



# Sierra Nevada

## Forest Protection Campaign



March 30, 2004

Deb Romberger, District Ranger  
C/O Hat Creek Ranger District  
P.O. Box 220  
Fall River Mills, CA 96028

Dear Ms. Romberger,

The following are comments on the North 49 project:

### **General Comments**

The National Environmental Policy Act (NEPA) requires the Forest Service to disclose the direct, indirect and cumulative impacts to the environment of past, current and reasonably foreseeable future actions (40 CFR § 1508.8; § 1508.7; § 1508.25).

NEPA requires that the Forest Service analyze and evaluate all reasonable alternatives 40 C.F.R. § 1502.14.

The National Forest Management Act (NFMA) requires the Forest Service to use the “best available data” in its planning efforts (36 CFR § 219.12 (d)).

NFMA also requires the Forest Service to identify species in order to estimate effects of each alternative on fish and wildlife populations. These species selected as management indicator species shall be selected because their population changes are believed to indicate the effects of management activities (36 CFR § 219.19 (a) (1)).

NFMA requires fish and wildlife habitat shall be managed to maintain viable populations of existing native and desired non-native vertebrate species in the planning area (36 CFR § 219.19).

NFMA requires planning alternatives be stated and evaluated in terms of both amount and quality of habitat and of animal population trends of the management indicator species, and that the population trends of management indicator species will be monitored and relationships to habitat changes determined (36 CFR § 219.19 (a) (2), (6)).

NFMA requires the Forest Service to preserve and enhance the diversity of plant and animal communities so that it is at least as great as that which would be expected in a natural forest (36 CFR § 219.27 (g)).

## **Specific Comments**

### **I. DFPZ Treatments: DFPZ treatments are approximately 12,165 acres.**

#### A. Effect on Northern Goshawks:

The DFPZs proposed for this project includes logging 335 acres within two goshawk protected activity centers (GPACs). The impacts on the goshawk must be fully disclosed. We request an analysis that identifies past, current and reasonably foreseeable future actions as they related to degradation of goshawk foraging and nesting habitat, overall loss of suitable habitat within affected goshawk home ranges, and degradation of habitat within goshawk protected activity centers.

The analysis should include the best available scientific information regarding goshawk habitat attributes, goshawk habitat usage and habitat preference or selection.

The environmental analysis should disclose the outcomes of different strategies to reach the fuels objects while protecting goshawk protected activity centers, and suitable nesting and foraging habitat. The goshawk PAC management should include burning and removal of 6" diameter under-story trees. Fuel modeling should evaluate treatment effectiveness of this approach and several incremental levels beyond 6" removal (12"-16"-20"). The point of a landscape strategy is to utilize a variety of tool to reach an overall set of objectives, not use the maximum fuel treatment on every acre while degrading other values (goshawk activity center) when such intensive treatments could be avoided and the fuel objectives still met.

Please provide all information supporting the PSW (2-year protocol) goshawk surveys for the analysis area.

The Northern Goshawk is closely associated with mature and old forests. Numerous scientific studies have documented lower or declining goshawk populations in heavily logged forests. "There primary threat to northern goshawks at the present time concerns the effects of vegetation management on the distribution, abundance, and quality of habitat (Bloom et al. 1986, Keane and Morrison 1994, Kennedy 1997, Smallwood 1998, DeStefano 1998)" 2001 SNFPA FEIS Volume 3, Chapter 3, part 4.4. "High canopy cover is the most consistent structural feature similar across studies of northern goshawk nesting habitat," (Ibid) Goshawks are habitat specialists and require significant portions of old forest for foraging and nesting. Recent research by goshawk scientist D.C. Crocker-Bedford supports the notion that more attention needs to be paid to effects from treatments in foraging habitat that assumes goshawk can easily utilize or select open-canopy stands for foraging. Assessments of habitat alteration need to begin with an accurate definition of suitable foraging habitat. The analysis should identify the direct, indirect, and cumulative impacts upon the distribution, abundance and quality of goshawk habitat, including foraging, nesting, post-fledging area effects, at various scales from nest tree to home range.

Goshawks are extremely rare today in the clear-cut dominated coast range from California to Washington State and in the Sierra Madre. Because the goshawk is both a top-level predator and

an ecological engineer, its decline contributes to the unraveling of forest ecosystems, stressing other forest dependent species. As a voracious predator of squirrels, jays, flickers, rabbits, snowshoe hares and songbirds, goshawks play an important role in the forest food web. As builders of numerous, large nests, goshawks provide essential nesting opportunities for many species which cannot build their own nests. Each pair of goshawks build and maintain between three and nine nests within their home range, but use and defend only one (or less) per year. While goshawk nests are especially important to sensitive or imperiled species such as Spotted Owls and Great Gray Owls they are also used by Cooper's Hawks, Red-Tailed Hawks, Great Horned Owls, Short-eared Owls, squirrels, and many other species. Within a decade of goshawks being driven from a forest, their nests collapse from lack of maintenance and a precious wildlife habitat is lost (Center for Biological Diversity [www.centerforbiologicaldiversity.org](http://www.centerforbiologicaldiversity.org) )

Heavy thinning within any GPACs, even with a 500 feet buffer of a nest tree is likely to have disastrous effects (fragmenting the activity area and rendering it unsuitable) on the northern goshawk. On the other hand, treatment of these areas at an intensity that will not drive negative outcomes may be necessary due to past management and overly dense forest understories. (Maurer 2000-UC Davis MS Thesis) noted the goshawks in Yosemite National Park remained in nest areas that had experienced recent under-burns that did not reduce canopy cover and numbers of large trees below suitable levels.

The analysis should disclose the potential for increased human recreational contact from the logging near the activity center. Increased OHV use, recreational shooting, and harvest for falconry purposes should be analyzed.

#### DFPZ Standards:

Among the acreage of proposed treatment types, 2,060 acres will meet the DFPZ standards by under-burning alone. Disclose the vegetative differences in this landscape area from those areas that require thinning of medium and large trees. Disclose in the analysis the effectiveness of a burn-only treatment. Also consider a burn and thin of small trees <12" dbh in terms of meeting fuels objectives.

### **Group Selection Treatments**

#### Age-class Diversity Treatments:

For the purpose of age-class diversity, 1,470 acres of group selection is proposed. Evidently this treatment is not for the purpose of fuels treatment. Disclose if this treatment is included in the fuel report and how it is characterized in terms of potential increased fire risk, increases in forest fragmentation, maintenance issues related to forest openings and brush.

SNEP 1996 Addendum Chapter 3, characterizes natural openings of approximately 0.01 to 0.5 ha in pre-settlement conditions. On-going research at University of California's Blodgett Forest has

demonstrated openings as small as ½ acre can successfully regenerate shade intolerant species such as Ponderosa pine.

We disagree with the need for openings as large as 2 acres based upon the negative impacts associated with forest fragmentation. Please disclose the existing age-class diversity within the analysis and project areas. Please analyze an alternative where the openings are no greater than ½ acre to meet age class diversity objectives, if there is an age-class diversity problem.

We request disclosure of how an average of 40% canopy cover within the thinning unit meets the need of “high canopy cover” in order to support goshawk populations, in the environmental analysis of this project. The predicted canopy increase to 50% within 20 years ignores the short-term impacts needed to prevent total extirpation of goshawk populations.

Implementing group selection openings will create low to moderate density openings within each stand and will create additional edge adjacent to or within suitable habitat. Implementing DFPZ treatments will maintain continuous cover but will increase the amount of contrast between treated and untreated stands and associated edge. The Biological Evaluation for the HFQLG project concluded that this alternative increased edge effects, reduced habitat connectivity, and increased habitat gaps. These actions will widen the gaps between habitat parcels and probably reduce the densities of spotted owls. The Spotted Owl Technical Report warned against exacerbating conditions within these areas where, “future problems may be greatest if the owl’s status were to deteriorate (Verner et al. 1992). These impacts need to be fully disclosed in the analysis.

### **Thinning and Operability**

We strongly disagree with the language (p.4) in the scoping notice allowing an exemption to the 30” limit for operability. There should be no removal of trees >30” for operability. The Forest Service should move the (road, landing, skid trail), not remove the tree. All trees greater than 20” that must be removed should be left on site for ecological benefits.

We request the forest service disclose all road, landing and skid trail and haul routes that require large trees be removed for operability. Specific locations of such trees should be identified in the silvicultural report and the effects analysis for the BE/EA.

### **Fire and Fuels Issues:**

The Analysis should disclose the specific areas where 40% canopy cover will be maintained. The proposed action states canopy cover may be reduced below the average of 40% to “adequately reduce ladders fuels, provide for safe and efficient equipment operations, minimize re-entry, design cost efficient treatments, and/or reduce stand density.” The situations in which these exceptions are allowed need to be fully disclosed. Also, if “adequately reduce ladder fuels” is an exception, please disclose how the fuel standards are to be met without reducing ladder fuels in non-exception activities.

The fire and fuels analysis should fully disclose the effects of various levels of canopy retention and tree removal. One alternative should consider using the Framework 2001 standards for fuels reduction. Flame length, rate of spread, height-to-live-crown separation, increases in wind speed, brush growth, and changes in humidity patterns should all be compared when designing the project fuels strategy.

Please display the fire behavior results in the project for only surface fuel, surface and ladder, and small tree (<12”) removal.

We know of no available science to support removal of trees >20” to meet fuels objectives. Fire in the Sierra Nevada is driven by surface and ladder fuel continuity leading to torching into crown. Crown fires do not burn independently for any significant distance, in these forest types, when the surface and ladder fuels are treated and “disconnected” from tree crowns.

Disclose the scientific information to support removal of trees >20” to reach fuels objectives.

### **Aspen Enhancement**

We request the Forest Service disclose the hydrologic environment, grazing patterns, road patterns, and fire intervals related to the aspen stands and the encroaching conifers. What are the underlying reasons for the conifers moving into the aspen stands? Any restoration efforts need to address and mitigate the underlying reasons for the changed ecological condition.

### **Wildlife**

Besides the goshawk issues previously discussed, disclosure of impacts to the red fox needs to be fully disclosed. Although not discussed in the proposed action, effects on the American Marten including direct, indirect, and cumulative effect to suitable foraging and denning habitat and actions taken to protect the Marten must be disclosed. Finally, impacts to the California Spotted Owl including direct, indirect, and cumulative impacts to foraging and nesting habitat, must also be fully disclosed.

How many owl home range areas have <50% suitable habitat in the analysis area? How many in the overall QLG Pilot Project area? How does this project affect the number of owl home ranges with 50% suitable habitat?

Suitable habitat definitions for effects analysis for spotted owls should consider suitable habitat to start at 50% cover, based upon the best available science.

The environmental review should include analysis of decreases in suitable habitat for Forest Service Sensitive and MIS/SAR.

How will this project ensure effective habitat connectivity for old forest species? What is the existing condition of area identified to maintain habitat connectivity? How will the condition change in both the short and long term, as a result of this project?

It appears there are 8 GPACs and 6 SOHAs in the project area. There is a habitat management area (HMA)/corridor or furbearer network throughout a large part of the project which connects Lassen National Park to the Thousand Lakes Wilderness. This project area is the best habitat for Northern goshawk, California Spotted Owl, and American marten on the HCRD. It is also critical for recovery of the remnant pacific fisher now separated by nearly 250 miles from near Mt. Shasta to Yosemite. Please disclose the environmental impacts to these areas and how you plan to maintain viability for at-risk species in the planning area. How will your actions in the North 49 project affect larger landscape strategies and management options for these at risk species?

The LNF LRMP states there will be no scheduled timber harvest within the HMAs or their corridors (LRMP 4-59). In this project there is large amounts of thinning and group selection within these corridors and HMAs. Removal of this corridor system will have significant, long-term impacts to at-risk wildlife who require suitable movement and travel corridors (or general forest conditions which facilitate life cycle functions (foraging, denning, resting, mate-finding, juvenile dispersal habitat, etc. The project should be enhancing habitat in these HMAs, not degrading it.

The original Redlock biological evaluation 2/98 states that the project may affect individual marten but will not lead toward a listing for this species. Furbearer surveys in 1992 detected numerous marten using some of the project area. Have there been surveys since 1992 for forest carnivores? Is there recent research or information from PSW-Arcata on furbearer occurrence in or near the project area? How many times in the last 10 years have project specific Biological Evaluations on the Lassen NF made a “may effect individuals” finding for marten, fisher, spotted owl, goshawk?

### **Cumulative Impacts Analysis**

NEPA requires you assess the cumulative impacts to specific resources in the environmental analysis. Please analyze the impacts of recent timber harvesting projects, public and private, foreseeable future actions in the QLG Plan, and recent fires. Fire and intensive treatments produce similar effects and should both be considered in characterizing habitat impacts to species.

In Conclusion: When the draft EA/EIS is published, please also send the plant and wildlife BEs, the BA, fire and fuels report, silvicultural report, and the cumulative watershed effects analysis. We also request all correspondence with the US Fish & Wildlife Service currently in the project record.

Thank you for this opportunity to comment.

Sincerely,

Craig Thomas, Director

and

David Graves, Conservation and Communications Coordinator

The Sierra Nevada Forest Protection Campaign  
915 20<sup>th</sup> Street  
Sacramento, CA 95814

(530) 622-8718

[cthomas@innercite.com](mailto:cthomas@innercite.com)

(916) 442-3155 X-218

[dgraves@friendsoftheriver.org](mailto:dgraves@friendsoftheriver.org)

