



PO Box 12065
Portland, OR 97212
503-331-0374
loriann@bark-out.org
www.bark-out.org

APPEAL OF CLACKAMAS ROAD DECOMMISSIONING FOR HABITAT RESTORATION, INCREMENT 2

BARK,)
)
)36 C.F.R. § 215 Appeal In
APPELLANT)Re: Decision Notice and
)Finding of No Significant
	Impact- Clackamas Road
)Decommissioning for Habitat
)Restoration, Increment 2
)Environmental Assessment
)
	v.)
CHRIS WORTH, FOREST SUPERVISOR)
)
DECIDING OFFICER)
)
)
)

APPELLANT’S NOTICE OF APPEAL, REQUESTED RELIEF, AND STATEMENT OF REASONS

Dated this 2nd day of May, 2011

NOTICE OF APPEAL

To: Forest Supervisor Chris Worth
ATTN: Appeals
Mt. Hood National Forest Headquarters
16400 Champion Way
Sandy, Oregon 97055

Dear Mr. Worth,

In accordance with 36 C.F.R. 215, Bark hereby appeals the Environmental Assessment ("EA") and Decision Notice/Finding of No Significant Impact ("DN"/"FONSI") for the Clackamas Road Decommissioning for Habitat Restoration, Increment 2 ("Collawash Road Decommissioning") signed by Mt. Hood National Forest ("MHNF") District Ranger Andrei Rykoff on March 16, 2011.

Decision Document: Decision Notice and Finding of No Significant Impact, Clackamas Road Decommissioning for Habitat Restoration, Increment 2, Environmental Assessment

Decision Date: March 16, 2011

Responsible Official: Andrei Rykoff, Clackamas District Ranger, MHNF

Appeal Period End Date: May 2, 2011

Description of the Project: This project would decommission unneeded roads to reduce adverse aquatic and terrestrial impacts in the Clackamas Ranger District.

Location: The following eight subwatersheds in the Clackamas Ranger District: Pot Creek-Clackamas River, Farm Creek- Collawash River ,Lower Hot Springs Fork Collawash River, Nohorn Creek, Upper Hot Springs Fork Collawash River, Elk Lake Creek, Happy Creek- Collawash River, and East Fork Collawash River..

Appellant's Interests: Bark has a specific interest in this project and project area, and that interest will be adversely affected by this project. We have previously expressed our interest in this specific project, and have standing to appeal this decision according to 36 CFR § 215.13. Bark is a non-profit organization based in Portland, Oregon and has worked to protect the MHNF since 1999. Staff, members, volunteers, supporters, and board members of Bark live in the communities surrounding MHNF and use and enjoy the Forest extensively for recreation, drinking water, hunting, fishing, general aesthetic enjoyment, family gatherings, viewing flora and fauna, gathering forest projects, and other purposes. Specifically, Bark and its supporters have used the project area for hiking, camping, drinking water, mushroom gathering, groundtruthing, photography, and educational visits. The value of the activities engaged in by Bark members and staff will be irreparably damaged by improper implementation of this project. We have a long-

standing interest in the sound management of this area and the right to request agency compliance with applicable environmental laws.

Requested Relief

- a) Withdraw and remand this decision back to the District Ranger with instructions to release a new DN/FONSI, in accordance with the procedures described in F.S.H. 1909.15 §18.4, that adopts at a minimum all the roads included in the proposed action, Alternative 2, rather than Alternative 4, the selected alternative.
- b) The new DN/FONSI must analyze the environmental impacts of anticipated and planned timber sales in the areas, including any plans to keep roads in “storage” for future activities such as timber management, and provide analysis of the environmental impacts of these decisions.
- c) The new DN/FONSI should ensure that road densities are brought to mandatory levels in B8, B10 & B11 land designations and that earthflow areas are given special priority for decommissioning and/or maintenance.
- d) The new DN/FONSI should specify that roads decommissioned as part of this process should not be reopened, even as temporary roads.
- e) The new DN/FONSI should provide additional information on how roads will be prioritized for decommissioning. We request that you include Bark and other interested parties in the annual process.
- f) The new DN/FONSI should include a plan for keeping decommissioned roads from being used and should include a plan for continued monitoring of all decommissioned roads.
- g) The new DN/FONSI should go further to protect and enhance water quality in a Tier 1 watershed.
- h) The new DN/FONSI should incorporate the road to trail suggestions submitted in the scoping comments by Trailkeepers of Oregon.

Statement of Reasons

i. Introduction

Bark is delighted that Mt. Hood National Forest is undergoing the process of evaluating its road network and selecting unneeded roads for decommissioning for habitat restoration. We are also pleased to see many of the changes we have requested reflected in the NEPA analysis for this project, as discussed *infra*. Decommissioning unneeded roads will not only improve water quality and habitat, it will also help prevent unlawful human use of the forest and allow natural processes to prevail in unroaded portions

of the Forest. We look forward to continuing to work with Forest Service staff to achieve our joint restoration goals in all four Ranger Districts.

Please note that Bark appreciates MHNH incorporating many of the items and issues we have discussed in meetings, previous appeal resolutions, and comments into the EA and appendices. The transportation section of the EA is much improved and the information contained therein is extremely useful, especially tables 3.35 and 3.36. We also appreciate the addition of a section on climate change and the discussion therein, although we wish the environmental effects of the alternatives had been more specifically discussed. The law enforcement section is also a welcomed addition with its acknowledgement of the challenges that may arise with a ghost road system consisting of decommissioned but not obliterated roads that continue to be utilized. All of the appendices are helpful additions to the EA. For these sections and others, we want to voice our sincere appreciation for the hard working staff in MHNH who have contributed to this project.

a. History of Bark's Involvement with Road Decommissioning in Mt. Hood Generally

Bark has been advocating for roads to be decommissioned on Mt. Hood for eleven years. Bark stood in strong support of MHNH during the controversy with Clackamas County that ensued when the Fish Creek roads were decommissioned. Bark joined the Clackamas Stewardship Partners in 2004 and advocated for road decommissioning projects throughout our four years with that group. Since 2005 we have worked to help MHNH comply with the 2005 Travel Management Rule's mandate that each forest identify its minimum road system. See *e.g.* Bark's Scoping Comments re Road Decommissioning in Zigzag Ranger District, 10/12/09 ("Bark's Scoping Comments"). We informed MHNH staff of the impending guidance on the minimum road system that was released by the Washington Office in November of 2010 and have subsequently worked with leadership in the region to establish a process for implementing the instructions in that memo.

Since 2008 we have worked with the Washington Watershed Restoration Initiative to bolster funding for the Legacy Roads and Trails Program and are founding members of the new Oregon Watershed Restoration Initiative. We have submitted appropriations requests and met with our elected representatives and leadership in the Regional Office to ensure adequate funding for this vital program, and for MHNH specifically, every year. Recognizing the limited resources of the Forest Service and the need for additional information about MHNH's road system, Bark organized an eight day roadtrudging event in June of 2008 where volunteers collected detailed

information on hundreds of miles of roads in MHNH. We have raised public awareness of the benefits of road decommissioning with the 12,000 individuals who receive our monthly alert as well as our allies in the conservation and recreation community. Bark has and will continue to actively participate in all steps of MHNH's incremental road decommissioning plans and all projects pertaining to MHNH's road system.

b. History of Bark's involvement with the Clackamas Road Decommissioning

Bark has been actively engaged in this project, originally through our work with the Clackamas Stewardship Partners, for many years. Bark staff and volunteers have visited much of the project area and collected specific information to inform our comments on this project. Bark timely submitted scoping comments on this project on January 11, 2010 and also reached out to numerous other interested parties, encouraging them to also comment. Bark timely submitted extensive comments on the preliminary assessment on December 15, 2010 and encouraged others to get involved. Many groups and individuals contributed to Bark's comments and expressed enthusiasm about the preferred alternative and concern about the implementation issues we raised. Our comments were cosigned by a range of conservation and recreation interests representing tens of thousands of people including Pacific Rivers Council, Mazamas, Friends of Mt. Hood, the Lower Columbia Canoe Club, Oregon Kayak and Canoe Club, the Mt. Hood Stewardship Council, Cycle Wild, and two individuals with substantial interest in the project. Bark has consistently worked to cultivate broad support for the preferred alternative with both recreation and conservation interests.

On May 2 Mt. Hood National Forest surprised and disappointed all of us when it published the its decision to decommission only 170 miles (39%) of the 225 (58%) miles of unnecessary roads identified as appropriate for decommissioning in the Collawash Watershed. The unneeded roads this decision would leave on the system are both expensive to maintain, harmful to habitat, and have adverse impacts on water quality. The DN could be viewed as a good step, but the sporadic history of road decommissioning in MHNH suggests that this might be our only opportunity to get NEPA done for broad scale road decommissioning in the Collawash watershed.

c. General Comments on Collawash Road Decommissioning

Bark remains concerned that MHNH is not clearly tying the incremental road decommissioning process to its compliance with the minimum road system mandate as outlined in Subpart A of the Travel Management Rule. See Response to Comments at 8 and Bark's Scoping Comments at 3-4. We urge

MHNF to incorporate the analysis mandated by Subpart A into its incremental road decommissioning process in order to avoid duplicity and to further the process of eventually obtaining a minimal road system.

Mt. Hood's 1999 Access and Travel Management Plan (ATM) was intended to analyze the desired future condition of travel on the Forest and provided a comprehensive analysis of roads in Mt. Hood. It identified the specific purposes of roads and suggested closure or obliteration for all other roads. It is the proper starting place for undertaking decisions on roads.

The ATM recommended a 49% reduction in MHNF's overall road system. Of course some areas would see a more significant reduction, but overall, MHNF should be striving to decommission approximately 50% of its roads through this incremental process to comport with its own analysis of the road system. Some watersheds might need less than 50% reductions in roads but others will need more. The Collawash Watershed is an example of a watershed that needs more. The Collawash is heavily roaded and has been significantly impacted by both logging and logging roads. "[T]he affected environment lies within some of the most naturally unstable geologic areas on the Mt. Hood National Forest." EA at 66. This is a high earthflow area where slides and road blowouts are common. The streams in the project area support three species of threatened salmonids and portions of the area are designated critical habitat. Right now is the best chance we have ever had to restore this crucial watershed and we urge you to stick your necks out, do the right thing, and seize this opportunity. The proposed action is the appropriate action.

ii. **Issues and Reasons**

a. Withdraw and remand this decision back to the District Ranger with instructions to release a new DN/FONSI, in accordance with the procedures described in F.S.H. 1909.15 §18.4, that adopts at a minimum all the roads included in the proposed action, Alternative 2, rather than Alternative 4, the selected Alternative.

The proposed action, Alternative 2, is the appropriate action because it comports with the purpose and need for the action and is the action supported by the record. Unfortunately it appears that the requests of a few individuals for road access trumped the overriding purpose of this project. This is a situation where the interests were improperly weighed. While access is an important issue, here the ID Team ensured that the proposed action did not obstruct access to any developed sites or roads that are needed according to MHNF's definition. EA at 3. There will always be people

who have some attachment to every road in the forest and indeed Bark's staff and members have lost roads that we regularly use, such as the Salmon River Road to Salmon Butte. We recognize the loss but also recognize the benefits this loss of motorized access has for aquatic and terrestrial habitat. The roads kept on the system in Alternative 4 do not provide access to developed recreation as was the case with the Salmon River Road, and it is inappropriate to keep them on the system. Bark has worked and will continue to work to raise public support for road decommissioning, but we cannot afford to sacrifice long term restoration goals for the access of a few dispersed recreationists and continued timber harvests. Selection of Alternative 4 will result in an additional 156 stream crossings and an additional 571 tons of sediment delivered into our waterways, assuming that the roads will be properly maintained, which has not happened historically, as compared to Alternative 2. EA at 63. This decision is also economically unjustifiable. In our challenging economic climate it is shocking that the deciding officer selected an alternative that will cost taxpayers and MHNF an additional \$33,005 annually as compared to the proposed action. EA at 126, Table 3.36. Alternative 4 fails to strike the right balance between access and other goals.

In addition, Alternative 4 excludes the roads that would have the most significant benefits to wildlife due to their length and location. This includes but is not limited to the 4640, 6221, 6311, 6320, 6341, 6321, 6330, 7021, 7030, 7040, 7030, and 7021. Bark and others have made it very clear that the most exciting aspects of this project centered on the inclusion of these longer road segments for habitat restoration. Road 6320 provides an excellent example of the ongoing maintenance problems the selection of Alternative 4 would result in. While Alternative 2 would not decommission this road in its entirety road it would decommission some of it. This road has had chronic problems and blew out once again this winter. See <http://www.flickr.com/photos/barkformthood/5667301708/in/photostream/> for pictures of this blowout. Alternative 4 would not decommission any portion of this road and MHNF can look forward to continuing to repair blow outs on this road for the indefinite future. The cost of additional unforeseen blowouts is also not included in an economic analysis comparing the alternatives. The proposed action put at least a portion of this high impact road to bed.

Finally, the selection of Alternative 4 violates the requirements of NEPA and the Aquatic Conservation Strategy (ACS) because there was no comparison of alternatives in the ACS discussion. NEPA requires comparison of alternatives and the ACS requires alternatives to be compared in order to obtain a baseline alternative that does not retard the ACS' objectives. See Northwest Forest Plan Record of Decision at C-41. The selection of

Alternative 4 over Alternative 2 is a failure to comport with the Northwest Forest Plan because it keeps unneeded roads on the system rather than minimizing disruption of natural hydrologic flow paths.

The new DN/FONSI should rebalance the interests. This DN/FONSI reflected an improper weighing of interests where the access concerns overrode the substantial concerns about habitat restoration, water quality, hydrology, and maintenance costs of maintaining this unnecessarily large road network. The DN/FONSI should reflect the magnitude of this opportunity and treat keeping roads on the system with the same seriousness that would be reflected in the decision to build the roads.

b. The new DN/FONSI must analyze the environmental impacts of anticipated and planned timber sales in the project area, including any plans to keep roads in "storage" for future activities such as timber management, and consider the environmental impacts of these decisions.

Anticipated future timber management activity played a substantial role in the decision making process for this project, but the DN and EA provide very little disclosure or analysis of this planned activity. As stated in Appendix C, the most frequent use associated with the roads is "...needed for plantation thinning within five [or ten] years." While timber planners have a pretty good sense of where they plan on thinning in the future, the lack of detail about these plans in the EA makes it impossible to take a hard look at the environmental impacts of these reasonably foreseeable future actions.

NEPA requires the Forest Service to analyze direct and indirect effects which may occur later in time but are still reasonably foreseeable. 40 C.F.R. § 1508.8. By not immediately decommissioning roads in the project area, this decision has the indirect effect of allowing timber management activity to occur within the next five to ten years. These effects should be disclosed and the environmental impacts of this activity need to be considered.

Furthermore, the cumulative affects of the reasonably foreseeable timber harvest expected to occur should be disclosed and analyzed to meet NEPA's hard look requirement. See 40 C.F.R. § 1508.7. While the plans may not be finalized, it is clear that they are solidly in the works. When information is incomplete or unavailable, NEPA requires the agency to make reasonable efforts to obtain the information, but where it is impossible to obtain, the agency must be clear that the information is lacking. 40 C.F.R. § 1502.22.

A number of timber sales currently under NEPA are mentioned but not included in the impacts analysis, including the Jazz Thin, a 2,000-acre

proposed timber sale. The Collawash Road Decommissioning and Jazz Thin are being planned concurrently and the potential for the impacts of ongoing timber harvest to outweigh the benefits of restorative road decommissioning is not discussed in the EA. Bark finds it extremely challenging to explain to the public why the Collawash has been identified by MHNH as urgently needing restoration, yet the primary “need” driving restoration decisions in the DN/FONSI is timber harvest. Based on all available agency descriptions of the watershed, decommissioning roads, not continuing commercial timber harvests, is the appropriate priority for this watershed. The contrary management approach illustrated by the Jazz proposal is even more challenging to convey to congressional champions of Legacy Roads and Trails funding that is enabling MHNH to decommission roads and restore watersheds like the Collawash. MHNH needs to focus on removing roads. The timber management activity linked to this project falls outside of the stated purposes for the project and goals for the watershed as articulated in this project.

Furthermore, the true fate of the road system is not clear based on the DN/FONSI. This project focuses on removing “unneeded roads” from the system to achieve the stated purposes. An unneeded road “does not imply that there are no potential administrative uses for a road or that no one uses it for recreation.” EA at 3. Rather, unneeded roads are defined in the EA as “one that is not currently vital to Forest Management operations and that does not access primary recreational destinations. It means that the limited potential uses do not warrant the cost of annual maintenance to keep a road on the transportation system.” *Id.* The stated purpose and need of this project is:

- “Reduce impacts to water quality and aquatic habitats associated with unneeded roads.”
- “Reduce road density to improve wildlife habitat utilization.”
- “Reduce the spread of non-native invasive plants associated with unneeded roads” and
- “Reduce road maintenance costs.”

EA at 7-8. Numerous aspects of this decision fall outside of the purpose and need of this project because they retain roads that clearly fall into the “unneeded” roads category. The DN attempts to explain the decision makers attempt at finding balance, but the truth is that the roads kept on the system in the selected Alternative (4), are still “unneeded” according to the MHNH’s definition. They did not become “needed” at any point between the identification of the proposed action and the issuance of the DN/FONSI. Indeed it seems that these roads are far from vital. Specific issues relating to some of these roads are discussed *supra*. In the absence of a discussion of how the roads deemed “unneeded” in Alternative 2 became “vital” to

Forest Management operations in the DN, these roads should be inserted back into a new DN.

The EA at 12-13 lists eleven decommissioning techniques, ranging from passive road decommissioning to a full recontouring of the road bed. The long-term environmental affects vary widely depending on which technique is applied. The EA alludes to a desire by the agency's timber program to harvest timber in stands accessed by the road system proposed for decommissioning. As discussed *supra*, the impacts of this harvest are not discussed. However, in addition to the impacts of future harvest, if the Forest is planning on "storing" roads for future timber management rather than actually decommissioning roads to restore habitat, then this needs to be fully disclosed and appropriately analyzed. A "stored" road will have a continuing environmental impact, even if it no longer appears on the system map. This includes ongoing impacts to wildlife and aquatic resources, and the reasonably foreseeable impacts that could occur if OHV users discover that these "roads" are not fully obliterated, create new trails to bypass the obliterated portions of such roads, and use the remaining non-system roads to create private playgrounds deep in Mt. Hood's backcountry. The Jazz Thin would involve rebuilding twelve miles of already decommissioned roads and building .3 miles of new temporary road in the Collawash Road Decommissioning project area, an action that seems counterintuitive to pursue while the forest focuses on decommissioning roads in this watershed. If the Forest Service is including roads for decommissioning that it intends to rebuild for future timber harvest, this too should be disclosed in the EA.

c. The new DN/FONSI should ensure that road densities are brought to mandatory levels in B8, B10 & B11 land designations and that earthflow areas are given special priority for decommissioning and/or maintenance.

The Collawash watershed has 3.5 miles of roads per square mile outside of the wilderness area. Collawash Hot Springs Watershed Analysis ("CHSWA") at 3-8. B8 earthflow areas require that open road density between December 1 and April 1 shall not exceed 1.5 miles of road per square mile (B8-021). Mt. Hood Land Resource Management Plan ("Forest Plan") 4-263. The EA does not provide any tables that indicate whether this standard will be met by the selected alternative. However, there is a table showing road densities in deer & elk range, and under alternative 4 many of the analysis area units have road densities that exceed 1.5 miles/square mile. While it is unclear if and how the B8, B10, and B11 designations overlap, it is clear that the Forest Service is not meeting its required road density in earthflow areas with the selection of Alternative 4. Alternative 2 brings road densities in almost all analysis area units below 1.5 square mile. The Forest Plan states

that “[d]eer & elk winter range & summer range open road density shall not exceed 1.5 miles of road per square miles.” Forest Plan at B10-036, B11-033. The EA says the magic number is 2.5 miles of road per square mile in deer & elk habitat but this is in contradiction with the Forest Plan.

In selecting Alternative 4 MHNH failed to meet the road density requirements mandated its Forest Plan and thus violated its requirements under the National Forest Management Act, 16 U.S.C. § 1600-1614. A new DN/FONSI that selects Alternative 2 would allow MHNH to move forward with this project in a manner that comports with its own Plan and the law.

Further, the Collawash Hot Springs Watershed Analysis (“CHSWA”) describes this watershed as “the most unstable within the Mt. Hood National Forest.” The Forest Plan directs that in designated B8 Earthflow areas, “maintenance of roads and drainage facilities shall be emphasized” (B8-050). Forest Plan at 4-265. Until, or unless, the Forest Service can guarantee that they can maintain all of the roads in the earthflow areas, many of which are currently at risk of failing, these should be the highest priority for decommissioning. In earthflow areas such as the Collawash, surface water is not the only force with potential to degrade the road prism. It is conceivable in the Collawash that entire road prisms, and all the aggregate and pollutants they contain, will fail and slide. A good example of this phenomenon is the 6300 road, which unexpectedly failed in 2009 after it had just received resurfacing and patches. Its culverts and crossdrains were reportedly functioning fine prior to the blowout.

Another example of the impacts of earthflow on roads is Road 6311 - a crumbling, sagging source for multiple impacts to the ecosystem. Currently, this road is proposed to be used to access sixteen units of the proposed Jazz Timber Sale. The road has deteriorated in the past few years, despite work that was done to facilitate the logging of units for the Bonanza Timber Sale in the past five years. Continuous use and high levels of earthflow has left this road bent and twisted over the landscape and facilitating serious hydrological impacts, as well as an unsafe road to travel on. While Alternative 4 indicates that this road will be “improved and decommissioned” but it also states that it may be needed for plantation thinning in 10 years. That means 10 years more of impacts from a road on soils proven to be unstable. The outcome of keeping this road on the system is continued habitat degradation, massive expenditures on future blow outs. This is not an acceptable outcome and must be remedied.

d. The new DN/FONSI should specify that roads decommissioned as part of this process should not be reopened, even as temporary roads.

As touched on *supra*, there are serious flaws behind the logic of embarking on an ambitious road decommissioning effort and simultaneously reopening decommissioned roads and building temporary roads for projects like the Jazz timber sale. Road decommissioning should be viewed as a permanent removal of the road from the system, not a temporary way to take the road off the maintenance backlog for the time being. Anything else is an illogical waste of time, money, and effort. In the event that situations arise where MHNH would like to reopen a decommissioned road, Bark expects that the associated NEPA documents will treat the new road as just that, a new road. In the event that someone would like to reopen a road, the new DN/FONSI should provide clear guidance that lays what types of exigent circumstances could justify the reopening of roads that taxpayers have invested significant funds into decommissioning due to their impacts on the environment.

- e. The new DN/FONSI should provide additional information on how roads will be prioritized for decommissioning. We request that you include Bark and other interested parties in the annual process.**

Bark understands that MHNH makes its annual decisions on which roads to decommission based on a broad range of factors such as anticipated budget and other prioritization factors. We recognize that a certain degree of nimbleness is needed in this process. However, we also see this process as an excellent opportunity for you to invite partners to provide input and get engaged in the process of making decisions on the specific aspects of implementing road decommissioning. This includes making the specific determinations of which roads to treat each year and which treatments are appropriate. If MHNH provides continued opportunities for public participation in this process the process would improve and public confidence in the project would also improve. The opportunity to participate would also allow Bark to communicate with MHNH's staff outside the constraints of the NEPA process in a more collaborative fashion and also to communicate the logic behind agency decisions more effectively.

- f. The new DN/FONSI should include a plan for keeping decommissioned roads from being used, and should include a plan for continued monitoring of all decommissioned roads**

The addition of a law enforcement section to the EA constitutes an important acknowledgement of the problems that could arise from having a vast network of decommissioned roads on the landscape. A ghost road network could become heavily utilized for unlawful purposes such as drug

manufacturing and OHV playgrounds. These uses could significantly degrade habitat but would be difficult for law enforcement to discover.

Revegetation of decommissioned roads should be a significant portion of any implementation plan. Planting trees and shrubs in old road beds will help remove decommissioned roads from the landscape much more effectively than just seeding the roads and hoping for the best. We encourage you to seek out opportunities to partner with Bark and other organizations that will be happy to provide you with volunteers to do this revegetation work.

While obliterating roads to sight distance is certainly much better than other techniques such as gating roads, it will not deter the determined and it will not ensure that the decommissioned roads are no longer having adverse impacts to the environment. The new DN/FONSI should include a plan for keeping roads from being used. This would include ensuring that closures are effective in order to minimize environmental harms resulting from use of the ghost road network. Regular monitoring will be necessary to ensure that decommissioned roads have not blown out in instances where the road was not obliterated and that illegal uses are not proliferating.

g. The new DN/FONSI must go further to protect and enhance water quality in a Tier 1 watershed

As a designated Tier 1 watershed, the Collawash River is intended to directly contribute to anadromous salmonid and bull trout conservation. ROD, B-18. The Forest Service is explicitly directed to “reduce existing system and non-system road mileage in tier 1 Key watersheds.” ROD B-19. By selecting Alternative 4, rather than Alt. 2, the Forest Service misses a key opportunity to sufficiently improve water quality in the Tier 1 watershed.

The Collawash River is especially prone to sediment production and delivery due to its “flashy” nature; this characteristic is a direct result of the dense road network in the Collawash watershed. As indicated by the Mean Monthly Flow Chart, the Collawash River is much flashier than the Upper Clackamas River and Fish Creek, which are highly comparable in other regards. CHSWA at 3-12. The Collawash’s tendency for flash flooding, elevated sediment production, and summer low flows are a direct result of the extensive road system veining the watershed. The CHSWA recognizes that, “[c]urrently, there is a greater amount of sediment production and delivery sites than what existed under the reference sediment regime. Many upland forested sites that were not sediment sources in the past are now sites of chronic production; most can be directly attributed to roads.” CHSWA at 3-8. Increases in sediment production over recent years have already lowered fish productivity, and contributed to the decline of fish species at risk

CHSWA at 3-27. Additionally, “turbidity levels in the Collawash River are consistently higher and persist longer when compared to any other streams in the Clackamas subbasin.” CHSWA, 3-19. This means that sediment produced by roads in the watershed adversely impacts fish habitat longer in this area than it would in otherwise comparable areas, and further degrades – rather than improves – the Tier 1 fish habitat.

The solution to this problem of over-sedimentation in the Collawash Watershed is simple: remove more roads. All parties can agree that “[t]he sediment contribution to streams from roads is often much greater than that from all other road management activities combined, including log skidding and yarding” and “until a road is removed and natural drainage patterns are restored, the road will likely continue to affect the routing of water through watersheds.” Collawash Thinning PA at 34, 33. Hence, the clear conclusion that: “the more miles of road that are properly decommissioned, the greater the beneficial effects to water quality and fish habitat.” EA at 32.

Despite this clear conclusion, the decision maker chose an alternative that appeases a small group of interested parties, rather than one which meets its obligation to protect and restore Tier 1 watersheds, and tries to pass this off as a balancing act. The new DN/FONSI must prioritize road decommissioning above other interests in this Tier 1 watershed.

h. The new DN/FONSI should incorporate the road to trail suggestions submitted in the scoping comments by Trailkeepers of Oregon.

Many recreation groups want to lend their support and participation to road decommissioning projects because they recognize their potential to restore the environment they love. Trailkeepers of Oregon and Bark both suggested road to trail conversion opportunities in the project area. The Legacy Roads and Trails appropriation clearly allows for road decommissioning monies to be used for trails. While new trails are not a central part of this project, no one requested elaborate new trails. The trails proposed could have easily been incorporated into this project. While the project area already has many miles of trails there are a number of reasons why they are not heavily used and this is all the more reason to build new trails that will draw fresh excitement.

We recognize that the recreation program faces significant funding constraints but also recognize that recreation is one of the most important uses of MHN. Many trails are now overcrowded and more recreationists are venturing into the project area seeking new experiences. As mentioned *supra*, many recreationists have accepted the loss of the road to Salmon

Butte and are pleased with the road to trail conversion because it allows for the achievement of important restoration objectives. This road to trail conversion should be considered a significant success for the forest and could be used as a model.

For recreationists to truly feel invested road decommissioning they need to be included and practical road to trail conversion suggestions should be incorporated. It is impractical to suggest that the decommissioned roads could be revisited in a future planning process. Why not just include road to trail conversions now? To avoid duplicative processes, we encourage you to incorporate the road to trail conversion suggestions submitted by Trailkeepers of Oregon in their scoping comments. This group and others are very interested in doing trail work in collaboration with MHNH staff and have shown great interest in continuing to provide trail work on a volunteer basis. By reaching out to volunteers and organizations who have expressed an interest in volunteering MHNH could obtain significant help with building and maintaining its trail network despite a constrained recreation budget.

Conclusion

MHNH must seek out new and innovative solutions that will allow more roads and road miles to be actively decommissioned and obliterated. The current budget is not adequate to cover the important projects MHNH should be implementing, but opportunities for new funding do arise regularly. For example, in 2009 there was an open slot at the Timber Lake Job Corps for a new program or "trade." Bark worked with the interim director of Timber Lake and the Clackamas District Ranger to facilitate the development a new heavy equipment trade that would have trained participants to use the types of heavy equipment MHNH uses for road maintenance or decommissioning. The Regional Job Corps Director found the idea intriguing, especially given that it provided the opportunity for students learning the trade to be able to help achieve restoration goals on federal land adjacent to the Timber Lake facility. Unfortunately the Interim Director of Timber Lake and Clackamas District Ranger chose not to apply for the new trade. This is exactly the type of opportunity MHNH should be pursuing.

Bark appreciates your prompt attention to this matters raised in this appeal and looks forward to discussing ways for you to implement our requested relief.

Sincerely,

A handwritten signature in black ink that reads "Lori Ann Burd". The signature is written in a cursive, flowing style.

Lori Ann Burd
Restore Mt. Hood Campaign Manager/Staff Attorney
503-331-0374
loriann@bark-out.org
www.bark-out.org