

9/17/09

To Whom It May Concern,

On behalf of the John Muir Project of Earth Island Institute, I am submitting this appeal of the Last Chance project on the Tahoe National Forest. I request that you withdraw the EA for this project and prepare a Revised EA or EIS that rectifies the problems with the current version. This appeal is based upon the following:

A) We reassert, and hereby incorporate by reference, the points we raised in our EA comments (see attached document)--point that we feel have not been addressed, or adequately addressed, in the Final EA and Decision Notice/FONSI.

In addition, we assert the following:

1) The EA fails to fully consider a reasonable range of alternatives and arbitrarily restricts the purpose and need. The EA was required under NEPA to fully consider a 16"-diameter-limit alternative, and NEPA does not allow the Forest Service to reject full consideration of this alternative solely or primarily because it does not meet the Forest Service's desire to generate timber sale revenue from the project.

2) There appear to be substantial errors in Table 10 of the EA--indicating that the effects of the project (e.g., on Spotted Owls) would be dramatically different from (and more severe than) the description in the EA and BE. For example, Table 10 states that, for Units 135 and 136, basal area would be reduced from 221 square feet per acre to only 89 square feet per acre, and also states that trees per acre would be reduced from 224 to 210 (i.e., removing only 14 trees per acre). Yet Table 10 claims that canopy cover would see a huge reduction--from 82% to 50%. This indicates that the ONLY trees that would be removed would be the largest overstory trees, which means that "understory thinning" would not be occurring in these units; rather, overstory highgrading would be occurring. Nowhere in the description of the chosen alternative does the EA or BE acknowledge this or analyze the impacts of removing only the overstory trees while leaving the smaller trees (including the smallest understory trees that the EA claims are far too dense and uses as a justification for the project). In other units, e.g., 70, 75, 79, and 134, Table 10 claims that the post-thin canopy cover would be higher than the pre-thin cover. It is impossible to remove dozens, or hundreds, of trees per acre and increase canopy cover at the same time. Clearly, the true impacts of the project are not revealed in the EA or BE.

3) There are also apparent errors and inconsistencies with regard to the relationship between the Forest Vegetation Simulator data and the descriptions of stand structure in the EA and BE. However, this FVS data was sent to me so late in this process, and its state of organization was so poor, that it was not possible for me to provide a detailed stand-by-stand analysis.

Sincerely,

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