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Subject: ARO Letter - Middle-Black Ecosystem Management Project ROD - Clearwater
NF - Appeal #03-01-00-0022 - Idaho Fish & Game

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Steven M. Huffaker, on behalf of the Idaho Fish & Game (IDFG), protesting the Middle-Black Ecosystem Management Project Record of Decision (ROD) on the Clearwater National Forest.

The Forest Supervisor's decision adopts Alternative 4, which includes the following actions and management activities: Prescribed fire is planned in timbered stands within the roadless areas, recently acquired lands in the NE corner of the analysis area, and portions of selected shrubfields; shrub cutting will be applied to a majority of the shrubfields (2,130 acres) having tree stocking of 100+ trees/acre; timber harvest will be used to convert about 640 acres of late and mid-successional stages to the early successional stage; control of noxious weeds, using an integrated pest management approach, will be implemented on approximately 2,300 acres along area roads, trails, administrative sites, and within disturbed areas; watershed restoration in the areas of Cold Springs, Coyote Creek, Deception Gulch, Game Creek, Rock Creek, and Spring Hill consists of 71 miles of roads planned for decommissioning either through obliteration or abandonment. In addition to the road decommissioning activities, new culverts able to handle a 100-year storm event will replace existing culverts at 14 stream crossings.

My review was conducted pursuant to, and in accordance with, 36 CFR 215.19 to ensure the analysis and decision is in compliance with applicable laws, regulations, policy, and orders. The appeal record, including the appellant's objections and recommended changes, has been thoroughly reviewed. Although I may not have listed each specific issue, I have considered all the issues raised in the appeal and believe they are adequately addressed below.

The appellant alleges violations of the Clearwater National Forest Plan and the National Environmental Policy Act (NEPA). The appellant requests: (1) implement Alternative 4 immediately; (2) implement treatment areas of Alternative 2 that were not included in Alternative 4 and that are not non-culminated stands in nature; (3) amend the Forest Plan to allow harvest of remaining non-culminated areas that are not included in Alternative 4; (4) initiate further actions on remaining 19 drainages as identified in the BHROWS assessment and fast-track these projects to completion on the ground; and (5) over the next decade, the Clearwater Forest should strive to adopt an annual Forest Service-initiated disturbance target of at least 20,000 acres to begin to move the Forest and the North Fork Clearwater sub-basin into a more natural condition. An informal meeting was held. No resolution was reached on any of the issues.



ISSUE REVIEW

Issue 1. The Forest failed to carry out its commitments in BHROWS and as a Clearwater Elk Habitat Initiative partner in a timely and meaningful manner.

Response: Analysis and implementation of a project the size of Middle-Black requires a reasonable amount of time. While elk concerns of the Clearwater Basin Elk Habitat Initiative (CEI) provided the impetus for the Middle-Black Project, elk are only part of a much larger ecosystem picture. Using the comparisons of existing and historical conditions across the Middle-Black area as a basis, this analysis looked into ways to: (1) allow fire to resume more of its role within the ecosystem, (2) balance distributions of vegetative successional stages, (3) restore western white pine and other seral species, (4) control noxious weeds, and (5) restore watersheds and improve fish habitat (ROD, p. 1.) This is reflected in the Purpose and Need for the project (ROD, pp. 2-6; FEIS, pp. 10-14). It appears that the Forest accomplished the task of completing this analysis within a reasonable amount of time.

The ROD (p. 8) identifies that the decision will be implemented over a 10-year period. This is necessary to minimize the risk of water quality impacts, prescribed fire and/or timber harvest activities. In addition, during this time period, the Forest will conduct heritage resource surveys, prescribe mitigation measures to avoid effects, or cancel individual treatment areas in the case of effects that cannot be mitigated, and complete consultation with the Idaho State Historic Preservation Office (SHPO) and the Nez Perce Tribe prior to approving implementation of individual projects covered under the ROD (p. 34).

Elk was addressed as a management indicator species throughout the analysis as required by the Forest Plan, along with moose, white-tailed deer, pileated woodpecker, pine marten and belted kingfisher.

Issue 2. The Chief's June 7, 2001 letter and the 9th Circuit Court ruling allows harvest in roadless areas to protect those values or improve ecosystem function. We recognize this is a high bar to meet but it is feasible and necessary to restore the analysis area to move toward a more natural condition.

Response: Harvest within roadless areas was an issue addressed through the EIS and in the ROD. The ROD (pp. 20-21) specifically addresses why timber harvest was not authorized in the roadless areas. As stated, Alternative 2, which would use timber harvest in roadless areas, has a negative stumpage value (-\$4,150,000) due to the drop in timber values, plus the high cost of helicopter logging (20 percent of the treatment areas have excessively long flight distances of 2-4 miles). Another consideration was how each alternative addressed the roadless initiative put forth by President Clinton in 1999. Alternative 4 meets the direction of Interim Directive 1920-2001-1, which prohibits road construction and reconstruction activities (including temporary road construction) and timber harvest except for stewardship purposes on inventoried roadless areas. Although the timber harvest proposed in Alternative 2 may meet the exception for stewardship purposes, the Forest Supervisor selected the use of prescribed fire instead of timber harvest based on the analysis presented.

Issue 3. The Forest Supervisor’s decision to implement Alternative 4 fails to adequately restore vegetation successional stages across the analysis area.

Response: The ROD (p. 21) specifically addresses why the selected alternative does not treat more acres. As stated, “It’s true that the underlying watershed assessment for the North Fork concluded that substantial disturbances were necessary to catch up on the backlog created by 60 years of fire suppression as well as to keep up with the normal disturbance rate provided historically by wildfire. While we try to understand the historical fire frequencies in crafting the project, we also realize that previous wildfires produced some serious effects. In designing a project like this we can’t disregard the effects on aquatic ecosystems, for example, that would have occurred in large-scale natural events. Nor can we hope to catch up on a 60-year backlog all at once without substantial and undesirable effects. Based on our watershed and soil stability analysis, we are treating as much area as possible without producing detrimental effects to streams, hydrological processes, and fish.”

Issue 4. The range of alternatives is too narrow to adequately address the purpose and need statement.

Response: An adequate range of alternatives was provided to address the purpose and need. Alternative 2, which used timber harvest as the primary tool, harvested significantly more acres than the selected alternative. Issue #3 addresses why more acres were not treated in the selected alternative.

Issue 5. The Clearwater National Forest has negatively affected the viability of the Clearwater elk population and failed to provide adequate winter or other seasonal habitats to meet IDFG elk objectives in Game Management Unit 10 or to meet Clearwater Forest Plan goals of 19,000 elk.

Response: The FEIS identifies many factors that have negatively effected the elk population, including the series of catastrophic fires in this area in the past, wildfire prevention and control during the past 6 decades, the severe winter of 1996-97, changes in the amount of early seral shrubfields and vegetation, and changes in the elk cover-to-forage. Plant succession has a reduction in the amount of forage available for elk on summer and winter ranges (FEIS, pp 10 and 95-98). The decline in elk population prompted a review of vegetative succession in the sub-basin, which indicated an abnormal abundance of mid-seral and a corresponding lack of early seral vegetation. These elk concerns provided the impetus for the Middle-Black Project. However, as addressed in response to Issue #1, elk are only a part of a much larger ecosystem picture. While this project may not treat the larger number of acres desired by the appellant, it does help to move toward meeting the goals within the Clearwater Forest Plan.

Issue 6. The economic analysis lacks consideration of economic impacts, such as the income to local communities generated by the hunting of elk.

Response: The economic analysis did consider the impacts to local communities related to the hunting of elk. The potential to increase hunter recreation jobs and expenditures is identified in the summary of effects of alternatives in Table 2-1 (FEIS, pp. 52-53). Current use of recreation

facilities by hunters is also addressed in the FEIS (p. 125). The economic analysis mainly focused on those values which could be quantified, such as timber management and other resource management activities (trackable through Forest Service transactions) and recreational hunting, as quantified through Fish and Game license fees and follow-up surveys (FEIS, pp. 245-246).

Issue 7. The analysis ignores and does not implement the 1986 Joint Recommendations to the Clearwater National Forest Plan made by IDFG and the Idaho Forest Industry Council.

Response: The IDFG discussed the 1986 Joint Recommendations to the Clearwater National Forest Plan in their letter (Vol. 17, Doc. 17003, pp. 2-3). In the analysis, the Forest considered an alternative which would treat more acres within roadless which would be consistent with IDFG's recommendation. The analysis did not ignore the recommendations of IDFG and the Idaho Forest Industry Council.

Issue 8. The Middle-Black EIS does not adequately analyze the long-term risk to the Mazama ash layer and subsequent erosion/siltation/productivity effects. Inability of the FS to implement adequate management activities to address increasing fuel loads may lead to wildfires that cause a permanent impairment to the land and aquatic resource.

Response: The FEIS analyzes the long-term risk to the land (Mazama ash layer) and aquatic resource in numerous places. Most discussions occur under the effects analysis (in Chapter Four) for the no action alternative. As summarized in Chapter Two under the soil and erosion productivity issue, "Stand densities are higher than historical levels, species composition has changed, and fuel levels are elevated from historical condition, creating the potential for high intensity wildfires that may precipitate wide-spread erosional events. To reduce the potential for these large-scale erosion events, treatments are being proposed which will restore vegetation to more typical conditions" (FEIS, p. 21). Long term effects are addressed in more detail in the Comparison Summary of Effects table (pp. 51-54) and in the effects discussion for the no action alternative under the soils and erosional processes (pp. 149-150 and 155-157), fire and air quality (pp. 157-162), and water quality (pp. 165-177).

Issue 9. The consequences of inaction was not adequately considered and the Department is disappointed that none of the alternatives presented in the DEIS affect significant acres of mid seral habitats.

Response: The consequences of inaction were adequately addressed in the FEIS in the analysis under the effects discussion for the no action alternative (see response to Issue #8). The effects as related to vegetation are discussed on pages 198-200. Although the IDFG is disappointed that none of the alternatives affect significant acres of mid seral habitats, a reasonable range of alternatives were considered.

Issue 10. Specifics of the Federal Wildland Fire Management Policy and the Clearwater Fire Management Unit Guidebook need to be better described, particularly in the manner that they are expected to affect the Middle-Black area.

Response: Implementation of either Alternative 2 or 4 would increase the ability to manage natural ignitions in areas covered by the Clearwater Fire Management Unit Guidebook, due to the decrease of forest fuels and fire intensities (FEIS, p. 159). Until a natural fire occurs, it is not feasible to analyze where, when, and how many acres of habitat will be disturbed by each alternative. Within the land base covered by the Clearwater Fire Management Unit Guidebook, 515,788 acres would allow for managed natural fire. These acres primarily fall within the North Fork River drainage. More specifically, 123,020 acres would allow for natural managed fire in the Middle-Black analysis area, including virtually all of the Pot Mountain IRA (Response to Comments, FEIS, pp. 263-265).

Issue 11. Monitoring is inadequate, particularly under a “no action or minimal action” approach to management of the Middle-Black area.

Response: Monitoring activities common to all action alternatives are identified in the FEIS (pp. 47-49) and ROD (pp. 15-16). The Forest Plan (p. IV-8-16) identifies other monitoring activities required on the Clearwater National Forest, which are documented in annual monitoring reports on the Forest. Additional monitoring requirements are not necessary for the scope of this project. However, I encourage the IDFG to coordinate with the Clearwater National Forest on possible monitoring needs to implement as funds become available. I also encourage the IDFG to be involved in identifying future monitoring needs for the Forest Plan revision process.

RECOMMENDATION

I have reviewed the record for each of the contentions addressed above and have found that the analysis and decision adequately address the issues raised by the appellant. I recommend the Forest Supervisor’s decision be affirmed and the appellant’s requested relief be denied.

/s/ Thomas Pettigrew, Jr.
THOMAS PETTIGREW, JR.
Appeal Reviewing Officer
Director of Engineering