



United States
Department of
Agriculture

Forest
Service

Region One

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Subject: ARO Letter - Wagner Gulch Salvage TS DN - Appeal #02-01-00-0003 -
Clearwater NF

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Gary Macfarlane on behalf of Friends of the Clearwater, Alliance for the Wild Rockies, The Ecology Center, The Lands Council, and American Wildlands protesting the Wagner Gulch Salvage Timber Sale Decision Notice (DN) on the Clearwater National Forest.

The Forest Supervisor's decision adopts a modified Alternative D, which allows for 408 acres of timber harvest, 217 acres of prescribed burning, 3.9 miles of road obliteration, 15 miles of road reconditioning, 8 miles of road closures, 217 acres of reforestation, and a Forest Plan Amendment to upgrade the standards for the Palouse River.

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. 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 appellants allege violations of the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA), and the Clean Water Act. They request the Regional Forester rescind the part of the decision that approves logging and road building. The appellants declined an informal meeting with the Forest.

ISSUE REVIEW

Issue 1. The Forest has failed to conduct Forest Plan mandated monitoring of fisheries, TES species, and various other resources, and the Forest has failed to maintain sufficient old growth habitat to meet the Forest Plan standard in violation of NEPA and NFMA.

Response: Plan implementation monitoring as required by the Forest Plan is conducted at the Forest-wide level, and is not required to be done on every project. The monitoring requirements are found in the Land and Resource Management Plan (Table IV-1, pp. IV-12 to 14). As required by the Plan, the Forest is conducting this monitoring, and they are reporting the results of the Forest Plan monitoring yearly in the Clearwater National Forest Monitoring and Evaluation Report. The project file contains the most recent report (PF, Vol. V, Doc. 188), which indicates the Forest is conducting the Forest Plan mandated monitoring on fisheries, TES species, and all other resources required in the Forest Plan.



There is no Forest Plan requirement to monitor old growth; however, there is a Forest Plan standard to maintain at least 10 percent of the forest in old-growth habitat and at least 5 percent of each 10,000-acre watershed or timber compartment in old-growth habitat (Forest Plan, p. II-23). Old growth Compartment 5, of which the Wagner Gulch Salvage Project is a part, has 12.5 percent of the compartment designated as old growth management [Environmental Assessment (EA), p. II-5; PF, Vol. VI, Doc. 119, p. III-31; and PF, Vol. VI, Doc. 120, p. DN-6]. Since the Wagner Gulch Salvage project will not be harvesting old growth or replacement old growth (DN, p. 11), this project will have no effect on the existing level of old growth in the compartment or Forest-wide. The project and the Forest Plan monitoring are in compliance with NEPA and NFMA.

Issue 2. Due to the lack of information and uncertainties whether more landslides could occur in the area from logging and road building, the EA and DN do not meet NEPA's requirements for informed decision-making.

Response: The EA does not lack for information on landslides. The ID team conducted a field review of those harvest units where there was a concern for landslides (PF, Vol. V, Doc. 103). Based on McClelland, et al. (1997), the team assessed these areas for five factors that account for the landslide hazard: elevation, aspect, landform, slope steepness, and parent material (EA, pp. III-59 to 64). Based on these five factors, the team made recommendations on how to manage each unit.

The term 'hazard' indicates some source of danger, whereas the term 'risk' assigns a probability to that danger (EA, p. III-60). The appellant claims that since probabilities were not assigned this indicates a great uncertainty as the effectiveness of the mitigation measure of retaining more trees in order to lower the landslide risk. Instead of assigning an arbitrary probability of a landslide, which is triggered by an unpredictable weather event (McClelland, et al., 1997), the Forest soils scientist reviewed those units with several high-hazard factors and made concrete recommendations that would minimize the risk of landslides.

McClelland, et al. (1997), found road building was the single most important land use factor to explain the occurrence of landslides on the Clearwater National Forest during the winter of 1995-1996. Fifty-eight percent of the landslides were associated with roads. Natural occurring phenomenon was second with 28 percent. Third was timber harvest, with 12 percent of the landslides found in association with them. The report also identified road obliteration programs to be effective in reducing the risk of landslides. The Wagner Gulch Salvage Project will build no new roads, has identified high-hazard areas and modified the harvest units to avoid them or only partially harvest them, and will obliterate 3.9 miles of road. In this way the project will lower the risk of future landslides in the area (EA, p. III-64; DN, p. DN-22).

The DN discusses the landslide hazard (pp. DN-21 to 22), and states the road obliteration will reduce the landslide risk (p. DN-31). It incorporates the soil scientist's recommendations in order to reduce the risk of landslides (pp. DN-10 to 11). It is clear the Deciding Official made an informed decision concerning the risk of landslides and modified the project based, in part, on

this information. The project is in compliance with NEPA requirements for informed decision-making.

Issue 3. WATBAL does not take into account mass wasting or landslide events. Given the problems with WATBAL, the conclusion that no measurable sediment would occur from any of the action alternatives is deceptive.

Response: The WATBAL model was never intended to model episodic events such as landslides and storms. Landslide risk is addressed separately within the EA (pp. III-59 to 64). Although WATBAL cannot predict individual storm events and landslides, sediment derived from landslides and debris flows is modeled in WATBAL. The program is based on long-term measured averages, and its outputs are reported in long-term averages. The program was calibrated and validated on 3-year running annual mean sediment information, and long-term discharge annual averages (see WATBAL User's Guide). WATBAL was calibrated with extensive data derived on the Clearwater National Forest and adjoining Forests, and included the sediment from various mass wasting and landslide events.

As with any model, WATBAL has its limitations. It is one of several tools used by the professional hydrologist to understand the watershed condition. The use of WATBAL and the model's outputs are not deceptive. The information is used to weigh each alternative against the others (EA, pp. III-71 to 81). This is the appropriate use of the WATBAL model.

RECOMMENDATION

I recommend the Forest Supervisor's decision be affirmed and the appellants' requested relief be denied.

/s/ Eric P. Johnston
ERIC P. JOHNSTON
Reviewing Officer
Deputy Director of Watershed, Wildlife, Fisheries and Rare Plants