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June 29, 2022

Senator Ron Wyden
Senator Jeff Merkley
Congressman Earl Blumenauer
Congresswoman Suzanne Bonamici
Congressman Peter Defazio
Congressman Kurt Schrader
Representative Cliff Bentz

Re: The West Bend Project; Cutting Large Diameter Trees Inconsistent with the EIS, Science, Forest Health, Fire Suppression and Curbing a Climate Emergency

Dear Oregon Congressional Delegation:

As you know, the Deschutes National Forest is currently working on the West Bend Project, a “forest health” project immediately west of Bend. The project raised the ire and concern of many local stakeholders when a number of large diameter ponderosa pine were removed in the vicinity of Phil’s Trail – a highly popular mountain biking area just outside the city limits.

But more importantly, the removal of those trees and the NEPA analyses currently being completed for projects located in similar plant associations east of the Cascades raises significant concerns about the standards and guidelines used by the Forest Service when making management decisions. Specifically, how the requirements of the January 2021 Forest Plans Amendment for Region 6 are being applied and followed.

We met with Holly Jewkes, Deschutes National Forest Supervisor, on Thursday, June 23 to gain some insight into the decision and oversight processes on the Deschutes N.F. We also discussed the decision-making process and the justification for removing large diameter trees in the West Bend Project. Although the meeting did answer some of our questions, she and her staff were adamant that the West Bend decision (signed by the previous Forest Supervisor, John Allen) and future projects currently in the planning stage follow all applicable laws, guidelines, and regulations, and met the intent and objective of each project.

However, that is not the case. Treatment objectives in the Final EIS (July 2013) for the West Bend Project were explicit in the intent to retain large diameter ponderosa pine.

“Manage stands by thinning to reduce mountain pine beetle risk. Reduce dwarf mistletoe spread by reducing infection levels and increasing distance between trees. Increase resistance in stands to fire mortality by favoring fire-resistant species, removing lodgepole pine and **retaining large diameter ponderosa pine**” (West Bend FEIS, Pg.6: emphasis added).

The discrepancy between stated objectives and what is happening on the ground is not unique to the West Bend Project. This project, and “forest health” objectives in many other NEPA documents indicate a systematic failure to meet stated agency guidelines and rules designed to provide safeguards for public resources. NEPA documents produced through the interdisciplinary team approach used by the Forest Service often include language that suggests they are following National and Regional direction, but fail to actually design projects that meet that direction. It’s a system that is no longer working.

This perspective is not naïve. I spent over a decade working on numerous environmental analyses and Congressional studies for the Forest Service in Oregon, Washington, Michigan, Wisconsin, and New Mexico. I am intimately familiar with the ID Team process and the difficulties in balancing resource concerns with public sentiment and economic need. And in the difficulty placed on the agency by Congressionally mandated targets. But recent trends in project planning, silvicultural prescriptions, and the general failure to incorporate the results of empirical research is shocking.

The agency must be held accountable for their actions. A key way to achieve this in central and eastern Oregon is to reestablish the Eastside Screens guidelines as a standard with limited options for Forest Plan Amendments as a method to bypass the requirement. From our perspective, it’s imperative that the Ecosystem Screens be incorporated before considering the Wildlife Standard in project level planning, although the original intent of the 1994 Eastside Screens rule remains relevant and, as a whole, is still critically important to wildlife and fisheries habitats.

The 2021 Forest Plans Amendment (Forest Management Direction for Large Diameter Trees in Eastern Oregon and Southeastern Washington) Decision Notice and Finding of No Significant Impact (January 2021) downgraded the language in in the original 1994 Rule granting the agency the option of working with local groups, complete monitoring, and incorporate new and expanding research and public opinion when designing or implementing projects.

“There are four components to the Adaptive Management Strategy: 1) Local monitoring, 2) Effectiveness monitoring, 3) Regional review, and 4) Regional Adaptive Management Work Group.”

“Local Monitoring (***Encouraged***). When projects are implemented that involve the harvest of large trees the Forest Service ***may*** coordinate project-level multiparty monitoring. The Forest Service encourages integration of monitoring questions into existing multiparty monitoring efforts, such as those associated with the Collaborative Forest Landscape Restoration Program (CFLRP) or other programs.” (FONSI, Pg 6; emphasis added).

The Executive Summary of the Final Environmental Analysis (2021) recognizes the difficulty of maintaining the public trust in forest management decisions made under a guideline. But the author also states that a manager must meet the intent of the guideline (in this case to maintain and increase old and late forest structure both inside and outside of forest stands classified as Late Old

Structure (LOS)). The revisions “encourage” adaptive management, but also includes the provision to return to a standard if the landscape (undefined) is not moving in the right direction.

“The shift from a standard to a guideline makes some people nervous because there is inherently more flexibility for managers with a guideline. With a guideline, a manager must meet the intent of the guideline (maintain and increase old and late forest structure) but the guideline need not be followed precisely if there is a better way of achieving the intent based on site-specific analysis. *We recognize some people’s inherent mistrust of the Forest Service to effectively use this additional flexibility.* To address this issue of trust and promote learning and collaboration, we incorporated an adaptive management component in the alternative. The adaptive management framework consists of required monitoring of large trees, a measurable threshold for action, and a provision to return to a standard if the landscape is not moving in the right direction. The adaptive management framework would also support regional collaboration and learning.” (emphasis added).

The specific problem is that current guidelines are not being applied, mainly because they offer increased flexibility for the agency to move in whatever direction they feel is appropriate. There is currently no oversight beyond the District level, and no consideration of recent studies relating the importance of large diameter trees to carbon sequestration, forest health, biodiversity, water quality, and wildlife habitat. These lapses *do not* enhance the public’s *trust*.

Northwest forests have been identified as essential carbon sinks in the global efforts to mitigate climate change. Although the priority forests identified as critical are west of the Cascades in Oregon and Washington, eastside forests have enormous carbon storage and biodiversity values – especially in a climate emergency. We must consider the consequences of our actions in ALL ecosystems. And our land management agencies **MUST** be held to a higher standard if we are at all concerned about the future of our planet and our place on it. This is truly an emergency that won’t go away without thoughtful and decisive action.

Ripple, Wolf et al. (2017) highlight the urgent need for a new paradigm in their internationally acclaimed *Notice to Humanity: A Second Warning*:

“To prevent widespread misery and catastrophic biodiversity loss, humanity must practice a more environmentally sustainable alternative to business as usual. Soon it will be too late to shift course away from our failing trajectory, and time is running out. We must recognize, in our day-to-day lives and in our governing institutions, that Earth with all its life is our only home.”

The 2021 Environmental Assessment completed for the modification of the Eastside Screens requires the Regional Forester to review the application and effectiveness of the guidelines, and reinstatement of the standard if the objectives are not being met after five years. It has not been five years since the previous administration gutted the requirements, but so far the implementation of the “guidelines” is not going well. The agency has taken the “may” language in the

recommendations as literal, and has apparently decided not to implement the direction outlined in the Final EA or ROD.

Our experience with the West Bend Project and the Deschutes National Forest provided some insight into the process. When we asked Sally Jewkes and her staff about the monitoring requirements outlined in the current guidelines, their response suggested they were somewhat familiar with the requirements, but were not implementing them. Nor were they interested in discussing the planning process and how their decision to remove large diameter, fire-resistant ponderosa pine met the intent of creating LOS conditions and improving fire resistance and resilience in an eastside dry forest. The Forest Service appears to be working under outdated silvicultural models and referencing either disproven or outdated science that supports their position. This is unacceptable.

We need increased accountability and agency oversight for the protection of our public resources – especially during an environmental crisis. Therefore, we strongly urge you to reinstate a version of the Eastside Screens Rule requiring protection of all large diameter trees (greater than 21” DBH), regardless of age. If this is not possible, we hope you will work with the Secretary of Agriculture, Homer Wilkes, Under Secretary for Natural Resources and the Environment, the Chief of the Forest Service, and the Regional Forester (Region 6) to implement the Regional review (REQUIRED) and adaptive strategies (ENCOURAGED) under the 2021 Forest Plan Amendment, which was designed to encourage protection of large diameter trees within and outside Late Old Structure forests. The stated intent is to “Maintain and increase old and late structure forest, [and] favor fire tolerant species where appropriate.” (Forest Plans Amendment Environmental Assessment. 2021. Sec. 2.2: Proposed Action. Pg 13)

As stated by James Hubbard in his March 2022 testimony to the House Committee on Oversight and Reform’s Environmental Subcommittee,

“This is an emergency and needs to be treated like one. . . This is about the land, the communities and the actions that can make a difference. . . We now have the policies, money, science and tools to go to work. Shared decision making will be key, and where that occurs with the right capabilities, progress will result.”

We need to act, and we trust that you will do everything possible to ensure our forests are managed for the protection of our climate, the values we place on biodiversity and clean water, and for all future generations who will judge our actions and live with the consequences of our decisions. Please prioritize protection of our old and mature forests for us and all future generations.

Thank you,

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