



United States
Department of
Agriculture

Forest
Service

Region 1

200 East Broadway
P. O. Box 7669
Missoula, MT 59807

File Code: 1570 (215)
Route To:

Date: May 14, 1998

Subject: Wood Creek Helicopter Salvage Timber Sale, Appeal #98-01-00-0037
Butte Ranger District, Beaverhead-Deerlodge National Forests

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Sara Jane Johnson on behalf of the Native Ecosystem Council protesting the Butte District Ranger's Decision Memo (DM) for the Wood Creek Helicopter Salvage Timber Sale on the Beaverhead-Deerlodge National Forests.

The Butte District Ranger's DM proposes a salvage logging project to remove between 600 and 850 MBF of windthrown trees on 60 to 65 acres, using a helicopter. No new roads are proposed.

My review was conducted pursuant to, and in accordance with, 36 CFR 215.19 to ensure the analysis and decision are in compliance with applicable laws, regulations, policy, and orders. The appeal record, including the Appellants' objections and recommended changes, has been thoroughly reviewed.

FINDINGS

My recommendation is based upon the following evaluation:

Clarity of the Decision and Rationale

The decision document is well organized and states the decision early in the document. However, the relationship between the Highlands Helicopter project and the Wood Creek Helicopter project could have been explained more clearly. Discussion of Streamside Management Zone protection could have been strengthened by acknowledging the District's work with the Montana Department of State Lands. The aerial photograph used as a project map is difficult to read, does not identify the proposed units specifically and does not match the map in the scoping notice.

Purpose of the Proposal and Comprehension of Benefits

The Purpose and Need is clearly stated, pertains to the specific conditions in the windthrow areas, and is related to the Forest Plan through discussion of the Management Areas.

Consistency with Policy, Direction, and Supporting Information

The project is consistent with Forest Plan goals and direction. Although not required in a categorical exclusion, explanation of the consequences of a no-action alternative would strengthen the need for the action.

Effectiveness of Public Participation Activities and Use of Comments

A clear effort was made to involve the public through scoping and public comment, with sufficient comment period. Responses to comments were well thought out and positive in nature. It could have been clearer how comments were used in the decision.

Appeal Review Findings

The Appellants allege violations of the National Environmental Policy Act (NEPA) and the National Forest Management Act (NFMA). They request a full remand of the DM to implement this project along with the development of a new design for this project.

Objection: The Forest has violated the Forest Plan by proposing timber harvest in unsuitable land without providing evidence that it will "diversify habitat and maintain or enhance big game spring, summer and fall habitat."

Response: The Appellants' primary contention is related to the proposal of harvesting the blowdown timber in Management Area C3 which is classified as unsuitable for timber harvest but allows harvest if it will diversify wildlife habitat or maintain or enhance big game habitat. The Appellants state the Forest has not provided adequate information on the benefits to wildlife, effects on elk vulnerability and hiding cover. In the review of the appeal issue, the DM and the project file, I have found the Forest has adequately shown the harvest of blown down timber will maintain or enhance wildlife habitat. The responses to public comment (February 1998) in the project file have explained the effects on big game, and that currently the heavy downfall makes the area unsuitable for big game access and mobility. No change in elk cover or vulnerability is expected, since the area is not serving as cover under the existing conditions. I have concluded the proposed project is in compliance with the Forest Plan and NFMA.

RECOMMENDATION

I recommend the Butte District Ranger's decision be affirmed and the Appellants' requested relief be denied.

/s/ Maureen McBrien

MAUREEN MCBRIEN
Appeal Reviewing Officer
Deputy Director, Recreation, Minerals, Lands, Heritage and Wilderness