



— VIA E-MAIL AND FIRST CLASS MAIL —

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July 19, 2004

Michael Jimenez, Asst. Ranger
Deer River Ranger District
Chippewa National Forest
1037 Division St / PO Box 308
Deer River, MN 56636

Re: Mississippi River Vegetation Management Project

Dear Mr. Jimenez:

The North Star Chapter of the Sierra Club submits this letter of interest in response to your July 1 letter inviting comment on the proposed Mississippi River Vegetation Management Project. Please include these comments as part of the Forest Service's official record for this project and keep the Sierra Club on your mailing list (at the address above) to receive copies all future notices, announcements, and documents related to this project.

As you know, the Sierra Club is a non-profit environmental organization with over 21,000 members in Minnesota who are concerned that Minnesota's national forest resources are adequately protected, especially with regard to recreational opportunities and ecological integrity. The Sierra Club opposes commercial logging on all federally owned forests, but supports some logging programs that serve non-commercial, ecological purposes (*e.g.* restoring forest types toward RNV). We participate in the administrative process to provide substantive comments on identified project areas as well as encourage the Forest Service to significantly reduce commercial logging in our national forests to better achieve long-term wildlife and habitat protection and sustained recreational opportunities.

The Sierra Club will reserve much of its substantive comment on this project until more information is available regarding the agency's proposal. We do, however, wish to emphasize our concern that the following issues be addressed as the analysis for this project moves forward:

1. **The Agency should embrace the use of fire as a critical forest management tool.** The Sierra Club is pleased that the Deer River Ranger District is considering the appropriate use of fire to restore pine forests and reduce fuel build-up. Prescribed burns are a proven tool for alleviating high risk wildfire where it could threaten homes and communities, and the reintroduction of fire is an important management tool that can mimic ecological processes, reduce the buildup of high fuel loads due to past fire suppression, and lead to the restoration of forest stands. Fire ecologists and most forest scientists agree that long term ecological restoration with careful fire reintroduction – not increased commodity

resource extraction or aggressive fire suppression – holds the best hope of preventing future large-scale severe wildfires in fire dependent ecosystems. Toward that end, hand release and prescribed burns should be used on as many acres as possible where fuels reduction is necessary or where fire is needed to achieve restoration goals. Commercial logging is not and should not be viewed as a tool for reducing wildland, home, and community fire risk or for achieving forest restoration objectives.

2. **Replanting/restoration.** The Sierra Club supports restoration-oriented thinning of pine plantations. This activity is important to restore wildlife habitat and a more appropriate mix of forest types and age classes.

We encourage the District to set an example of how the Forest Service will advance forest plan goals in management project environmental assessments. Under the new forest plan, environmental assessments should include a table that includes this information for the project area:

Forest type / age class	RNV	Current	After project	2014 goal (decade 1)	2024 goal (decade 2)	2054 goal (decade 5)

3. **Patches of old growth and interior forests should be retained.** Recent timber EAs surrounding the project area have caused a near-total loss of patches of interior forest larger than 300 acres. Interior forests with 70% or greater canopy cover are vital to survival of several Regional Forester’s Sensitive Species.
4. **TES and MIS.** Special care should be taken to make sure that habitat is improved for species that are found in interior forests such as the goshawk and black-throated blue warbler, and various plants that have been identified as threatened or sensitive in jack pine forests.
5. **The Agency must perform an adequate analysis of its road system.** Although pine thinning is important for restoration goals, we are concerned about increasing roads in Chippewa National Forest. The EA should include a timeline for obliterating all temporary roads and identify and plan removal of unneeded roads in the project area. A complete analysis of all classified, unclassified, and other roads should be initiated prior to construction of any new roads and is necessary to comply with the requirements of the National Environmental Policy Act.
6. **The Agency must make a fair and unbiased assessment of the purpose and need for this project.** The Forest Service must not define the purpose and need for this project unreasonably narrowly. The Forest Service’s discretion to define the purpose and need under 40 CFR §1502.13 does not permit the agency to avoid the requirements of the National Environmental Policy Act by defining a project's purpose so narrowly as to preclude consideration of reasonable alternatives. The agency must meet its statutory obligation and give meaningful and unbiased consideration to all of the multiple uses of the national forest when defining the projects purpose and need.

Specifically, a no-clearcut alternative should be examined in the environmental assessment. It is also noteworthy that there is no discussion of recreation or other non-

commercial uses of this area. The scoping letter's statement that the "purpose of this project is to conduct timber management and fuels reduction management within the project area" already makes it clear that this project is being driven almost solely by the desire to increase the amount of commercial logging. This narrow purpose and need is a direct violation of NEPA.

7. **The Agency must perform an adequate alternatives analysis.** The agency is obligated to study, develop and describe all reasonable alternatives. NEPA requires that a project analysis must discuss a range of alternatives to the proposed action and to "provid[e] a clear basis for choice among options." 40 C.F.R. § 1502.14; see also 42 U.S.C. § 4332(2)(E). "No major federal project should be undertaken without intense consideration of other more ecologically sound courses of action, including shelving the entire project, or of accomplishing the same result by entirely different means." *Environmental Defense Fund v. Corps of Engineers*, 492 F.2d 1123, 1135 (5th Cir. 1974) (emphasis added). An alternative may not be disregarded merely because it does not offer a complete solution to the problem. Further, courts have held that an alternative must be fully examined if it meets the purpose and need even if application of that alternative would require a change in law. The agency must meet its statutory obligation and give meaningful and unbiased consideration to all reasonable alternatives, which specifically include the no-action alternative, no-clearcut alternative, and alternatives that generally seek to restore forest types to their range of natural variation without using logging techniques.

The Sierra Club wishes to express its appreciation for your consideration in reviewing these comments. We look forward to working with you as this project progresses.

Sincerely,

Joshua Davis
o/b/o Sierra Club, North Star Chapter