

January 23, 2003

James Fenwood, Forest Supervisor
Grindstone Ranger District
Mendocino National Forest
825 North Humboldt Street
Willows, CA 95988



ATTN: Janet Flanagan

Re: Cold Chimney, Spanish Creek, and Ocean Springs Area Sale Scoping Comments

Please accept the following scoping comments on the proposed Cold Chimney, Spanish Creek, and Ocean Springs Area Timber Sale ("Sale") on the Grindstone Ranger District, submitted on behalf of the Environmental Protection Information Center (EPIC).

Thank you for sending the table of unit information. However, since we were unable to obtain a copy of the map, we can only comment on the heavy commercial emphasis on timber sale removal that appears to be evident in the harvest prescriptions for these timber sales. We oppose the proposed timber sales in a key watershed, the Black Butte River. We are especially opposed to the commercial thinning with "patch regeneration" clearcuts, "shelterwood seed" clearcuts, "shelterwood preparation" clearcuts, "green tree retention" clearcuts, and "overstory removal" high-grading proposed in the scoping document - these are out-dated and inappropriate silvicultural prescriptions that will degrade forest health, adversely impact plant and wildlife habitat, degrade water quality and impact aquatic species including listed fish species, increase the forest's susceptibility to insects, disease, and fire, and reduce long-term site productivity. We are also strongly opposed to any new road construction, even temporary, as this will certainly impact water quality and aquatic conditions, soils and site-productivity, wildlife habitat, and other ecosystem components. We are opposed to the use of helicopters that remove the largest and most fire resistant trees in order to cover operating expenses, and request that the Mendocino National Forest focus on thinning and restoration forestry within young, previously managed stands to achieve timber harvest, forest health, and socio-economic objectives. Please consider the following specific comments during preparation of the EA for the sale.

1. Soils, Long-Term Productivity, and Erosion Processes

Much of the bedrock within the Black Butte watershed has produced unstable soils which are subject to slumping and erosion (Black Butte WA 1996). We are concerned about potential impacts to soil integrity and productivity from the proposed actions. What is the anticipated level of ground disturbance and compaction from the proposed action (by harvest system), particularly in tractor logging units? What historical activities have occurred within proposed units, and how will the proposed project impact soil integrity and long-term site productivity? The EA must analyze all potential direct, indirect, and cumulative impacts on soil productivity, including soil cover, porosity, organic matter content, and surface organic matter, moisture regime, hydrologic function, and buffering or exchange capacity. The EA must address all potential soil impacts from the project, including compaction, displacement, erosion,

and mass wasting. It must address soils impacts from past activities within the proposed units, including past logging, fire suppression activities, roads (including temporary), skid trails, grazing, and Off-Highway Vehicles. It must also address soils impacts from all proposed future activities, including felling and yarding of trees, skid trails, landings and temp road construction, fuels treatments and site preparation. The EA must adequately demonstrate that the project will comply with all Forest soil quality standards and guidelines (LRMP, pp. IV-33) and Regional Soil Quality Standards, and ensure that long-term productivity be maintained as required by the National Forest Management Act. We expect that all required soils assessments and evaluations outlined in the Mendocino NF Land and Resource Management Plan (LRMP), Forest Service Handbook (FSH) and Forest Service Manual (FSM) will be completed and that the project file will include full documentation of the soils and geology analysis for public review. To adequately assess potential impacts to soils and long-term productivity, a qualified journey-level soil scientist should be included in the Interdisciplinary Team for this project.

2. Plant, Fish, and Wildlife Species Impacts

We are concerned about potential impacts to plant and wildlife species from the proposed actions. According to USFWS geospatial data (2000), large amounts of nesting, roosting, and foraging habitat exist within the Cold Chimney, Spanish Creek, and Ocean Springs Area Timber Sale area (**Attachment A**). We are particularly concerned that the project will adversely affect habitat conditions, prey species, and viability of Proposed, Threatened, Sensitive, and Management Indicator Species (PETS and MIS) found within the project area, including but not limited to northern spotted owl, Pacific fisher, marten, northern goshawk, and bald eagle. The BA/BE's for plants, fish, and wildlife and the EA must address all potential direct, indirect, and cumulative impacts to these species from the project at appropriate spatial scales.

We are concerned that the Forest has not used adequate information and current management direction to ensure that the project will not jeopardize the viability of PETS and MIS species found in the project area. For many of these species, the Forest Service has no up-to-date population data describing population numbers, locations, and trends, nor monitoring data on which the agency can rely to determine that the proposed actions will maintain numbers and distribution of these species sufficient for ensuring long term viability. To adequately address this, the EA must analyze species populations as well as habitat. The EA must also ensure that the habitat conditions for each MIS and PETS species is maintained, including canopy cover, stand structure, snags, and down logs.

We believe that the proposed logging and road construction activities will also result in a "Likely to Adversely Affect" Determination and take of listed salmon and steelhead species in the Black Butte River Basin, a key watershed, thus requiring a biological opinion from the National Marine Fisheries Service. To our knowledge, the NMFS is not issuing BO's as a result of the "Rothstein" lawsuit decisions which were recently upheld by the 9th Circuit Court of Appeals.

According to the 1996 Watershed Analysis, the Black Butte River is a tributary to the Eel River, and contains two species of anadromous salmonids, Chinook salmon and steelhead trout, which are both federally listed as threatened. The proposed activities will thus impact threatened fish species in one of the most important watersheds within the Eel River Basin River basin on the Forest. We do not believe that this is consistent with the ACS, ESA, or CWA. The EA must explicitly address this issue.

3. Water Quality, Riparian & Aquatic Habitat, and Fisheries

We are concerned that the proposed actions will adversely affect water quality, riparian and aquatic habitat, and fisheries within and downstream from the project area, in violation of the Aquatic Conservation Strategy (ACS). The Black Butte watershed is a producer of some of the Eel River Basin's

highest quality water (Black Butte WA 1996). The Record of Decision (ROD) for the Northwest Forest Plan requires that all actions either maintain good aquatic habitat conditions, or restore them if they are degraded (ROD, pp. B-9 & B-10). We do not believe that the proposed actions meet this requirement, and will in fact degrade existing conditions and contribute to significant cumulative watershed effects in Black Butte River watershed and Eel River Basin. The EA must address all potential impacts to riparian reserves, aquatic conditions, resident fish habitat, and downstream water quality.

The EA must demonstrate compliance with all Aquatic Conservation Strategy (ACS) objectives. Specifically, the EA must demonstrate that the project will maintain and restore plant communities in riparian areas and wetlands, provide adequate summer and winter thermal regulation, nutrient filtering, appropriate rates of surface erosion, bank erosion, flow regimes, water quality, channel migration, and coarse woody debris sufficient to sustain physical complexity and stability of the aquatic system. The EA must address issues and potential impacts related to turbidity, sediment, nutrient, temperature, dissolved oxygen, and other water quality parameters. According to the Black Butte WA (1996, pg. 39) Spanish Creek and Cold Creek have some of the coolest water found in the Black Butte watershed. These cold, clear waters are important to maintain for water quality and anadromous salmonids in the Black Butte watershed and the Eel River Basin.

The EA must disclose how this project will contribute to existing cumulative watershed effects (CWE's), and demonstrate that the project will comply with all applicable provisions of the Clean Water Act and North Coast Basin Water Quality Control Plan (Basin Plan), including non-degradation requirements. To comply with NEPA, CWA, and the ACS, the EA must explicitly address CWE's at the appropriate scale for the specific impacts of concern (e.g. increased sedimentation, altered temperature patterns, deficits of large woody debris, altered hydrologic regime, resident fish habitat conditions, and downstream anadromous habitat conditions). This means that the CWE analysis for the sale cannot be limited only to the subwatersheds that are within the project area, and must address how this proposed project contributes to watershed-level and basin-level impacts. The EA must provide data or evidence to support any CWE analysis that is conducted, and should provide empirical data that is used to calibrate the ERA/TOC model, if that is used for the sale. Given that a portion of the proposed project area may occur within Riparian Reserves, which Best Management Practice's (BMP's) are going to be applied and how will these BMPs be used to adjust the calculated percent ERAs? How will validation and monitoring of the ERA method be conducted for this particular proposed action? How will other CWE effects not considered in the ERA method be included in the assessment and determination of watershed condition? The EA must address all cumulative effects in the project area, including grazing, OHV use, and activities on private lands. EPIC expects that a detailed CWE analysis related to these issues will be completed prior to the completion of the NEPA process, and the results incorporated in the EA for public disclosure and review.

We are concerned about the potential for logging within Riparian Reserves within the project area. The EA must demonstrate that the proposed actions will maintain or improve riparian and aquatic habitat conditions to comply with the ACS. The EA needs to discuss how all wetlands, seeps, springs, creeks, and unstable areas will be identified and protected in the proposed project. Absolutely no temp roads or skid trails should be constructed through any RR, no heavy equipment should be allowed, and only hand thinning of small-diameter material should be considered. The EA must disclose in detail what stand conditions are like within the Riparian Reserves proposed for logging, and how proposed operations will contribute to achieving the objectives of the ACS within them.

We are concerned about impacts resulting from logging operations on steep slopes, erosion-prone soils, and unstable areas (particularly tractor yarding and mechanical site preparation). The EA should fully address this issue, describe how soils and watershed impacts will be avoided, and prohibit operations in all sensitive and unstable areas.

We are also concerned about wet weather operations for road work and/or logging activities and their impact on the aquatic and riparian system. We strongly oppose such wet weather operations. The EA must disclose the timing of operations, and if wet weather operations will be proposed for any part of this project, it must analyze the potential significant adverse effects it will have on soils and the aquatic system.

The high road density in the vicinity due to the concentration of private lands is severely impacting the terrestrial and aquatic systems in the area, and needs to be reduced. No new roads, even temporary, should be built, and a comprehensive program to aggressively identify and decommission environmentally harmful roads needs to be implemented in order to comply with the objectives of the ACS. The influence of existing roads within the project area and within the project area watersheds on meeting the ACS objectives needs to be assessed. This information is necessary in order for an adequate evaluation of the proposed action. The EA should also consider an alternative that does not include any temporary road construction.

We are also concerned about proposed landings. The EA should address all the existing landings within the project area, and consider decommissioning new and existing landings as part of this project.

4. Fuels and Fire

The scoping notice states that one of the purposes of the proposed action is to reduce the potential size and duration of wildfires and to reintroduce understory burning. We are concerned that the proposed actions will not improve the fire resistance or resilience of the project area, and will in fact exacerbate the threat of catastrophic fire. We are concerned about stand structure and microclimate, and are very concerned that the project will remove large-diameter logs, snags, and green trees that are important for ecosystem recovery, regeneration, soils, wildlife, and watershed function. We are concerned that the proposed activities will open up the canopy which will make the understory more open and exposed, with increased sunlight, temperatures, and wind, decreased air humidities and fuel moisture levels, decreased conifer regeneration, and increased shrub and herb growth, leading to increased fire risk in the stands. We are also concerned about long-term fuels conditions within the project area in terms of fire and fuels. We are concerned that adequate funds are not available for adequate activity fuels treatment, and request that the environmental analysis include a full assessment of this issue. We are concerned that the proposed project will remove large-diameter woody material at the expense of ecosystem health, while leaving the highly-flammable small-diameter materials on site. Finally, we are concerned that the proposed activities will do little or nothing to address the most-important fire risk in the area- namely human-cause fire starts. We request that the EA address these critical issues. The EA should provide site-specific information on current fuels conditions within the project area, disclose the size of woody material to be removed in the timber sale, and the resulting post-salvage and thinning fuels conditions, in terms of size classes, continuity and distribution, etc.. The EA should provide site-specific information about the vegetation types, seral stages, natural regeneration, and other stand attributes before the fire, how these attributes have changed as a result of the fire, and how they will change due to this project. The EA should also address all potential impacts from logging on fire behavior and risk. The EA should provide empirical evidence that the proposed activities will not in fact increase the risk of both ignition and severe fire behavior, and address the effects of the proposed activities on fire behavior, spread, and severity. The EA should also demonstrate that the project will comply with all provisions of the National Fire Plan, Forest Service Cohesive Strategy, and Mendocino National Forest Fire Management Plan (FMP).

5. Forest Health

The best available science indicates that logging and road construction as proposed in the sale will not help alleviate risk to adverse impacts from forest pathogens, and will in fact lead to decreased forest health and exacerbating insect and disease problems. We are concerned about the spread of pathogens such as *Phytophthora ramorum* from logging and other uses such as grazing, and the increased use of OHVs to herd cattle and hunt deer and other wildlife. *Phytophthora Ramorum* is readily spread by OHVs and logging equipment, and we request that the EA address these issues in detail.

6. Socio-Economics

We are concerned about the potential socio-economic impacts from this sale and the Forest Service timber sale program. The EA must analyze all costs associated with the planning, preparation, administration, and implementation of this sale, including all post-sale fuels work and site rehabilitation. The EA must also assess the value of ecosystem services provided by not logging this area, including soil and water conservation, flood control, pest control, and carbon sequestration. The EA must demonstrate that the project will maximize social and economic benefits to the American people.

The EA states that the sale would contribute to supporting the local economy and provide wood fiber. The EA should acknowledge that clearcuts and overstory removal prescriptions are not the only way to support the local economy and provide wood fiber, and consider an alternative that utilizes understory thinning to produce commercial timber volume to contribute to local economies and contribute to the Forest ASQ.

7. Snags, Large Woody Debris, and Late-Successional Habitat Conditions

We are very concerned about the reduction of snag and coarse woody debris (LWD) resulting from the proposed project, and impacts to late-successional habitat conditions. What are the current and anticipated post-logging levels of snags and coarse woody debris in the project area? How do you intend to achieve desired levels of these forest structural elements throughout time? What are the cumulative effects on snags, large-woody debris, and late-successional habitat conditions from the project, combined with past, present, and reasonably foreseeable future actions? We request that the EA address this issue in detail.

8. Range of Alternatives

We request that the EA develop and analyze a "restoration-only" alternative that does not involve a commercial timber sale, that treats only small fuels, including small trees and brush (upper diameter limit of 12" dbh), retains all live green trees, retains all snags and down logs larger than 16" diameter, includes jackpot and prescribed burning, and does not involve any road construction.

9. Survey and Manage Species

We are concerned that surveys are adequately conducted for all Survey and Manage species known or suspected to occur within the project area, and that all suitable habitat for these species is adequately protected.

10. Mitigation Measures and BMPs

We are concerned about the adequacy of mitigation measures and traditional Best Management Practices (BMP's) in protecting soils and watershed values. The EA must specifically evaluate the effectiveness of

BMP's and mitigation measures in actually achieving their purpose. It is not sufficient to simply list the BMP's or project design features that will be applied.

10. Neotropical Migratory Birds

We are concerned about potential impacts to neotropical migratory birds from the proposed actions. We expect that the environmental analysis will assess and discuss these impacts.

12. Conclusions

In summary, we are very concerned about the potential adverse environmental and socio-economic impacts that will result from the proposed actions, and are opposed to the project as outlined in the scoping document. We request that you consider other alternatives in the EA that address the issues we have raised above.

Thank you for your consideration. We look forward to receiving a copy of the EA when it is available. We also request a copy of the specialists reports for soils and geology, soil and landslide surveys and timber inventories, and other reports regarding insects, disease, and fire, as well as Biological Assessments/Biological Evaluations for plants, fish, and wildlife.

Thank you.

Sincerely,

/s/Christine Ambrose