

**Forsythe II Multiparty Monitoring Group (MMG)  
 October 11, 2018, 6:00 pm to 8:30 pm  
 Nederland Community Presbyterian Church  
 Meeting Summary - FINAL**

*Attendance:* Marin Chambers, Jim Cowart, Mark Foreman, Angie Gee, Alex Markevich, Paul McCarthy, Yvonne Short, Susan Wagner, and Kevin Zimlinghaus

*Facilitation:* Heather Bergman and Dan Myers

**ACTION ITEMS**

Marin Chambers and Kevin Zimlinghaus	Post maps to the project website.
USFS	<ul style="list-style-type: none"> <li>• Find a rough estimate of the number of slash piles on the landscape.</li> <li>• Try to find a report on flammulated owl surveys to share with the group.</li> </ul>
MMG Members	<ul style="list-style-type: none"> <li>• Send information on slash pile locations to Angie Gee or Marin Chambers by October 31 for that information to be addressed at the USFS meeting on prescribed fire and slash piles. Feedback will still be welcome after that meeting.</li> <li>• Send any other suggestions for November meeting topics to Peak Facilitation.</li> </ul>

**MAP REVIEW**

Marin Chambers of the Colorado Forest Restoration Institute (CFRI) and Kevin Zimlinghaus of the US Forest Service (USFS) provided maps for the MMG to review.

- The maps showed Units 1, 3, 4, 63, and 107. Each of those units had aggregations and patch cuts marked in shapefiles from the USFS.
- CFRI overlaid the patch cuts and aggregation polygons over Avenza comments made by MMG members on those units to demonstrate how the USFS has incorporated those comments in its plans for patch cuts and aggregations.

**Clarifying Questions**

Participants asked clarifying questions regarding the maps. Questions are indicated in italics, followed by the response in plain text.

*What about the scenic value of the aggregation along the Peak to Peak Highway, which is right across from a previous patch cut? Has the USFS considered that?*

That is a consideration. There is a 30-foot buffer along the roadside where less basal area is being reduced. More basal area is going to be reduced from that point onward. There is no flag line to delineate that lighter treatment, but the USFS will keep the forest denser next to the highway to preserve the scenic value.

*Would the USFS use any erosion control measures near streams or ditches?*

The design criteria for the project requires the USFS to maintain buffers near drainages (e.g., ditches). In Unit 1, most of the drainages are gullies. There is no plan for further erosion control measures unless a USFS soil scientist finds erosion problems after treatment.

*When the MMG took a field trip to Unit 1, it found that that the mapped boundaries of an aspen aggregation there did not match the edge of the aspen clone itself. Have those boundaries changed since that field trip? Is the USFS using the edge of the aspen clone itself or the map boundary to delineate its treatment?*

The USFS removed part of the aggregation from treatment because it fell within the buffer of nearby patch cuts. The USFS defines the edge of a clone based on the composition of aspen stems versus, say, conifer stems in a given area. A key objective of this project is to restore aspen.

*Where did that definition of the clone's edge originate?*

Some definitions determine the edge based on vertical species dominance, but the USFS is using stands and stems, as it did for the National Environmental Policy Act (NEPA) process, to make edge determinations and to identify dominant species.

*Is the boundary of the Unit 1 aggregation the same as it was at the time of the field trip (besides the modification made to the southeast corner of that aggregation)?*

Yes.

*Does the land south of the Peak to Peak Highway in Unit 63 belong to a private owner or the USFS?*

The USFS. The map shows private inholdings in that area, but that piece of land belongs to the USFS.

### **USFS PRELIMINARY RESPONSE TO HOMEOWNER INPUT FROM SEPTEMBER MEETING**

The USFS and MMG discussed the preliminary thoughts of USFS staff on the input provided by Alex Markevich at the September MMG meeting.

- The USFS was focused on the broader table of responses to MMG input this month, so these comments are not as detailed as they will eventually be.
- The primary concern for Unit 46 seemed to be the possibility of reducing basal area density below historical norms. The USFS has noted that concern. The unit will be treated manually, so the USFS will not take up to 50% of the unit's basal area as the Decision Notice permits.
- Unit 46 had flammulated owls present. During the MMG field trip to that unit, the USFS said that it would only reduce the basal area by 30% because of the presence of flammulated owls.
- There was disagreement as to whether the Unit 46 treatment violated the Decision Notice, but group members who stated that it was a violation said that the USFS treatment plan was reasonable for this unit, so it did not matter. However, these group members said that a 30% basal area reduction would bring the unit's basal area below historical rates.
- A recent paper entitled "*Changes in Forest Structure Since 1860 in Ponderosa Pine-Dominated Forests in the Colorado and Wyoming Front Range, USA*" states that the historical range in basal area density for lower montane ponderosa forests was 0-87 trees per hectare. The historical mean was 27 trees per hectare. The USFS will not reduce any units' basal area density below that historical mean. The USFS is, however, trying to restore basal area densities near historic means. Stands that are denser than their historical counterparts are also less equipped to handle a warming future climate.

- There was concern about historical distribution divergences in upper (not lower) montane forests, but no objections to the USFS treatment plan for Unit 46.
- Non-unit-specific input on conifer and lodgepole units that have been previously treated will be considered as the USFS develops its prescriptions for those units.
- The MMG and USFS spent some time discussing slash piles at the September meeting. The USFS has gotten approval to hire two new fuels planners (one at the forest level and one at the district level). The USFS hopes to get approval to hire more fuels crews because slash piles are a high priority. The USFS will also have a meeting at the end of the month to discuss its priority areas for burning slash piles. After that, the pace of burning will depend on the weather. Fuels crews typically start working on the west slope of Sulphur Ranger District and move east in the winter. The USFS will keep the MMG informed about the slash pile situation.
- There are 3,200 acres of manual and mechanical slash piles between the Boulder and Clear Creek Ranger Districts. Roughly 90% of those piles are in the Boulder Ranger District, and 10% are in the Clear Creek Ranger District. The USFS reports acres of slash piles but does not typically record the numbers of slash piles itself. However, field crews often do samples of piles per acre or use formulas to get rough estimates for the total number of piles on the landscape. There is also a difference between hand piles and mechanical piles, the latter of which are considered to be piles found on a landing on any acre. The USFS will find estimates of the total number of piles on the landscape.
- There is a problem with a backlog of piles in this area. The USFS hopes to reduce that backlog once it receives additional staffing resources. The USFS has only cut 400 acres or so this year (which is less than its typical annual average), so it should be able to spend some time addressing the pile backlog. The USFS is also moving extra resources from the west and north sides of the Arapaho and Roosevelt National Forests where there are fewer piles to treat so that staff can help address piles in this area. The USFS has also extended its permanent seasonal workforce to increase its capacity to treat piles. These crews could potentially work on treating slash piles and prescribed fires at the same time if the USFS has the right personnel.
- Several winters ago (between the Forsythe I and Forsythe II projects), the USFS took care of a lot of piles in the Magnolia Road area. Some piles were left on the landscape, perhaps to benefit wildlife, although it was noted that previous project decisions required two or three piles per acre to be retained. It may be helpful for homeowners to show the USFS where some of those older piles are on a map.
- The USFS welcomes that input from MMG members and other landowners. MMG members should send information on pile locations to Angela Gee before the USFS has its next interdistrict meeting on prescribed fire and slash pile topics.
- The USFS wants to conduct more broadcast burning because doing so in conjunction with mechanical treatments will result in there being less severe effects on the landscape when wildfires strike. However, the USFS can only allow natural fires to burn if conditions warrant doing so and if there are plans in place to change fire behavior as needed. The USFS can never allow human-caused fires to burn. The USFS will also not allow natural fires to burn in wildland-urban interface (WUI) areas.
- The USFS has the impression that Units 52, 53, and 77 were the top priority units from Markevich's presentation. Those units will be treated during future phases of the project (Phases 5 and 6). The USFS will "groundtruth" the presence of interior forest in Unit 77 and will incorporate its findings into the unit's prescription. The USFS believes that some level of treatment is needed in that unit.

- It was difficult to build prescriptions in Phases 1 and 2 around MMG member concerns because of time constraints. There will be much more lead time for Phases 3, 4, and 5, so there will be more opportunity to incorporate MMG input on a landscape scale for those phases. The three priority units from Markevich's presentation and other priorities could be included in these big-picture conversations. It is extremely helpful for the MMG to identify these priority units now so that there can be a productive discussion the front end of Phases 3, 4, and 5.
- There are concerns about some potentially illegal camping happening on Units 52 and 53.
- The USFS will continue to develop its responses to Markevich's presentation for the November meeting.

## **DISCUSSION OF USFS RESPONSE TO MMG COMMENTS AND REQUESTS**

The group discussed the USFS response to MMG Avenza points and map-based input from previous meetings. The group also discussed what kinds of input would be most useful in future phases and tried to identify instances of past miscommunication that could be improved upon during future phases.

### ***Overview***

- The USFS has developed a 50-page document of detailed responses to this input. Marin Chambers of the CFRI helped to review the document and USFS soil and hydrological specialists helped to answer questions about wildfire.
- The USFS will be able to accommodate some, but not all, of the MMG's inputs in its prescriptions.
- MMG members thanked the USFS for creating this document and stated that they learned something from this exercise that will inform future processes.
- MMG members identified several broad types of USFS responses. Some types of MMG input, such as scat piles, received cursory responses from the USFS. Other input identified features like streams and gullies that the USFS was aware of and for which it had specific instructions from the design criteria. In other cases, the MMG pointed out features (like flammulated owl nests) that the USFS did not know were present. The MMG's goal is to help the USFS follow the Decision Notice, and this input process helps to serve that goal.
- Some MMG members noted that the USFS does not seem to have modified its approach based on MMG input on the social or ecological value of a feature, with some minor exceptions. That type of input is also part of the MMG's role. The Decision Notice makes it clear that the MMG has a charter to provide input on those kinds of values to counterbalance the fact that the Forsythe II Project's stated goals do not include those values. If the USFS excludes those values by referring to official project goals like fire risk mitigation, it violates the purpose for which the MMG was created.
- The USFS approach to Phases 1 and 2 has been mostly acceptable, but there are some areas where MMG members would expect treatments to be modified because of their social or ecological importance. It is not necessary for the USFS to incorporate all MMG input (such as scat points), but some MMG members hope that social and ecological goals will be more carefully considered in at least some locations.

### ***Communication and Future Input***

- There was some agreement that identifying features that the USFS is already aware of may not be the best use of the group's time. It may be most valuable for the MMG to tell the USFS where to deviate from the design criteria rather than identifying actions that the USFS was not going to perform anyways. There was some agreement that the most useful input that

the MMG can provide to the USFS is detailed information about social values. For example, MMG members could describe camping locations, snowshoeing routes, or popular hiking areas rather than simply indicating that there is evidence of a social trail. This approach would allow MMG members to communicate what they value rather than focusing narrowly on Avenza points.

- An example of potential room for improvement in the communication process is Unit 2, where an MMG member marked the importance of the viewshed. The MMG member was referring to the beautiful view of the peaks through the trees, but the USFS thought that the comment was referring to a desire for a clear cut to improve the view of the mountains.
- The USFS acknowledged that some of its responses to features like scat points were repetitive, but in some cases, these answers were in response to map-based input for which there did not seem to be any corresponding written or verbal explanation. Marking scat points is the MMG's only way to identify wildlife, even if those points seem inconsequential. The USFS may not know about the presence of certain animals in certain areas. Additionally, many MMG members live in this area because they enjoy the experience of living among the trees and the animals. The scat points are also a way to compensate for the lack of wildlife data on this project.
- The USFS interpreted the feedback based on the goals and objectives of the Forsythe II Project. The USFS struggled to respond to non-specific comments like "Recreation" or "Social Value." The USFS tried to be conscious of situations where MMG input informed the development of prescriptions or vice versa.
- Some MMG members stated that the input process has helped both parties understand what input could have an impact on prescription decisions and where the input process could be more efficient.
- It was probably worthwhile for MMG members to mark large trees in case they fall within the gray area of cuttable size.

### ***USFS Wildlife and Old-Growth Protocols***

- There is a need to discuss the few areas that matter most to the community. For example, the USFS wildlife biologist stated at a previous meeting that terrain diversity in the west side of Unit 2 and parts of Unit 1 was good for animals. However, clear cutting 80% of that area does not create species diversity. MMG members valued protecting the corridor in that area, and that could have been an opportunity for a healthy conversation rather than merely marking scat points.
- Similarly, some MMG members still do not believe that they have received a clear answer on whether or not the USFS systematically tests for old-growth forest or the presence of flammulated owls. The group can be more efficient with its feedback if it knows that the USFS has the resources to test for these sorts of things. Otherwise, it is useful for the MMG to continue to identify places where it would be useful for the USFS to look for those features.
- The USFS conducts flammulated owl surveys each year and has conducted surveys for flammulated owls and goshawks as part of the Winiger and Forsythe I projects. Some MMG members were unaware of this. The USFS will try to find a report on the flammulated owl surveys to share with the group.
- Occasionally, the USFS finds an area of old-growth forest that has not been identified in the Forest Plan. There are a number of criteria for identifying old-growth forest, and the definition of old-growth forest is somewhat dynamic. One related characteristic not found in the Forest Plan that the USFS may consider further is old-growth ponderosa/savanna habitat.

- The USFS treats small areas of unidentified old-growth forest in some cases. Research suggests that uneven-aged stands are important to the health of older stands. It should also be noted that there are many untreated areas of old-growth forest outside of the treatment units. The USFS considers old-growth forest characteristics for lodgepole pine forest as well, but a lot of the lodgepole pine in the area is homogeneous and has not been disturbed in 100 years.
- It may be worth preserving clumps of rare, older lodgepole to create the most diverse stand conditions possible.
- The USFS is conscious of the need to meet project objectives around basal area reduction and crown openings but knows that there have been comments about animals that use areas of old-growth. The USFS pays particular attention to limited aggregations.
- There is a list of these types of protocols that the USFS must complete in the design criteria. Examples include monitoring raptors and checking for intermittent stream crossings. The USFS is required to adhere to those protocols as part of the design criteria.
- Some MMG members encouraged the USFS to conduct higher-level analysis (perhaps using drone footage) of the aggregated impacts of individual clear cuts rather than just considering them on a case-by-case basis. The Town of Nederland wants a donut-shaped firebreak around the town, but there is evidence from the Winiger and Forsythe I projects that these large clear cuts experience rapid and dense lodgepole regrowth, so they are not true firebreaks.

### Clarifying Questions

MMG members asked questions about the USFS response document. Questions are indicated in italics and are followed by corresponding answers in plain text.

*In response to comments on Unit 1, the USFS said that it generally leaves deadfall on the ground. How much flexibility does the USFS have to drag deadfall (which is waist-high in some areas) into burn piles? Can the USFS take boles as well?*

The USFS usually burns smaller fuel loadings and decides whether to remove boles based on their diameter. The USFS often leaves larger boles to maintain nutrient cycling, especially in clear cuts. Burning large boles with piles can scorch trees, so the USFS focuses on burning smaller boles. In roadside units, people often take a lot of the downed wood for fuel.

*The USFS response to comments on Unit 1 discusses the importance of maintenance for defensible space and says that the USFS will only plant other trees after evaluating artificial regeneration needs. The Decision Notice says that this will be done every 15 years or so. The USFS also said it was not sure that it needed to replant mixed conifer in Unit 1. What does maintenance mean in this context? Does it involve treating shrubs and grass as well as trees?*

That is similar to the purpose of patch cuts in Unit 90. The response does not refer to removing lodgepole regeneration, not slash. In the case of Unit 1, the patch cuts were so small that it would have been cost prohibitive to plant trees in those cuts. In any case, the species composition and slope of that unit will allow seeds to infiltrate those cuts.

*The map of Unit 1 shows a clear cut immediately north of a drainage pipe that directs runoff downslope below Peakview Road. A deep gully lies just north of the scheduled clear cut. Will the USFS reconsider patch cutting near this westernmost gully on in Unit 1? There are concerns about erosion from the road into this gully.*

The USFS is bound by design criteria to leave buffers near drainages.

*MMG members identified mature limber pine and healthy lodgepole pine in Unit 4 outside of the planned patch cuts there. Why is that point now shown on the map as being within the patch cuts? The lines on the map are not perfect because the GPS and Avenza have a margin of error. Those points might be on the edge of the patch cuts.*

*MMG members commented that forest corridors are important for animals in Units 45 and 48. To what extent does the USFS check for conditions that promote animal habitat along forest corridors? Is there a mechanism for considering that systemically?*

These are mixed conifer units, so they are not the lodgepole pine corridors that the MMG and the USFS have discussed in terms of density. The USFS is not taking away these corridors by thinning, but rather is modifying the corridors to historical levels to which wildlife is adapted. A large and continuous corridor of cover may or may not be beneficial to specific wildlife species. For example, mountain lion habitat is more of a polygon than a linear corridor, and a mosaic of treatments is being created in the area. The USFS is still trying to bring basal area and tree density down to historical levels.

### **Group Discussion: Project Process**

Group members had further discussion on the USFS response document and the future of the feedback process. Below are the key themes from their discussion.

- The USFS argument on wildlife corridors is a general one. There are specific areas on the landscape where more can be gained by not disturbing unique features. Again, the MMG has a role in providing feedback on specific ecological and social values that may differ from general project goals. Moving forward, some MMG members requested that the USFS be open to adjusting treatments in areas that are unusually valuable for wildlife. The process should be a give and take with tradeoffs provided somewhere else.
- For future phases, it may be beneficial for MMG members and the USFS to work on getting their top priorities addressed and to address secondary priorities if time allows. Problem-solving in this project will not be easy, but it could produce good results. There are questions about how adaptive management would fit into this approach because some priorities may not become clear until it is too late in the project to address them.
- Some MMG members stated that the USFS is violating the Decision Notice with its approach to aggregations in Unit 1. This is not an issue now because it has not had a larger impact on more units, but it is the MMG's role to keep the USFS in alignment with the Decision Notice, and the aggregations approach could set a negative precedent for USFS treatments in future phases. Time is running out to resolve this issue because the USFS will have to secure contractors to implement treatments soon.
- The USFS has said the rule allowing the USFS to treat up to 30% in a lodgepole unit refers to patch cuts and clear cuts, but not aspen restoration or mixed conifer treatments. The USFS has also said that it can treat up to another 30% in lodgepole units with aggregations of different stand types. A possible compromise on the "30% rule" issue could be for the USFS to include aspen restoration treatments (which are essentially donut-shaped patch cuts) in its accounting of patch cuts and clear cuts in lodgepole units. In return, the MMG could allow mixed-conifer thinning to result in more than 30% of a lodgepole unit being treated.
- There are several possible ways forward on the aggregation issue. The group can continue to discuss it and one party may change their mind about how they understand it, or the issue can be swept under the rug in which case the USFS interpretation will probably win out. Alternatively, the group can move past this debate by working to meet everyone's interests on the landscape-scale. It may be easier to compromise if the group focuses on actual lines on a map rather than the jargon in the Decision Notice. The conversation would still be tied to the Decision Notice but could allow all parties to work more creatively by

focusing on solving each other's problems. The group could try this approach with one unit to see if such a collaborative approach is possible before everyone devotes the next six to eight months to the process in its current form.

- There is still concern about the precedent set by the application of the aggregations rule in Unit 1. One option could be for the MMG to invite USFS lawyers to read the Decision Notice language and see if they agree with the staff interpretation of that language.
- There is concern that the Town of Nederland is trying to unduly influence the USFS. The USFS is trying to incorporate feedback from both the MMG and the Design Advisory Team (DAT), but the Town can only make recommendations to the USFS, just like anyone else involved in this process. It may be helpful for the Town and more local residents to be involved in this process to bring a greater variety of perspectives to the room.
- It is important to establish a formal timeline for providing input on Phases 3 and 4.

#### **NEXT STEPS**

- The USFS and Peak Facilitation will work to bring a more organized plan for the overall MMG process in 2019 to the next meeting on November 19. The MMG will also discuss a plan for closure on the Unit 1 issue at the next meeting. If group members have any other ideas for topics to discuss at the next meeting, they should send them to Peak.
- The December meeting will be on December 5. Meetings will be on the second Wednesday of each month starting in January.
- MMG members are encouraged to visit the marked units listed on the USFS "Master Treatment List."