



Lake Tahoe Basin Management Unit, USDA Forest Service
Attn: Brian Garrett
35 College Drive
South Lake Tahoe, CA 96150
brian.garrett@usda.gov

May 22, 2020

Subject: Lake Tahoe West Restoration Project Scoping Notice / Notice of Preparation

Dear Mr. Garrett,

The Friends of the West Shore appreciates this opportunity to provide comments on the Lake Tahoe West (LTW) Restoration Project Scoping Notice / Notice of Preparation (NOP). The Friends of the West Shore (FOWS) works toward the preservation, protection, and conservation of the West Shore, our watersheds, wildlife, and rural quality of life, for today and future generations. FOWS represents community interests Tahoe City to Emerald Bay.

This is a very important project for the protection of public health and safety and the environment along the West Shore. FOWS has been represented on the LTW Stakeholder Science Committee (SCC) throughout the multi-year planning process and has been impressed by the extensive coordination among the agencies and stakeholders and the extraordinary efforts to obtain the best available scientific data to determine the potential impacts of various treatment approaches on the future resilience of our forests and communities. The following comments are provided to assist in analyzing the environmental effects of the Proposed Action and project alternatives in addition to those listed on p. 11-12 of the NOP.

FOWS strongly supports efforts to improve forest resilience and public safety and believes the LTW project could be an important step toward achieving those goals. However, as documented in the attached comments, we have some concerns regarding the Proposed Action that we believe need to be addressed in the environmental analysis.

Please feel free to contact Jennifer Quashnick at jqtahoe@sbcglobal.net if you have any questions.

Sincerely,

Judith Tornese,
President

Jennifer Quashnick,
Conservation Consultant

Level of environmental analysis:

The Notice states that the California Tahoe Conservancy (CTC) will prepare an Environmental Impact Report (EIR), the Tahoe Regional Planning Agency (TRPA) will prepare an Environmental Impact Statement (EIS), and the U.S. Forest Service will prepare an Environmental Assessment (EA) [EIR/S/EA]. We believe that given the potential for significant impacts, as clearly recognized by the CTC and TRPA, the USFS should prepare an Environmental Impact Statement to meet NEPA requirements.

Proposed Action vs. Modeled Scenarios

The LTW Landscape Restoration Strategy (LRS) reports on the findings of the extensive research and modeling efforts used to assess the impacts of different levels and methods of treatments and other factors.

The EIR/S/EA needs to:

- Clearly document how the Proposed Action compares to the scenarios that were modeled in the LRS.
- Explain any differences in the Proposed Action compared to the modeled scenarios, including the reason for any such variations and how they may affect the modeled outcomes.
- Discuss model uncertainties and how they will be addressed through monitoring and adaptive management.

Prioritization of treatments:

One of the hallmarks of the LTW effort has been the extensive analysis of existing research and the best available scientific information coupled with significant modeling of future scenarios and impacts. The LTW landscape covers a large area and proposes a significant increase in the number of acres to be treated compared to existing conditions; determining the highest priority areas for treatments is paramount to the effort.

The EIR/S/EA needs to:

- Fully identify and disclose the information supporting the prioritization of treatments and how different treatment methods, location, and timing would impact public health and safety, forest resilience to climate change, watershed health, wildlife habitat, and other resource values.
- The analysis should evaluate the strategic treatment of fuels on a portion of the landscape to identify the best approach to reducing wildfire risk and extreme wildfire as well as areas where fires can be most effectively suppressed or managed for resource benefit, as appropriate.
- The information should be sufficient to allow the public and decision-makers to carefully weigh the pros and cons of various treatment methods, locations, frequency, timing, and other factors.

Forest Plan Amendment to allow permanent roads in Backcountry Management Areas:

The NOP released on April 10 includes a new proposal titled “Forest Plan Amendment (Roads in Backcountry).” After SSC endorsement of the Proposed Action in April, the NOP was revised to include a Forest Plan Amendment to allow the construction of permanent roads in Backcountry Management Areas outside of Inventoried Roadless Areas (IRAs).¹ With the LTW Project Area, approximately 3,619 acres of Backcountry lie between Ward and Blackwood Creeks adjacent to the Granite Chief IRA that are not contained within the IRA.

Backcountry Management Areas (BCAs) are identified in the LTBMU Land and Resource Management Plan (Forest Plan) as lands where:

“[N]atural ecological processes are primarily free from human influences. The landscape is predominantly shaped by natural processes and disturbance events such as vegetative succession, fire, insects attack, disease outbreak, and floods. Scenic integrity is high; the valued landscape character appears intact. Backcountry areas fill a recreation niche between Wilderness and General Conservation...Native-surface roads are present in some backcountry areas; road maintenance and reconstruction may be permitted on Backcountry lands where additional restrictions do not apply. Suitable uses do not include construction of permanent roads.

Similarly, Backcountry lands may be occasionally influenced by management activities to support forest health, improve habitat, and reduce fuels. Management-related disturbances would have only minor influences on the landscape character.

Backcountry areas contribute to ecosystem and species diversity and sustainability, serve as habitat for fauna and flora, and offer wildlife corridors. These areas provide a diversity of terrestrial and aquatic habitats, and support species dependent on large, undisturbed areas of land. Backcountry areas are managed to preserve and restore healthy watersheds with clean water and air, and healthy soils. Watershed processes operate in harmony with their setting, providing high quality aquatic habitats.” (p. 76) [Emphasis added]

The NOP calls out the Forest Plan’s language that “Suitable uses do not include construction of permanent roads;” as such, the Forest Plan would have to be amended to allow new permanent roads in these areas. We are concerned with the impacts these roads may cause, including the impacts to existing roadless qualities and the potential to prevent the BMA areas from ever being considered as Wilderness Areas. We are also concerned that roads may be constructed without having identified in advance whether they will be permanent or temporary,² thereby making it difficult to analyze the necessity of and impacts from these roads, which will vary with level of use.³ In addition, while the analysis may determine the water quality impacts are minimal and/or can be mitigated, allowing roads in the BMAs will have other impacts that must be evaluated.

The EIR/S/EA needs to:

¹ NOP, p. 10.

² According to USFS staff during a 4/28 scoping webinar, project implementers will not decide in advance whether a road would be temporary or permanent. Both roads would be constructed the same way. Their focus now is simply getting necessary access to the areas to do treatments.

³ “The Science Team found that additional road use associated with forestry treatments increases road-based erosion, but that those loads diminish quickly after roads are no longer actively used.” (Landscape Restoration Strategy, p. 19).

- Identify the highest priority areas for treatment and analyze the impacts of mechanical versus hand-thinning in these areas.
- Clarify where those areas include land within the BMAs, assess the existing access to those areas, and identify where new road access would be necessary.
- Evaluate the types of initial and ongoing treatment for those areas associated with the Proposed Action and all alternatives. For example, the EIR/S/EA should examine whether the BMA areas will require ongoing biomass thinning, or would periodic prescribed fire meet the project objectives in those areas after the overly dense biomass is thinned by the first treatment?
- Examine the impacts that will occur with temporary roads, permanent roads, or a combination thereof.
- Evaluate the impacts of allowing permanent roads on the existing natural roadless qualities of the BMAs and how this may affect the possibility to designate these as Wilderness Areas in the future.
- Include and analyze an alternative that does not allow permanent roads in the BMA.

Tahoe Regional Planning Agency Basin-Wide Code Amendment:

It has been with careful collaboration and discussion that stakeholders endorsed the scoping package for this project. One of the heavily discussed items related to the consideration to allow mechanical equipment on slopes between 30-50%, which is currently prohibited due to the potential erosion and water quality impacts. However, technological advances have resulted in new and/or altered methodology that may reduce the impacts of mechanical equipment on these steeper slopes. FOWS has supported a careful, measured, and site-specific approach to analyzing the use of improved methods and equipment on slopes between 30-50% that would involve extensive monitoring. It was our understanding that this careful analysis would be conducted as part of the LTW project and would start on a relatively small scale. Based on the outcome of this analysis, TRPA could then consider a Basinwide Code Amendment based the results of LTW *in addition to* further analysis.

However, the NOP's Proposed Action includes a *Basin-wide* TRPA Code Amendment. We believe this is beyond the scope of what was originally discussed and beyond the scope of the LTW analysis. Further, environmental and public concerns over a Basin-wide amendment could result in slowing down future projects within the LTW project area.

The EIR/S/EA needs to:

- Include an alternative that is in line with previous SSC discussions focusing on smaller initial 'tests' *within the LTW Project Area only*.
 - o This would involve specifying a detailed process that would support site-specific 'pilot' studies to test mechanical equipment on slopes between 30-50% within the LTW Project Area.
- Identify lands with slopes between 30-50% that are located within high priority treatment areas and examine the impacts and benefits of mechanical versus hand-thinning in those areas.
- Examine the performance standards that would be used to ensure the use of mechanical equipment on these slopes would not result in significant environmental harm beyond non-mechanical methods.
- For the Proposed Action, clarify how data from the LTW analysis will be used in a TRPA Regional Plan amendment process.

Evaluation of short- vs. long-term impacts and benefits:

We recognize that there are short-term environmental and public health impacts associated with forest treatments, such as air pollution, soil erosion, noise, and other effects from disturbance. However, the short- and long-term impacts associated with the unplanned occurrence of high-severity fire in untreated areas can also be significant. This is one reason we have agreed to the careful, small-scale evaluation of using mechanical equipment on steeper slopes (in high priority areas where non-mechanical means could not be employed sufficiently or would not adequately reduce the danger of large scale high-severity fire). In addition, LTW modeling efforts indicate that the greatest long-term reductions in high-severity wildfire (and the lowest wildfire suppression costs among the action alternatives) occur with treatments that significantly increase prescribed fire.⁴

The EIR/S/EA needs to:

- Carefully evaluate and quantify the extent and duration of short-term impacts associated with forest treatments, and identify all available mitigation measures that could be used to reduce these impacts.
- Evaluate the short- and long-term impacts from fire that would result if areas proposed for treatments are not treated and unplanned wildfires occurred.
 - o For example:
 - Thinning projects may result in temporary increases in soil erosion, even when the best available mitigations are employed. However, if those same areas are not treated and remained overly dense and an unplanned wildfire burned large areas at high-severity, this could lead to far broader and longer-term erosion after the fire.
 - Prescribed and managed fires create short-term smoke emissions; however these would occur within specified air quality conditions to reduce impacts. Left untreated, wildfires would likely burn at a higher-severity and spread among larger areas, creating the massive plumes of smoke we have experienced with recent catastrophic wildfires, and doing so during periods when air quality and meteorological conditions are not favorable. Large, high-severity fires are also more likely to burn into communities, burning structures and creating far more toxic air pollution than burning forest materials alone.
- Discuss mitigation measures, including public outreach and communication that would be available to reduce short-term project impacts.

⁴ 5/19/2020 LTW Science Webinar, Day 1.