Tahoe Area Sierra Club Group

Sierra Forest Legacy
Protecting Sierra Nevada Forests and Communities

KEEP TAHOE BLUE
League to Save Lake Tahoe

December 5, 2008

US Forest Service
Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150

Dear LTBMU Forest Plan Revision Team,

The following are comments from Sierra Forest Legacy, Tahoe Area Sierra Club, and the League to Save Lake Tahoe (collectively, Legacy) on the Desired Conditions for the Lake Tahoe Basin Management Unit planning area:

General Comments

I. We object to the current management direction contained in the 2004 Sierra Nevada Forest Plan Amendment and are seeking to enjoin the 2004 ROD/FSIES (*Sierra Forest Legacy v. Rey* Case No: CIV-S-05-0205 MCE/GGH). We also object to the revised 2008 Planning Rule 36 C.F.R. 219 which is currently guiding this plan revision effort and believe it also to be unlawful.

II. We also take issue with the 8-year trend inside the agency which lacks specificity, accountability, and a higher level of certainty (regarding the impacts of your decisions) that comes with clear standards, rigorous broad–scale monitoring, and detailed and scientifically sound NEPA analysis.

Instead we see an agency desire for maximum flexibility without the accountability of clear law, policy and regulations informed by a robust monitoring plan as was the case with the 2001 Framework.

The desire to eliminate the old forest emphasis area designation and spotted owl home range core areas are two examples of the trend aimed at weakening important protections for old growth forest and at-risk wildlife.

Specific Comments on LTBMU Desired Conditions

I. Below are the various Desired Conditions for the November and December 2008 Forest Plan Revision workshops. We contend that such simplistic desired condition statements fail to provide discernable goals and objectives that are clearly based upon the best available science and which identify amount, location, species, unique communities, risk levels, trends and other critical attributes that allow the public to know that the Forest Service is taking a substantial look at the varied resources in the Basin and ensuring that restoration of this forest and its diverse attributes will be protected.

Integrated Vegetation, Fuels, Wildlife, Forest Health Desired Conditions

DC-1. Diverse forest stand densities, structure and species representative of historic disturbance regimes. The overall species mix, size classes, and mixture of stand conditions across the landscape results in a forest that is resilient to catastrophic fire and insect and disease outbreaks, and is characterized by high quality wildlife habitat that supports a diverse range of native species.

Comments:

A) "Diverse forest stand densities, structure and species representative of historic disturbance regimes." Does this mean the LTBMU is going to allow forests to burn at the historic regimes which for some forest types (Lodgepole, Red Fir) includes long rotation-stand replacing fire?

B) Is the LTBMU committing to a new approach on stand densities replacing the SDI/60% of normal approach offered by the past regional forester in the 2004 Framework? A new approach to "forest health" would be positive step. Desired conditions for forest health are in many instances driven by a "one size fits all" effort to extend the treatment duration and re-entry period rather than addressing existing ecological conditions. Variable stand densities based on landscape position, resource objectives, forest types and current conditions are the appropriate ecological approach.

C) A recent PNW California Forest Inventory and Analysis: 2001-2005 http://www.fs.fed.us/pnw/publications/gtr763/ contains recent landscape level data on California's forest including:

i. Chapter 4- Crown Fire Hazard section…Only 8 percent of forested lands in the Sierra are likely to sustain crown fire, and the implications of this to current program goals is stated unambiguously.

ii. "Recent crown dieback was detected for only 2.8 percent of the trees examined. Initial results suggest that crown decline is not widespread in California. Most dieback was found in dry forest types in the southeastern part of the state."

iii. "We lack landscape-scale historical or paleoecological data to compare with today's average annual rate of 0.67 percent of forest land burned, and so we cannot determine whether this rate represents a departure from historical rates."

iv. "We tallied dead wood in various size classes throughout California and the estimated density of large snags may not be sufficient for some wildlife species. For example, every survey unit averaged fewer than two large snags ≥20 inches d.b.h. per acre,"

We are concerned that desired conditions are based on past historic conditions and estimated current conditions, and these trends need to be thoroughly examined, publicly vetted and fully disclosed since many of the recent fire and forest health assumptions are coming under serious scrutiny.

D. Old growth forest desired conditions need to be addressed explicitly in the new plan.

Estimates for the un-harvested landscape in the Sierra Nevada range from 50-90% in old forest conditions as a historic benchmark (2001 SNFPA FEIS Volume 1, Chapter 2-page 6) Current conditions in the Lake Tahoe Basin of old growth as a portion of the overall forest in old growth is 5% (2001 SNFPA FEIS Volume 2, Chapter 3, part 3.2 –page 138).

The spatially explicit Old Forest Emphasis Area (OFEA) concept remains the preferred strategy for ensuring old growth areas are protected and accountability for their persistence is provided. The reasoning for this approach (See SNEP Addendum 1996) are several: 1) large blocks of old forest occur in national parks and occurred historically, 2) clumped landscapes support more territories for old forest associated species compared to distributed or fragmented landscapes—this is particularly important for wide ranging species such as the California spotted owl, 3) spatially explicit emphasis or reserves facilitate management accountability, 4) the emphasis approach designates the best remaining areas to be managed for enhancing old forest conditions, 5) spatially explicit areas emphasis or reserves provide for less intensive treatments and allow for adaptive management research on the effects of management on old forests (from 2001 SNFPA FEIS Volume 1, Chapter 2-page 7).

We strongly object to the LTBMU notion of dropping the OFEA designation and certainly do not see a lawful way to dismantle this important protection strategy.

E. Desired Conditions and standards and guides (design measures) for CSO HRCA's need to remain in the new plan as designed in 2001 Framework. There is no scientific justification or reason for removing this important designation which support your findings for maintaining species diversity on the Basin. The HRCA concept identifies areas immediately adjacent to the protected activity area where owls spend roughly 60% of their time. This area represents approximately 20% of the home range and it generally higher quality habitat which contributes to adult and juvenile survival. Desired Conditions for such critical areas should promote specific design measures that will maintain and enhance habitat values in the short or long term.

D. From: Beaty and Taylor (2008) in Forest Ecology and Management
Fire History and the Structure and Dynamics of a mixed conifer forest landscape in the northern Sierra Nevada, Lake Tahoe Basin, California, USA.

The goal of this study was to understand how fire regimes promote fine- and coarse-grain vegetation patterns in an old-growth mixed conifer forest dominated landscape in the General Creek watershed on the west shore of Lake Tahoe, California. We quantified the structure (e.g., composition, age, and size) of old-growth mixed conifer stands located across a range of environmental settings. Fire histories were reconstructed using fire-scar dendrochronology, and the influence of regional climatic variability on fire occurrence was assessed by relating the fire record to regional climate reconstructions. Fire regimes parameters varied across topographic gradients at landscape scales promoting fine grain forest structural patterns. The timing and extent of fires was related to inter-annual and inter-decadal variation in drought which was linked to the El Niño-Southern Oscillation and the Pacific Decadal Oscillation. Coarse scale vegetation patterns where related to upper slope positions and relatively infrequent high severity fires. Fire regimes and forest structure have changed since EuroAmerican settlement with virtually no fires and structural shifts towards higher stand densities and a greater representation of fire intolerant species. At the landscape scale, fire regimes and forests patterns in mixed conifer forests are influenced by a variety of process operating at multiple spatial and temporal scales. Coarse scale heterogeneity related to topography and moderate to high severity fire is superimposed on fine scale variability related to topographic gradients and local variability in fuel and forest structural characteristics. Fire suppression has resulted in a more homogenous landscape particularly with regard to the loss of coarse scale heterogeneity.

Comment:

The fact that fire regimes varied across topographic gradients producing fine and coarse scale heterogeneity including moderate and high severity fire attests to the need for thoughtful construction of desired conditions by the Forest Service that includes acceptance of levels of all severity classes and the historic level of variation of vegetation patterns on the landscape.

Forests that are resilient to fire, insects, and disease means the system can "incorporate" these critical processes into the ecosystem and continue to thrive. Resilient (ability to recover) does not equate to resistance (prevention of occurrence). Desired conditions therefore need to be specific to vegetation types, landscape conditions, and processes affecting various locations in the Basin and not general (simplistic) statements that lack landscape or ecological grounding.

E) There also needs to be clear desired conditions for burned landscapes. Salvage logging should not be considered a restoration tool for burned forests. The word "salvage" should be avoided. The parameters for restoration beyond natural recovery should be clearly laid out and be limited to watershed protection, small tree pile burns or chipping and replanting with a focus towards the future forest's climate, fire resiliency and species mixes.

DC-2. Disturbance processes such as fire, insects, and disease occur in the ecosystem within the natural range of variability, and where this is not feasible; surrogates that effectively mimic natural disturbance are carefully used. This diversity of vegetation conditions is present throughout the entire forest, including riparian and special areas, supporting a diversity of native plant, fish, and wildlife species while enabling the forest to respond to a changing climate.

Comments:

A. If past history tells us anything, the Forest Service seems to target the lower end of the variability scale when it comes to canopy retention, snag densities, large logs, basal area retention etc. The Desired Conditions need to set clear direction for maintaining the full range of variability as described in the best available science in close approximation to past reconstructions.

B. We do not support the use of "surrogates" to natural ecological processes. Logging will never be a substitute for fire on the landscape. It is only thought of as a surrogate if one ignores the full range of benefits that fire provides to the landscape such as nutrient recycling, fire-obligate seed germination, snag creation, log creation, reduction in forest pests, and mineral soil creation for germination. Logging is not an "effective mimic" for these processes.

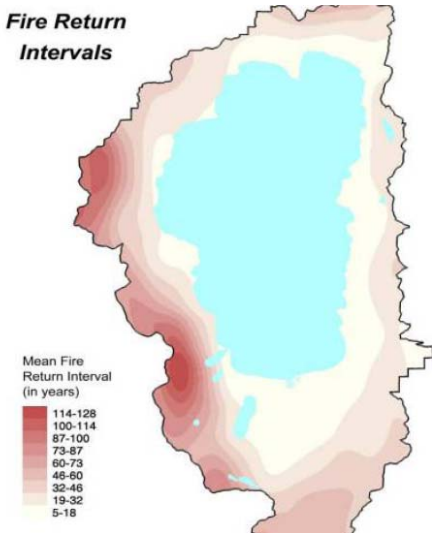
C. For the Forest Service to know they are maintaining and supporting the diversity of native fish, plants and wildlife the Desired Conditions for these components need to be explicitly disclosed. To maintain diversity the Forest Service must know what it has (knowledge of existing populations), trends in those populations, threats to those populations and a goal of maximizing biological diversity as the best strategy for an uncertain future. Habitat as a surrogate is not an effective measure of population viability.

Diversity requirements for plants and wildlife species are contained in the 1976 National Forest Management Act and need to have specific habitat goals and population goals to measure and account for the maintenance of the diversity as required by law. Species on the Basin's forest including, but not limited to: Spotted owls, goshawk, American marten, relevant MIS (as identified in the 2001 Framework), Lahontan Cutthroat trout and other T&E species, rare plants including Rorippa subumbellata, Carex paucifructus, Draba asterophora var. asterophora, Draba asterophora var. macrocarpa, Eriogonum umbellatum var. torreyanum, Lewisia pygmaea var. longipetala, Silene invisa should all have specific desired conditions established for each.

DC-3. At both the stand and the landscape level, the Basin's forest more closely resemble vegetative conditions that were shaped by natural disturbance and other evolutionary processes. Because vegetative conditions are shaped by more frequent, low intensity fire, resulting conditions help protect the public from hazards.

Comments:

A. The desired conditions for higher elevation forests on the west side of Lake Tahoe should reflect the fire regimes identified in your own presentations to the public (see below), which is not all frequent, low intensity fire. The flat land, pine forests are more characteristic of frequent, low intensity fire regimes. (Talyor 2003; Beaty and Taylor 2008). The Red fir and Lodgepole pine are not.



DC-4. Fuel treatments decrease wildfire intensity and severity while providing firefighters with better opportunities to successfully halt wildfires before they threaten communities. Habitat and ecosystem diversity are maintained or improved during fuel reduction and vegetation treatments to achieve some combination of the following goals:

- Decrease risk to California spotted owl and northern goshawk PACs from wildfire
- Create early seral stages
- Reset the system for long-term old growth restoration
- Increase tree growth rates to more rapidly generate old forest conditions
- Release aspen stands and restore riparian areas and meadows
- Maintain and/or improve habitat connectivity
- Improve and/or maintain forest health

Comments:

A. Fuels reduction desired conditions should be specific to specific vegetation types and fire regimes. Intensive fuels reduction in higher elevation, long fire rotation vegetation types would be an ecologically inappropriate desired restoration condition.

B. Early seral stage desired conditions are created during fires, landslides and other events. The current condition should be identified and the relative amount of early seral as a part of the total vegetation mix in the Basin should be discussed. Do we need to create it? Or is there plenty happening on its own?

C. What does "reset the system" mean?

D. Increasing old growth rates suggests density management strategies in existing old growth areas which is inappropriate except by using fire and very small tree removal needed until fire can be used on the land. Recent density management direction in the Region is relying on the old Dunning and Rennike guidelines which were not developed for older forest conditions but are focused on younger, fast-growing stands in a more production forestry paradigm.

E. Maintaining and/or improving habitat connectivity must be spelled out with specific habitat requirements for target species using modern, scientifically sound habitat models and assistance from the research community.

F. Severe fire is a part of the ecological mix on a portion of your landscape. The LTBMU needs to identify the amount and locations where higher severity fire patches are appropriate based on fire regime and vegetation type. Healthy forests include insects and disease processes, different severity classes based on vegetation type, landscape position.

DC-5. Appropriate ecological conditions are provided throughout the Plan area to recover federally listed species, to support species of concern and avoid their federal listing, and to manage for species of interest.

Comments:

A. Population trends and an examination of unique, micro-habitat elements need to be included as desired conditions since large scale vegetation classes are not specific enough to inform complex wildlife issues.

Recreation Desired Condition

DC-6. Provide a suitable spectrum of high quality recreational opportunities while sustaining the Basin's natural setting as an outstanding recreation destination.

COMMENTS:

A. The Forest Plan Revision should establish an *environmental carrying capacity* for a variety of recreational uses, and combinations of recreational uses. For example, identify the environmental carrying capacity of recreation activities that are compliant with threshold standards and determine the level of activity that can occur within the resource's capacity to tolerate that level. For example, how many snowmobiles can use an area before carbon monoxide levels exceed air quality and noise standards?

I. Expansion of recreational opportunities cannot move forward without a complete understanding of the impacts of such expansions. In some cases, the need for a reduction in activities will be determined by the designation of *environmental carrying capacities*. The Forest Service is obligated to perform this essential duty not to control people, but, much as the permit system for backpacking manages resources in the Desolation Wilderness and controls the number of campsites, to protect the environmental resources of the Basin for all generations to enjoy.

II. *Carrying capacities* must be established for all of the Congressionally mandated threshold standards (water quality, air quality, soil conservation, vegetation protection, and noise impacts), as well as the additional threshold standards adopted in TRPA Resolution 82-11 in 1982. A *Carrying Capacity* is a scientific standard represented in quantifiable factors.

B. The LTBMU Forest Plan Revision should assure that a high quality of recreational experiences in the Basin are in balance with the Basin's capacity to sustain such recreational uses. Desired Conditions need to be identified for each type of activity, with its specific carrying capacity and a commitment to maintain quality experiences for each of the categories. A high quality recreational opportunity must be consistent with the *carrying capacity* of the resource that is impacted.

C. The Forest Plan Revision should include a new user map that is designed to fit the activity to the resource constraints and the *carrying capacity* in the identified areas of use. User preferences at a variety of recreation sites throughout the Basin should also be identified in order to assess the preferred user recreational experience and activities for a given site. For example, if an area such as Tahoe Meadows experiences 95 percent low-

impact recreational use (i.e. snowshoeing and cross country skiing) then it would be logical to assume that to support the most preferred recreational experience, this area be designated for non-motorized use only. In other words, restrict areas to the recreational use that provides the greatest recreational experience that is in balance with the Basin's *carrying capacity* for such recreational use.

D. The Forest Plan Revision should use population projections that are based on the *carrying capacity* of the basin. For example, the road system, maximum traffic capacity and non-auto availability are limiting factors. The population projections in the 2006 CER are irrelevant to the basin's potential maximum resident and tourist populations as the basin's land and water cannot absorb the increased potential demand based on out-of-basin settlement.

E. The Forest Plan Revision, in order to meet *carrying capacity* standards for different user areas must identify the uses that provide for the most number of recreation users. Lower impact uses will cause less damage to the resource - - thus there will be capacity for a greater number of low-impact users, and a lesser capacity for high-impact users.

F. The Forest Plan Revision should identify adjacent areas outside of the basin (i.e. Eldorado National Forest and Tahoe National Forest) that provide suitable recreation experiences for high-impact recreation activities. Diversion of high-impact activities to areas outside the basin will increase the *carrying capacity* for low-impact activities.

G. The Forest Plan Revision should analyze the opportunity to increase access in terms of the *carrying capacity* of the area identified for additional activity and the opportunity to deliver recreation users to that access point on public transit. A reduction in existing parking may be required, while providing for public transit options.

H. Specific plans for how the Forest Service will deal with user conflicts and *carrying capacity* adjustments must be identified to ensure desired conditions will be achieved.

I. The Forest Plan Revision must address the predominant themes throughout the public workshops focused on recreation which was recreational user conflicts and crowding. The majority of user conflicts discussed occurred between non-motorized users and motorized users. It is a responsibility of the LTBMU to insure that all visitors and residents alike have a *right* to a high quality recreational experience but not the right to *destroy* other users' ability to enjoy the Basin's recreational resources. Separating conflicting uses and consistent enforcement of those separations is key to resolving such conflicts. Reports of crowding indicate that an area is overused.

J. The Forest Plan Revision should examine the issue of "appropriate" recreational activities in relation to the Basin's *environmental carrying capacities* for such activities. High levels of pollution, erosion, noise, wildlife disturbance, and vegetation damage must be examined closely. The Tahoe basin is generally described as unique; recreational uses that degrade the environment should be limited in the Basin in order to protect and enhance natural resources.

K. The Forest Plan Revision should begin to assess the impacts of global warming on its resources as it develops the *carrying capacities* for each recreation activity. Ski areas, growing beaches, reduced launching access are all parts of the future puzzle. Long-term thinking in the Forest Plan will be helpful as a basis for the overall Plan.

L. The Forest Plan must specifically address the issue of solitude for recreation activities and identify areas where solitude is a value that can be experienced. The 1983 TRPA EIS for the adoption of the threshold standards, including the recreation threshold value statement defines a high-quality recreation experience as including solitude.

M. The Forest Plan must specifically address the need for enforcement of recreation areas. Choices for different levels of impacts on the resources require different levels of enforcement. Recent experiences with the under-staffed enforcement program highlight the need for an expanded enforcement program to assure a high-quality recreation experience.

7. **SEZ Desired Conditions**

Comments:

A. The desired condition for SEZs does not include protecting the flood plains, or any flood plains which are generally wider than the SEZ proper. The DC should acknowledge the flood plains, as the FS oversees several critical flood plains - Pope Beach Marsh, Meeks Bay meadow, Rabe Meadow, and numerous large and small meadow areas throughout the basin. In addition, some of the steeper creeks have long histories of flooding some distance above the normal high water. (Blackwood) Reminder to the FS: flooding is a natural function of SEZs and a natural hydrologic process.

B. The Forest Service defines SEZs as "areas that owe their biological and physical characteristics to the presence of surface or ground water." Flood plains should be incorporated into this Desired Condition, because of the ecological significance that flood plains play in watershed functions. Even though flood plains are infrequently saturated, they are still an important line of defense (if protected) from erosion in flood events, and function as a transitional buffer zone between upland (dry) habitats and wet SEZ habitats for a variety of plants and animals that can utilize the habitat.

C. The Forest Service notes in its November 12th handout, that SEZs provide flood control. This process should be specifically spelled out as a desired condition for these streams and that the ability to access the banks and disperse the energy from high water events will not be unnecessarily restricted.

D. The Desired Condition threshold for damaged SEZs is for 25% restoration of damaged and disturbed SEZs.

8. Soil Conservation Desired Condition

Comments:

Soils are conserved to attain all soil services, including protecting surface conditions, protecting natural hydrologic regimes, protecting native vegetation growth potential, providing attenuation of water runoff, within the parameters of slope, aspect, soil type, and associated biotic communities.

9. Water Quality Desired Condition

Comments:

The water quality DC should be protect the ONRW designation for Lake Tahoe and assure that accelerated (human-caused) soil erosion and resultant sedimentation and nutrient transport to surface waters will not violate the LRWQCB Basin Plan and will not impact tributary water quality standards and nearshore water quality and clarity

10. Air Quality Desired Conditions:

DC-10. The handout states: "Air Quality quality in the Lake Tahoe Basin is healthy for humans and ecosystems. (Pathway)"

Comments:

A. As we stated at the workshop, this DC fails to acknowledge the impacts of air quality on visibility. Not only are there TRPA visibility standards for the Basin, but the USFS is also responsible for maintaining visibility in Class I Areas, which includes Desolation Wilderness. This must be reflected in the DCs.

B. The proposed DC is too broad to address the more specific concerns regarding air quality impact.

I. There needs to be a Desired Condition which emphasizes the impacts of ozone on pine trees and forest health. Clearly this is directly relates to how forests are managed. Pine trees may be stressed by drought, beetle infestation and other factors. High ozone concentrations can further stress pine trees, reducing their ability to fight off beetle infestations, for example, thus causing trees to die where had they not been stressed, they may have lived.

II. We recommend a DC which addresses the need for improved smoke management. As was clearly discussed during the Tahoe Fire Commission process, there are tools under development by state and local air agencies that once completed, will improve how agencies plan for smoke management. First, there are times when smoke from prescribed fire causes smoke impacts in communities which may affect sensitive individuals and/or exceed health-based standards. Better smoke management

planning can help reduce the occurrence of smoke impacts, and support better notification procedures when sensitive individuals have requested notification prior to a burn in their area. Further, experience has shown in other forests that with such tools, more burning may be permitted without causing additional smoke impacts to communities.

11. Roadless Areas Should Be Evaluated for Wilderness Designation

According to the *Roadless Area Conservation FEIS* (USDA Forest Service 2000, Volume 2, , page 30), the LTBMU contains roughly 46,000 acres of roadless areas identified by the 1979 Second Roadless Area Review and Evaluation process.

While the CER (p. 6) acknowledges the existence of the 46,000 acres of roadless lands, these ecologically critical and socially important areas were not discussed at the public workshops (beyond public comments to evaluate areas for designations raised in subgroups). This is unacceptable given that, as is stated at FSM 1923, "Consideration of wilderness suitability is inherent in land management planning." FSM 1923.03, section 2 is even more explicit:

> Unless otherwise provided by law, all roadless, undeveloped areas that satisfy the definition of wilderness found in section 2(c) of the Wilderness Act of 1964 should be evaluated and considered for recommendation as potential wilderness areas during plan development or revision.

Despite this clear directive and the fact that roadless area management has been the subject of tremendous controversy since the 1970s, a controversy that reached its peak in the recent court battles over the Roadless Area Conservation Rule, the documents pertaining to the Forest Plan Update fail to identify wilderness evaluations of roadless areas as being analyzed during the forest planning process.

Failure to evaluate opportunities for wilderness designation is unfortunate given that:

- The LTBMU's 1988 LRMP recommended a mere 2,625 acres of roadless lands for wilderness designation (USDA USFS, LTBMU *LRMP FEIS Appendix Volume*, 1988, page C-2).
- The CER (p. 112) states that the USFS expects a 50% increase in the number of people visiting the LTBMU by 2025.
- The CER (p. 174) also states that the existing wilderness areas "…are currently serving near capacity."

We therefore request that, consistent with existing policy, the LTBMU LRMP contain a full and fair wilderness evaluation of all roadless lands. As is stated at FSM 1923.03 and FSH 1909.12, chapter 70, the following areas may be evaluated:

a. Newly identified roadless, undeveloped areas and areas (1) previously identified in the Forest Service Roadless Area Conservation Final Environmental Impact

Statement (Volume 2, November 2000), (2) in a unit plan, or (3) in a land management plan, which remain roadless and undeveloped and have not yet been designated as wilderness or for non-wilderness uses by law.

b. Areas contiguous to existing wilderness, primitive areas, or administratively proposed wildernesses, regardless of agency jurisdiction for the wilderness or proposed wilderness.

c. Areas that are contiguous to roadless and undeveloped areas in other Federal ownership that have identified wilderness potential.

d. Areas designated by Congress for wilderness study, administrative proposals pending before Congress, and other legislative proposals pending which have been endorsed by the President.

For each area subject to evaluation under paragraph 3 of FSM 1923, the determination of the significant resource issues shall be developed with public participation and, at a minimum, consider:

1. The values of the area as wilderness.

2. The values foregone and effects on management of adjacent lands as a consequence of wilderness designation.

3. Feasibility of management (FSH 1909.12, sec. 72.1) as wilderness, in respect to size, nonconforming use, land ownership patterns, and existing contractual agreements or statutory rights.

4. Proximity to other designated wilderness and relative contribution to the National Wilderness Preservation System.

5. The anticipated long-term changes in plant and animal species diversity, including the diversity of natural plant and animal communities of the plan area and the effects of such changes on the values for which wilderness areas were created.

(FSM 1923.03, section 3)

Furthermore, as is stated at FSH 1909.12 Chapter 70, the LTBMU must consider the capability, availability and suitability of each area for wilderness designation.

12. River Segments Should Be Evaluated for Wild and Scenic River Eligibility

The Forest Service Handbook directs that "the land management planning process shall include a comprehensive evaluation of the potential rivers in an administrative unit to be eligible for inclusion in the National system." (FSH 190.12, section 81.2). Even though

one of the key functions of a forest plan revision is to evaluate the eligibility of rivers for inclusion in the National System, the FS did not include Wild and Scenic River evaluation process in public workshop presentations.

Our records indicate that since the previous LTBMU Plan was completed, the upper Truckee River was identified as eligible and recommended for designation. This recommendation should be carried forward in the forest plan revision. Also since the previous plan, additional direction (USFS 1996 Direction Letter) was provided in regard to criteria for identifying outstandingly remarkable values (a basic criteria for eligibility). We believe that the new criteria will likely result in the identification of additional streams in the Basin as eligible. The Forest Plan revision should include a comprehensive basin-wide assessment to identify and recommend additional rivers using the basin as the region of comparison.

For example, Eagle Creek and Eagle Creek Falls above Emerald Bay is one of the most photographed scenic sites in the LTBMU. Tourists come from all over the world to visit this site. According to the 1996 Direction letter, recreation is considered to be outstandingly remarkable if they attract visitors from outside of the region and scenery is outstandingly remarkable if it is exemplary in a regional or national context. Eagle Creek and Eagle Creek Falls meet both of these criteria and is also free flowing. Hence, Eagle Creek and Eagle Creek Falls should be considered eligible under the criteria established by the 1996 Direction Letter and should be studied and recommended in the forest plan revision. The 1996 criteria will likely result in similar findings for other streams in the Basin, which should be documented in a comprehensive basin-wide assessment.

13. DC for Biomass Removal, Pile Burning and Understory burning:

We recommend a Desired Condition be included that supports the removal of biomass via means other than pile burning whenever possible. For example, the DC could read: "Biomass is removed without burning wherever accessible by foot or other ground-based means, and where removal creates less impact than burning in piles." Ground-based measures would include on-foot, with wheelbarrows, using conveyor belt systems, cable systems, and access using existing federal, state, county and USFS roads (as permitted by existing regulations). This DC would essentially lend support to other DCs, including fuels reduction, forest health, wildlife habitat improvement, air and water quality, etc.

The FS and other public land management agencies have stated that it often costs more to remove biomass. While this may be true in some cases, no one has yet done a short and long term cost comparison of all of the factors involved. For example, how much does it cost to burn a ton of fuel in a pile when all costs are considered, including the staff time to develop the smoke management plan? What about the long term impacts to forest health (from continued fire-deficiency) when burn days, burn crews, and other resources needed for burning are used for piles rather than restorative understory burning? Even if this analysis shows it costs more to remove piles than burn them, first, pile burning does not provide the restorative fire benefits that understory burns provide and second, no one can put a price tag on the health of those who breathe our air. Where alternatives exist, they should be used.

The Forest Plan Update provides an opportunity to support changing the status quo, including those factors which impede non-burning ways to remove biomass.

Additionally, where biomass is removed via non-burning means, the burn days and resources should be used to perform more restorative understory burning. Our forests are decades behind the natural fire regime and the reintroduction of fire is necessary if we are to restore health and function to our forests. We recommend a DC which promotes the implementation of more understory burning.

14. Need for Desired Condition related to Climate Change

The Forest Plan must assess forest management as is pertains to reducing greenhouse gas emissions and carbon sequestration as well as how to deal with the impacts *from* climate change, which are expected to include significant impacts on our Basin's forests. We need to begin developing ways to mitigate the impacts of climate change on our forests to minimize the consequences of global warming.

15. Need for Cumulative Impact Assessment

Several people in attendance at the workshops expressed concern that the FS does not plan to perform a cumulative impact analysis with regards to the 68,000 acres planned for treatment over the next 10 years (per the "10 Year Plan" cited as the prioritizing tool for Basin fuels projects). While this lack of cumulative analysis is an inherent problem with the 2008 Planning Rule as well, given even moreso the sensitivity of the Lake Tahoe Basin environment and the additional environmental standards which are based on protecting Tahoe's unique environment, the Forest Plan must include a comprehensive cumulative impact assessment of these planned projects regarding all environmental thresholds in the Basin. Not only is this necessary for meeting environmental standards – and the USFS Desired Conditions – but it also allows the FS to plan strategically and economically for the best way to complete projects. We expect that a cumulative analysis can indicate opportunities for sharing resources and/or doing projects in a fashion which minimizes travel, equipment costs, need for burn days, etc., all of which are often cited as causing problems or cost increases which delay project implementation. Further, this would lend support to the public's interest in the FS performing "once in, once out" comprehensive SEZ restoration projects.

No agency has made plans to analyze the impacts of the 10-Year Plan. We recommend the FS coordinate with other agencies that will be implementing projects contained in the 10 year Plan to perform an adequate, comprehensive environmental impact analysis. If other agencies refuse, at a minimum the LTBMU must analyze the cumulative impacts of the projects that will be implemented on USFS lands.

16. Public Workshops: Concerns/Comments

We appreciate the time staff spent to obtain public feedback for the forest plan update. However, we are concerned that the information gathered, which is not comprehensive, unbiased or unfiltered, may be used incorrectly.

A. The public was asked to provide opinions on questions, such as what 'tradeoffs' are acceptable, without being provided the information necessary to provide informed answers. Another issue encountered at the public workshops was when members of the public asked for specific information related to desired conditions or other relevant FS issues; the FS did not have this information easily available for the public to review before being expected to provide an opinion on it.

B. We are concerned that some public comments and input were 'filtered' by facilitators, that new ideas were not encouraged, and that there was not ample time to provide thorough comments on Forest Plan desired conditions and issues at the public workshops. Therefore, we hope the FS does not place heavy reliance on the public workshop flip chart summaries compared to the written public comments submitted.

Thank you for the opportunity to provide comments and suggests for the LTBMU Forest Plan Revision, and we look forward to continuing to work with the FS during the Forest Plan Revision process.

Sincerely,

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