burn over the period of effectiveness of the thinning treatment."*

Accounting for Climate-Related Risks in Federal Forest-Management Decision
A Federal Forest Carbon Coalition Background Paper, 2015
Link:
http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/95412_FSPLT3_2571365.pdf

Excerpt:

> *"The value of carbon storage in uncut forests "Outweigh the additional timber-related benefits by more than 30-to-1. The value of this carbon storage is equal $1.6 million per additional timber-related job." (page 1)*

> *"Actions that reduce the amount of carbon stored in federal forests contribute to disruption of the global climate by increasing atmospheric concentrations of carbon dioxide. The climate disruption raises the risk of economic harm—locally, nationally, and globally—from extreme weather events, higher temperatures, changes in precipitation,*

rising sea levels, acidification of oceans, and changes in ecosystems. Laws and executive orders require managers of federal forests to account for these risks." (page 2)

"The Bureau of Land Management, U.S. Forest Service, and other federal forest-management agencies have legal and administrative obligations to account for and clearly disclose the climate-related risks of the timber-harvest and other activities that reduce the amount of carbon stored on their lands. These obligations will become more imperative as human-caused disruption of the climate becomes more severe and the likelihood of catastrophic outcomes increases." (page 6)

Deforestation and climate change
Published by Greenpeace
Link: http://www.greenpeace.org.uk/forests/climate-change

Excerpt:

"Mature forests store enormous quantities of carbon, both in the trees and vegetation itself and within the soil in the form of decaying plant matter. Forests in areas such as the Congo and the Amazon represent some of the world's largest carbon stores on land.

But when forests are logged or burnt, that carbon is released into the atmosphere, increasing the amount of carbon dioxide and other greenhouse gases and accelerating the rate of climate change. So much carbon is released that they contribute up to one-fifth of global man-made emissions, more than the world's entire transport sector."

Forest fuel reduction alters fire severity and long-term carbon storage in three Pacific Northwest ecosystems.
Published by *Ecological Applications*. 19(3), 2009, pp. 643–
Mitchell, Stephen Ph.D., Harmon, Mark Ph.D. and O'Connell, Kari Ph.D.
Link: http://onlinelibrary.wiley.com/doi/10.1890/08-0501.1/abstract

Abstract

"However, reducing the fraction by which C is lost in a wildfire requires the removal of a much greater amount of C, since most of the C stored in forest biomass (stem wood, branches, coarse woody debris) remains unconsumed even by high-severity wildfires. For this reason, all of the fuel reduction treatments simulated for the west Cascades and Coast Range ecosystems as well as most of the treatments simulated for the east Cascades resulted in a reduced mean stand C storage."

Can fuel-reduction treatments really increase forest carbon storage in the western US by reducing future fire emissions?
Published in *Frontiers in Ecology and the Environment*, 2011
John L Campbell, Mark E Harmon, and Stephen R Mitchell
Link:
http://ir.library.oregonstate.edu/xmlui/bitstream/handle/1957/26174/CampbellJohn.Forestry.CanFuelReductionTreatments.pdf?sequence=1

Excerpt:

> *"Results suggest that the protection of one unit of C from wildfire combustion comes at the cost of removing three units of C in fuel treatments."*

Effects of fuel treatments on carbon-disturbance relationships in forests of the northern Rocky Mountains
Published in *Forest Ecology and Management* 259 (2010)
By Reinhardt, Elizabeth, and Holsinger, Lisa
Link: https://naldc.nal.usda.gov/download/39942/PDF

Excerpt:

> *"Although wildfire emissions were reduced by fuel treatment, the fuel treatments themselves produced [carbon] emissions, and the untreated stands stored more carbon than the treated stands even after wildfire. … Our results show generally long recovery times."*

How State and private forest practices are subverting Oregon's climate agenda
Published by
By John Talberth
Link: http://sustainable-economy.org/how-industrial-forest-practices-are-subverting-oregons-climate-agenda/

Excerpt:

> *"These emissions are four to seven times higher those associated with coal combustion by the Boardman coal-fired plant in 2012, are equivalent to 2-4 million new cars on the road, and make logging on State and private lands one of Oregon's biggest GHG polluters and a major impediment to Oregon's ambitious GHG reduction targets."*

There are many, many more scientific references that describe how logging oncreases CO2 in the atmosphere available on request.

Request for changes to be made to the final NEPA document: Include an accurate, truthful discussion of the direct and indirect effects of logging this sale on climate change consistent with "best science." Also include some of these best science documents in your Reference section and cite them in the text.

Failure to do so violates:

1) Climate Change Considerations in Project Level NEPA Analysis (Washington Office Memo January 13, 2009);

2) Executive Order 13514 of October 5, 2009; and

3) The National Environmental Policy Act. NEPA states that all Federal agencies "to the fullest extent possible" must provide a detailed environmental impact statement (EIS) (42 U.S.C. 4332). Neither Congress nor the courts have indicated precisely how much detail an EIS must contain. However, courts consistently have held that, at a minimum, NEPA imposes a duty on Federal agencies to take a "hard look at environmental consequences" (Natural Resources Defense Council v. Morton, 458 F.2d 827, 838 (D.C. Cir., 1972).

Issue #18 ----- Ranger Gould, if you care about maintaining aquatic species' health you would indicate in the final EA that all newly constructed temporary roads will be obliterated after use by returning the ground to the natural angle of repose and eliminate the running surface. If you were really concerned about aquatic species' health you wouldn't propose any road construction.

Comment #30: Roads that will be used again in the future must be constructed to system road standards with surfacing and a ditch to reduce sediment generation. If the final EA does not clearly indicate that your proposed temporary roads will be obliterated such that a running surface no longer exists, it will show you plan to allow these temporary roads to pump sediment for decades until the so-called temporary road is used again for the next timber sale. Please become familiar with the Clean Water Act.

The pre-decisional EA indicates 1.7 miles of temporary roads will be constructed as part this timber sale.

You claim on page 6 that "These roads would be rehabilitated and/or returned to their original condition at the end of the project."

When a road is "returned to its original condition" the fill is pulled back into the cut. Thus, no running surface exists.

Links to science showing complete obliteration is more effective at reducing long-term sediment generation than any other closure methods are included below:

"Obliteration
Obliteration can be the most effective treatment for both aquatic and terrestrial species. In full obliteration, culverts are removed, road surfaces are ripped and slopes are recontoured (see below for explanations of these treatments). In simple decommissioning, sites (such as stream crossings) are treated, but the segments (such as the roadbed between two stream crossings, or

between water bars) are left intact. In obliteration, all sites and segments are treated. Subsurface water flow is no longer interrupted, allowing water to flow normally throughout the system and therefore aiding with vegetative recovery and reconnecting fragmented habitat. Recovering the original topsoil may also aid in revegetative success and limit the spread of non-native species on the site. Road obliteration, therefore, addresses both the aquatic/hydrologic and terrestrial problems caused by roads."

> From **"AN EXPLANATION AND ASSESSMENT OF ROAD REMOVAL IN VARIED HABITATS"**
> By Bethanie Walder and Scott Bagley
> Published by the Wildlands Center for Preventing Roads, Missoula, MT
> Link: http://ntl.bts.gov/DOCS/ICOWET_III/icowet3paper.pdf

"Unless a road is fully obliterated, it is bound to continue receiving human use and fail to fully revegetate."

"These facts and common sense show clearly that a road will not cease functioning as a road or trail until it is fully obliterated to the point where travel off of the former roadbed is easier than travel on it. As the following discussion on the benefits of road obliteration will show, simply gating a road or taking it off of the inventory does not make the impacts or the road go away."

> From: **"Road Obliteration: Benefits to the Watershed and Its Inhabitants"**
> A Swan View Coalition publication by Keith Hammer, 1994
> Link: http://www.swanview.org/home/articles/reports-documents/road_obliteration_benefits_to_the_watershed_and_its_inhabitants/56

"We also believe that roads which cannot be properly maintained should be considered for closure or decommissioning, with natural landscapes and drainages restored (i.e., culverts removed). Road density in the Whitetail-Pipestone area is very high and reduction in road density is needed to protect resources. We believe road networks should be limited to those that are necessary for access and management, <u>and which can be adequately maintained within agency budgets and capabilities.</u> Roads that impact water quality, fisheries and/or sensitive and listed wildlife species should be prioritized for closure and/or decommissioning to maximize ecological benefits. We also recommend road obliteration or full road recontour as a preferred method of road closure, since it is often difficult to effectively restrict motorized access and protect public lands with simple gated road closures."

> From: a November 5, 2008, letter to Bruce Ramsey, Forest Supervisor, Beaverhead-Deerlodge National Forest written by John F. Wardell, Director, EPA Montana Office.
> Link:
> http://yosemite.epa.gov/oeca/webeis.nsf/(PDFView)/20080402/$file/20080402.PDF?OpenElement

<u>Comment #31:</u> In 1996, Jeffery E. Moll, P.E. who worked at the San Dimas Technology & Development Center wrote *A Guide for Road Closure and Obliteration in the Forest Service* link http://www.fs.fed.us/eng/pubs/pdfimage/96771205.pdf At page 20 Mr. Moll states:

> "The recontouring technique described here is considered the highest attainable level of mechanical obliteration and hydrologic restoration for low volume roads. This includes reestablishing original contour-removing embankments and removing cuts-removing drainage

structures, establishment of subsurface flow, debris and rock placements, treatments to gullies and their connectivity to stream systems, and vegetative plantings, seeding and mulching."

Here's a definition of road obliteration used by the North Coast Redwoods District of the California State Parks written in May, 2003:

"obliteration - to completely remove the road feature from the landscape. This is accomplished by full recontouring. See full recontouring."

"full recontouring - the treatment of a road that completely eliminates (obliterates) the road from the landscape. Full recontouring is accomplished by recovering all available fill and burying the cutbank until the surrounding terrain is fully matched. This type of treatment is also referred to as road removal or road obliteration. See obliteration."

Source: http://www.parks.ca.gov/pages/23071/files/fullroadrecontourbmp5_03.pdf

Comment #32: The EPA's description of road obliteration is quoted below:

"Road closure and obliteration is one of the most important methods used to improve and protect watersheds within the National Forests of the Pacific Northwest. These are generally compacted, have little sideslope, and usually have grades less than 15%. Road obliteration is the process of removing and treating roads, resulting in partial to complete recontouring of the site to match the surrounding natural terrain.

The main objectives of forest road obliteration are to restore hillslope hydrology, decrease surface erosion and the risk of mass wasting, and promote the re-establishment of native vegetation." (page 2)

Source:http://www.epa.gov/wastes/conserve/tools/greenscapes/pubs/compost-uw.pdf

Since you do not propose to "recontour the site to match the surrounding natural terrain" you are not obliterating your temp roads. EPA says "Road closure and obliteration is one of the most important methods used to improve and protect watersheds within the National Forests of the Pacific Northwest." Clearly, you are not interested in "improving and protecting watersheds."

Here are links to other sources clearly showing the superiority of road obliteration:

http://www.swanview.org/home/articles/reports-documents/road_obliteration_benefits_to_the_watershed_and_its_inhabitants/56
http://www.parks.ca.gov/pages/939/files/Full%20Road%20Recontour.pdf

After the temp roads are obliterated or decommissioned they must be monitored over time to assure they are not generating sediment. This pre-decisional EA contains no such monitoring plan.

The forest service discusses the need to monitor road decommissioning methods:

"Several national forests have developed road decommissioning monitoring plans. This report builds on their hard work and careful thought to creating a successful monitoring plan. Instead of advocating one method or process for each monitoring project and budget, this document enables selection of the monitoring technique(s) for each situation. Monitoring forms and protocols are

attached that can help a district or forest interdisciplinary team design a road decommissioning monitoring program for their area."

From : "**Road Decommisioning"** by Carolyn Napper, USFS Soils Scientist
A USDA Forest Service Technology and Development paper
Link to paper: http://www.fs.fed.us/t-d/programs/im/road_decomission/road_decommissioning.shtml

Comment #33: You ignore agency best management practices. You have no temporary road monitoring plan. Spending a little money on monitoring is better than spending a lot of money cleaning the stream … or hiding the fact that temporary roads are the reason the stream is muddy. The pre-decisional EA does not contain a discussion explaining why you believe temporary road monitoring is not necessary on this project.

Please see **Opposing Views Attachment #4**.

Request for changes to be made to the final NEPA document: Of course the road cannot be returned to its original condition as you say. You must return the slope to its original condition. Please indicate all temporary roads will be obliterated such that the terrain where the road was constructed is returned to the condition it was before the road was constructed. This will mean the running surface no linger exists except on flat ground.

Also, please assure the final NEPA documentincludes a road obliteration monitoring plan to assure the sediment is being reduced as expected. The resulting draft decision documents should indicate the USFS will provide funding for the monitoring and accomplish the monitoring.

Failure to do so will violate:

- The Clean Water Act requires federal official to secure National Pollutant Discharge Elimination System (NPDES) permits when federal officials create point sources for water pollution. NPDES permits have been required since 1972. This case shows some federal officials don't seek out these permits from the EPA because they know the EPA won't grant the permit. Here, the Responsible Official cares more about accumulating volume than complying with United States law.

- 40 CFR 1500.1(c) because the ineffective proposal to rehabilitate temporary roads after use will not "protect, restore, and enhance the environment."

- 40 CFR 1500.2(f) because the ineffective proposal to rehabilitate temporary roads after use will not "restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment."

- 40 CFR 1500.2(e) because the ineffective proposal to rehabilitate temporary roads after use will not "avoid or minimize adverse effects of these actions upon the quality of the human environment."

- 36 CFR 212.5(b)(2) because rehabilitating the road does not restore the road to a more "natural state."

<u>Issue #20</u> ----- The Proposed Action will clearly cause the resource degradation and destruction described in the ATTACHMENTS to these comments.

The attachments to these comments present the "responsible" opposing views of between 500 and 600 independent, unbiased Ph.D. biological scientists who describe the resource damage caused by commercial timber sale logging and road construction activities that occur at any location, on any topography, at any elevation, at any time logging takes place. Please see **<u>Opposing Viewpoint Attachment #1.</u>**

> **<u>Comment #34:</u>** The Gibsonville timber sale will cause major damage to non-vegetative natural resources described by hundreds of Ph.D. experts in the **<u>Opposing Viewpoint Attachments.</u>** Forging ahead with the timber sale with full knowledge of the likely BHVg / resource damage that the sale will cause indicates 1) weighing the relative value of the natural resources in the area against timber volume outputs has not been done, and 2) they have not been "harmoniously coordinated." Also, since outdoor recreation, watershed, wildlife and fish are adversely affected by the sale, youobviously consider timber more important that these 4 other resources.

<u>Request for changes to be made to the final NEPA document:</u> Include the source literature for particularly relevant science quotes contained in the **<u>Opposing Viewpoint Attachments</u>** in the References section of the final EIS and cite the quotes contained in the attachments in the body of the final EIS. Indeed, it makes sense for a public servant to present the public with the whole story which includes benefits and drawbacks of project implementation.

Failure to do this will violate:

- 40 CFR 1500.2(b) because the USFS could not complete the necessary environmental analyses without all the effects evidence,

- 40 CFR 1501.2(a) because the USFS did not identify environmental effects in adequate detail to complete a technical analyses of the project.

- 40 CFR 1500.2(e) because the Responsible Official was unable to avoid or minimize adverse effects of the project upon the quality of the human environment without complete knowledge of all likely adverse effects. Some adverse effects of project activities described by scientists in the **<u>Attachments</u>** was not mentioned in the final NEPA document EA.

- 40 CFR 1500.2(f) because the Responsible Official was unable to avoid or minimize any possible adverse effects upon the quality of the human environment without knowledge of the adverse effects. Had the Responsible Official known about these effects he would have acknowledged the existence of some adverse effects described in the **Attachments** in the final NEPA document EA.

Rejecting valid science because it s at odds with USFS timber agenda is also inconsistent with court precedent:

Sierra Club v. Eubanks335 F. Supp. 2d 1070 (ED Cal. 2004)
Opinion excerpt:

> "credible scientific evidence that [contradicts] a proposed action must also be evaluated and considered."

Seattle Audubon Society v. Lyons871 F. Supp. 1291, 1318 (W.D. Wash. 1994)
Opinion excerpt:

> "[the EIS] must also disclose responsible scientific opinion in opposition to the proposed action, and make a good faith, reasoned response to it."

Seattle Audubon Society v. Moseley798 F. Supp. 1473 (WD Wash. 1992)
Opinion excerpt:

> "[t]he agency's explanation is insufficient under NEPA … not because experts disagree, but because the FEIS lacks reasoned discussion of major scientific objections."

Sierra Club v. Bosworth**,** 199 F.Supp.2d 971, 980 (N.D. Cal. 2002)
Opinion excerpt:

> The forest service failed to "disclose and analyze scientific opinion in support of and in opposition to the conclusion that the…project will reduce the intensity of future wildfires in the project area."

The children born 50 years from today will not appreciate the ecological plunder caused by this timber sale. How could anyone ignore the children? They won't appreciate their land being spoiled to provide a natural resource extraction corporation with short-term profit. Do you really think the USFS serves the American recreating public?

Most Americans want future generations of kids to have the opportunity to experience the quietness and solitude in an undeveloped, natural forest. This will become more important in 2070 when the predicted population of the United States will be 418 million people. The wild **UNDEVELOPED** national forests will provide one of the only escapes from the insanity of a world driven even more by money than it is now … yet each IDT member has chosen to deny this opportunity to future generations.

Most IDT members have science backgrounds. Most of you understand the value of biodiversity in the forest. By helping to plan this timber sale you are helping to simplify the forest which eliminates its biodiversity. You are helping your Ranger to play God. You are helping him to manipulate the forest to better satisfy what he thinks a forest should be … money on the stump waiting for corporate America to remove. Aren't there some decisions that should not be based on money?

Have the IDT members had the courage to examine the Purpose & Need closely and ask themselves why the needs are needed ecologically?

As is the case here, the USFS assumes the trees in a natural, biodiverse forest are sick and may die because someone concludes they are not resilient to natural disturbance events such as insects, disease and fire. Ask yourself why your Ranger believes killing the trees with chainsaws and removing them for corporate profit is better than allowing them to die a natural death as God intended and remain in the forest to replenish the organics in the soils and serve as habitat for some wildlife species.

Some IDT members know the Purpose & Need for this sale identifies excuses to log a properly functioning forest. Let me remind you the trees in a forest are infinitely more important if left in place to serve their function than if removed using a trumped-up excuse in order to provide corporate profit. You know the P&N identifies these excuses. You also know your position pays well. So what do you do? Each IDT member looks the other way and masquerades as a caring natural resource specialist. A few of the IDT members have been convinced by the USFS rhetoric that serving corporate America simultaneously serves the tens of millions of Americans who depend on their national forests for recreation.

Have any of the IDT members asked themselves why a human vision of how things should be in the forest should trump God's vision when he created the forest and allowed it to pass through different successional stages … where each stage benefits the other natural resources in different ways?

Finally, do any of the IDT members believe the national forest landscape should be changed to mimic a private, industrial tree farm as is being done here?

> **Comment #35:** The Gibsonville sale will take away more undeveloped national forest acres from the legacy the unborn kids of the future. Which is most important: the future kids of America seeking solitude and quietness, or another summer home and yacht for the CEO of the timber extraction corporation that purchases this timber sale? Do the IDT members have the courage to ask themselves why the USFS defies the wishes of the American public by logging and roading-up the precious national forest land? How can an agency mandated to serve the public do so by

> taking action the public does not want or like? There is a reason the USFS euphemizes the word logging. They think using the terms "timber harvest" will trick the public into believing that ravaging the forest with skidders, tractors, chainsaws and poison herbicides is what should be done to "manage" the forest.

You are all mandated to serve 322 million Americans … not Sierra Pacific Industries as they imply. You include an electronic version of their letter of support at your Projects page info for this sale. A competent USFS line-officer would have also included the public scoping comments. Of course you didn't because there were some comments critical of your timber sale. If your actions to serve the public benefit Sierra Pacific Industries this is good.

By now you may have read the information contained in the **Opposing View Attachments**. Reasonable people would have doubts about the wisdom of this timber sale proposal that is likely to create major adverse impacts to their resources as described by hundreds of Ph.D. scientists in the attachments.

Responsible people that contemplate any action intuitively engage the Precautionary Principle. Perhaps you have never heard of it. Here it is in a nutshell:

> *The precautionary principle or precautionary approach states that if an action or policy has a suspected risk of causing harm to the public or to the environment, in the absence of scientific consensus that the action or policy is not harmful, the burden of proof that it is not harmful falls on those taking an action.*
>
> See: http://en.wikipedia.org/wiki/Precautionary_principle

Sincerely,

Dick Artley's scanned signature is contained in the "signature" attachment.

Dick Artley (retired forester, logging engineer and forest planner on the Nez Perce National Forest)
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Grangeville, Idaho 83530

da99333@gmail.com

Note: I am filing these comments etc. in my own individual capacity, as well as on behalf of WildLands Defense in Boise, Idaho and Friends of the Clearwater in Moscow, Idaho. I am a member of both groups. They both retain full-time attorneys. I fully expect the Deputy Regional Forester to reject the parts of my objection that aren't trivial.

"*Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has*."

Margaret Mead