



June 25, 2026

Chris Moyer
c/o Nez Perce-Clearwater National Forest
1008 Hwy 64
Kamiah, Idaho 83536

Re: Comments on the 2026 Blowdown Emergency Project (Project No. 328084)
Submitted electronically through the project webpage comment portal

Dear Mr. Moyer,

The Center for Biological Diversity, Alliance for the Wild Rockies, Friends of the Bitterroot, Friends of the Clearwater, Native Ecosystems Council, Conservation Congress, WildEarth Guardians, and Yaak Valley Forest Council submit the following comments on the proposed 2026 Blowdown Emergency Project (“Project”).

At the outset, we request that the Forest Service extend the public comment period for the proposed 2026 Blowdown Emergency Project by at least 60 days. The Forest Service has provided only seven days for public review of a proposal spanning portions of six national forests and more than five million acres of National Forest System lands. At the same time, the agency has not identified proposed treatment locations, treatment acreage, road locations, anticipated timber volume, or the extent of wind damage that may qualify areas for treatment and acknowledges that additional reconnaissance will occur after the comment period closes.

Because the public has neither sufficient information nor sufficient time to evaluate the proposal, meaningful public participation is not possible. The Forest Service should therefore extend the comment period, release all maps, GIS data, treatment criteria, and supporting analyses, and provide the public an opportunity to comment on a complete proposal before proceeding further with implementation and environmental review. These comments are submitted without waiving our objections to the inadequacy of the current comment period and administrative process.

The Forest Service Cannot Lawfully Implement the Project Prior to Completing NEPA Review and Issuing a Final Decision.

The notice states that “[a]lternative arrangements allow implementation to begin while an Environmental Assessment (EA), Finding of No Significant Impact (FONSI) and associated emergency consultation . . . are finalized.” This statement raises significant legal concerns.

The Forest Service appears to be relying on 7 CFR § 1b.9(v)(2)(iv) to authorize implementation of project activities before completion of environmental review and issuance of a final agency decision. However, the agency has not disclosed the scope of activities it intends to implement prior to completion of the EA, FONSI, ESA consultation, and other required reviews. Nor has

the agency explained why such extraordinary measures are necessary given its assertion elsewhere in the notice that project implementation is expected to occur over approximately three to five years. NEPA is intended to ensure that environmental review informs agency decision-making before resources are committed and before actions are undertaken that could prejudice the consideration of alternatives. The Forest Service has not explained how implementation of logging, road construction, road maintenance, or other project activities prior to issuance of a final decision would preserve the agency's ability to objectively evaluate alternatives and environmental consequences.

Moreover, the public lacks sufficient information to evaluate the scope of any proposed pre-decisional activities because the agency has not identified treatment locations, treatment acreage, road locations, or implementation schedules. The agency should clearly identify every activity it intends to undertake prior to completion of environmental review and explain the legal authority supporting such actions.

We also note that the Forest Service appears to be relying, at least in part, on the Forest Health and Hazardous Fuels Emergency Action Determination ("EAD") issued pursuant to Section 40807 of the Infrastructure Investment and Jobs Act. The notice states that the entire Project area falls within the landscape identified in Secretary Rollins' April 3, 2025 Emergency Action Determination and that the Acting Regional Forester approved use of that EAD for this Project. If the Forest Service intends to rely upon the EAD as authority for project implementation, it must comply with all procedural requirements applicable to that authority. Section 40807 requires public notice and an opportunity for public comment. Historically, Forest Service projects authorized under § 40807 have generally provided substantially longer public comment periods, often ranging from 30 to 60 days, particularly because such projects are exempt from the ordinary pre-decisional objection process. The Forest Service has not explained how a seven-day comment period for a project spanning more than five million acres and six national forests provides the meaningful opportunity for public participation contemplated by § 40807.

The agency must therefore disclose (1) whether it intends to implement any project activities before completion of the EA, FONSI, ESA consultation, and issuance of a final decision; (2) the specific activities that may occur before completion of environmental review; (3) the legal authority supporting any such implementation; and (4) whether the agency is relying on the Section 40807 EAD. Until these questions are answered and all applicable procedural requirements are satisfied, the Forest Service should refrain from implementing any project activities.

The Forest Service Has Not Demonstrated That the Threshold Requirements for Alternative Arrangements Are Satisfied.

The notice states that the Forest Service intends to utilize "alternative arrangements" pursuant to 7 C.F.R. § 1b.9(v)(2)(iv) to allow implementation to begin while EA, FONSI, and associated emergency consultation are finalized. However, the agency has not demonstrated that the threshold requirements for invoking those procedures are satisfied. Under 7 C.F.R. § 1b.9(v)(2), alternative arrangements are available only for actions that are "not likely to have reasonably foreseeable significant impacts" and "limited to actions necessary to address the emergency

circumstance.” The Forest Service has not provided sufficient information to support either determination.

First, the agency has not demonstrated that the proposed action is not likely to have reasonably foreseeable significant impacts. The proposal spans more than five million acres across six national forests and authorizes activities including salvage logging, regeneration harvest, clearcutting, shelterwood harvest, seed-tree harvest, temporary road construction, road reconstruction, and logging of healthy standing trees. Yet the Forest Service has not identified treatment locations, treatment acreage, anticipated timber volume, road locations, the extent of wind damage, or the resources that may be affected. Indeed, the notice acknowledges that “specific defined areas of damage are not currently available” and that additional reconnaissance will occur after the public comment period closes. Indeed, without a defined project area, defined treatment units, or meaningful limits on the amount of logging that may occur, it is impossible for the public or the agency to evaluate whether reasonably foreseeable significant impacts are likely. To the contrary, the scale of the proposal and the nature of the activities contemplated suggest the potential for significant impacts to wildlife habitat, old-growth and mature forests, Inventoried Roadless Areas, water quality, and threatened, endangered, and sensitive species.

Second, the Forest Service has not demonstrated that all proposed activities are “necessary to address the emergency circumstance.” The notice authorizes regeneration harvest, including logging of healthy standing trees where the agency determines those trees are not the “appropriate species for the site.” The agency has not explained how such activities are necessary to address windthrow, hazardous trees, fuel accumulation, bark beetle outbreaks, or any other emergency circumstance associated with the 2025 and 2026 wind events. Nor has the agency explained why commercial logging of healthy standing trees should qualify for implementation under emergency procedures before completion of environmental review.

Because the Forest Service has not established either prerequisite for use of alternative arrangements, the agency has not provided an adequate basis for implementing Project activities prior to completion of the EA, FONSI, ESA consultation, and issuance of a final agency decision. At a minimum, the Forest Service should disclose the factual and legal basis for its determination that the Project satisfies the requirements of 7 C.F.R. § 1b.9(v)(2) and identify the specific activities it intends to implement before environmental review is complete.

The Proposed Action Appears to Authorize Extensive Logging Outside of Blowdown Areas Without Demonstrating a Nexus to the Stated Emergency.

The Forest Service’s stated purpose and need is narrowly focused on responding to the December 2025 and March 2026 wind events by addressing blowdown-related concerns, including reducing fuel loading, mitigating bark beetle outbreaks associated with wind-damaged trees, addressing public safety hazards, and recovering the value of damaged timber.

However, the proposed action extends well beyond those stated objectives. In addition to salvage and sanitation harvest, the Project authorizes regeneration harvest, including clearcut, shelterwood, and seed-tree harvest methods across six National Forests. The Project specifically states that regeneration harvest may occur where “undamaged trees are not appropriate species

for the site.” The notice provides no explanation for how logging healthy, standing trees that were not damaged by the wind events is necessary to address the stated emergency. Nor does it explain why altering species composition constitutes an emergency response to the recent wind events.

Indeed, the Notice appears to transform a project purportedly intended to respond to a discrete natural disturbance event into a broad vegetation management and commercial timber program. The Forest Service has not identified any limiting criteria governing the amount of green-tree removal that may occur within treatment areas, the relationship between the treatment areas and actual blowdown, or the circumstances under which regeneration harvest would be authorized. These concerns are magnified by the absence of project-specific information. The Forest Service has not identified treatment locations, treatment acreage, or the extent of wind damage necessary to qualify an area for treatment. As a result, the Project appears to grant the agency broad discretion to conduct commercial logging throughout the Project area based on undefined determinations regarding stocking levels, species composition, and future silvicultural objectives.

Unless and until the Forest Service demonstrates a clear nexus between proposed green-tree removal and the specific harms identified in the purpose and need, the agency cannot reasonably characterize these activities as emergency response actions. Rather, the Project appears to authorize substantial commercial logging activities that extend far beyond the scope of responding to windthrow events.

The Forest Service Has Not Demonstrated That Proposed Regeneration Harvest Qualifies as an Authorized Emergency Action.

The Forest Service appears to rely, at least in part, on the Secretary's Forest Health and Fuels Reduction Emergency Situation Determination (“ESD”) and the emergency authorities available under IIJA § 40807. However, the notice does not explain how all proposed activities qualify as “authorized emergency actions” under that authority.

The Secretary's ESD identifies a limited set of authorized emergency actions, including salvage of dead or dying trees, harvest of trees damaged by wind or ice, sanitation harvest to control insects and disease, hazardous fuels reduction, removal of hazardous trees, reforestation, and watershed restoration. The ESD does not identify broad regeneration harvest or commercial logging of healthy standing trees to alter species composition as authorized emergency actions.

The proposed action extends beyond those categories. In particular, the notice authorizes regeneration harvest, including clearcut, shelterwood, and seed-tree harvest methods, and specifically contemplates removal of undamaged trees where the agency determines those trees are not the “appropriate species for the site.” The Forest Service has not explained how removal of healthy standing trees for purposes of altering species composition constitutes an authorized emergency action under the ESD or how such activities are necessary to respond to recent windthrow events.

Accordingly, the Forest Service should identify which specific ESD-authorized emergency action applies to each category of proposed treatment and explain the nexus between the

proposed treatment and the emergency circumstances that allegedly justify use of emergency procedures.

The Forest Service Must Analyze Impacts to Inventoried Roadless Areas and Consider Alternatives That Avoid or Minimize Roadless Area Impacts.

The project area encompasses portions of six national forests in Montana and Idaho and appears likely to include Inventoried Roadless Areas (“IRAs”). Several of the national forests included in the project contain extensive Inventoried Roadless Areas, making it highly likely that roadless areas will be affected unless the Forest Service affirmatively excludes them from treatment. However, the Forest Service has not disclosed whether any proposed treatment areas, temporary roads, road reconstruction activities, or harvest units occur within IRAs, nor has it provided maps sufficient to evaluate potential roadless area impacts.

This omission is particularly significant because activities within IRAs are subject to substantial limitations under the Roadless Area Conservation Rule. The Roadless Rule generally prohibits road construction and reconstruction within IRAs and severely restricts timber cutting except under narrowly defined circumstances. While the Rule contains limited exceptions, the notice does not identify which, if any, exception the Forest Service believes would authorize logging, road construction, or other project activities within roadless areas.

The agency has not explained how any proposed logging, road construction, or road reconstruction activities within Inventoried Roadless Areas would satisfy a Roadless Rule exception. Accordingly, the Forest Service must identify all IRAs that may be affected by the proposal, disclose the specific activities contemplated within those areas, and explain the legal basis for any determination that such activities are permissible under the Roadless Rule.

Given the project’s unprecedented scale and the lack of site-specific information currently available, the Forest Service should also develop and analyze alternatives that avoid or substantially minimize impacts to Inventoried Roadless Areas. At a minimum, the agency should evaluate an alternative that excludes logging, road construction, and road reconstruction activities within IRAs and limits treatment activities to areas outside roadless boundaries.

Because Inventoried Roadless Areas provide important ecological, recreational, and wilderness values and are subject to distinct regulatory protections, the Forest Service cannot defer consideration of roadless area impacts until after treatment locations are identified. The agency must disclose and analyze those impacts before authorizing project implementation.

The Forest Service Has Not Provided Sufficient Information or Time for Meaningful Public Review.

The Forest Service has not provided sufficient information for the public to meaningfully review or comment on the Project. The notice describes a project spanning portions of six national forests across Montana and Idaho and encompassing over five million of acres of National Forest System lands. Yet the agency has not identified the locations of proposed treatments, the extent

of windthrow, the anticipated acreage of salvage logging, the amount of road construction, the locations of temporary roads, the anticipated timber volume, or the resources that may be affected. Instead, the agency states that “specific defined areas of damage are not currently available” and that additional reconnaissance will occur after the public comment period closes. Without this information, the public cannot meaningfully evaluate environmental impacts, propose alternatives, identify site-specific concerns, or assess compliance with applicable laws.

The agency's reliance on emergency procedures is particularly difficult to reconcile with the lack of project-specific information. Although the notice repeatedly asserts that “immediate action is necessary,” the Forest Service estimates that implementation will take approximately three to five years. A project of this duration raises substantial questions regarding whether the circumstances constitute the type of imminent threat contemplated by emergency procedures.

The lack of information is compounded by the agency's decision to provide only seven days for public review and comment. The Forest Service issued notice on June 22, 2026, and requires comments by June 29, 2026. Seven days is plainly insufficient for the public to review and evaluate a proposal of this magnitude, particularly where the project spans six national forests across two states and the agency has failed to disclose the locations and extent of the proposed treatments.

Meaningful public participation requires both adequate information and adequate time to review that information. Here, the public has neither. Interested members of the public, Tribes, local governments, scientists, and conservation organizations cannot reasonably evaluate environmental impacts, identify site-specific concerns, review applicable forest plan requirements, assess effects on wildlife and sensitive resources, or develop informed comments within a seven-day period, particularly when key project information has not been disclosed. The Forest Service should therefore extend the public comment period to at least sixty days and release all maps, GIS data, reconnaissance information, treatment criteria, and supporting analyses before proceeding further with environmental review. Until that information is made available, the public lacks a meaningful opportunity to participate in the decision-making process.

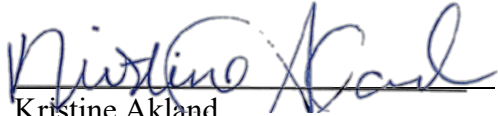
The Forest Service must disclose and analyze the direct, indirect, and cumulative effects of the Project on affected resources, including threatened, endangered, proposed, and sensitive species; old-growth and mature forests; inventoried roadless areas; riparian resources; and wildlife habitat. The agency should also disclose the maximum opening sizes that may result from the Project and analyze the ecological impacts associated with exceeding forest-plan opening-size limitations.

Finally, neither the EAD nor Executive Order 14225 relieves the Forest Service of its obligations under NEPA, NFMA, the ESA, the Clean Water Act, or other applicable laws. The agency must demonstrate compliance with those requirements before proceeding.

Because the Project lacks sufficient detail and time to permit informed public review, the Forest Service should extend the comment period, release all supporting information, identify proposed

treatment locations, and provide the public with an opportunity to comment on a complete Project before proceeding with environmental review or project implementation.

Respectfully submitted,



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