



File Code: 1570-1

Date: August 9, 2006

Route To: (1570 - 215)

Subject: 215 - ARO Letter - Skalkaho Beetle Salvage DM - Bitterroot NF - Appeal #06-01-00-0052 - WildWest Institute, et al.

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Jeff Juel on behalf of the WildWest Institute and Alliance for the Wild Rockies protesting the Skalkaho Beetle Salvage Decision Memo (DM) on the Bitterroot National Forest (Darby Ranger District).

The District Ranger's decision authorizes the salvage of dead and dying Douglas-fir trees using helicopter logging systems on 222 acres and the approval of two additional helicopter log landings.

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 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.

This project decision was made using categories of action that can be excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) as listed in Forest Service Handbook 1909.15, Chapter 30, Section 31.2. As a result, my appeal review will be focused on the use of the category, the review of extraordinary circumstances, and the project's consistency with the Forest Plan and applicable laws and regulations. I have reviewed the appeal and make the following findings:

1. The proposed action complies with Chapter 30 of the NEPA Handbook and is excluded from further analysis and documentation in an EIS or EA. The project makes appropriate use of Section 31.2, Category 13 which "...allows the salvage of dead and/or dying trees not to exceed 250 acres with no more than ½ mile of temporary road construction." The appellants did not allege that the project failed to meet the criteria of Category 13. As disclosed in the Decision Memo (DM, p. 1), the Skalkaho Project will harvest dead and dying Douglas-fir from 4 units totaling 222 acres. The project is consistent with Category 13 because it will not exceed the acreage limitation, and no temporary road construction will occur. The project also makes appropriate use of Section 31.2, Category 5, which permits, "Regeneration of an area to native tree species, including site preparation which does not involve the use of herbicides or result in vegetation type conversion." The appellants did not allege the project failed to meet the criteria of Category 13 or 5.

2. The resource specialists on the interdisciplinary team reviewed the proposed action for potential effects on resource conditions and the presence of extraordinary circumstances.



The mere presence of one or more resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. The appellants did not raise any comments regarding extraordinary circumstances, nor did they allege in their appeal that there were any extraordinary circumstances that warranted further analysis and documentation as per FSH 1909.15, 30.3.

- By definition, categorical exclusions do not individually or cumulatively have significant effects on the human environment (40 CFR 1508.4). The project file provides consistent documentation that the specialists considered cumulative effects prior to determining that there are no extraordinary circumstances related to the proposed action.
- The Biological Assessment (PF, Binder #1, Specialist Report – Wildlife, pp. 64-77), Biological Evaluation (PF, Binder #1, Specialist Report – Wildlife, pp. 64-77), and the Specialist’s Report – Botany (PF, Binder #1, p. 26) appropriately document effects to federally-listed threatened and endangered species, and sensitive species. These analyses indicate that there are no extraordinary circumstances related to threatened, endangered, or sensitive species as a result of the proposed action.
- The potential impacts to soils from helicopter logging operations were determined to not be extraordinary (PF, Binder #2, Soils, pp. 54-61).

I find the Forest has adequately documented the potential effects of the proposed action and that no extraordinary circumstances exist.

3. The project file shows the project is consistent with the Forest Plan and applicable laws and regulations:

- The Skalkaho project meets Forest Plan standards for old growth because it would not reduce existing old growth habitat (PF, Binder #1, Resource Specialist’s Categorical Exclusion Review – Wildlife, p. 83).
- The project meets Forest-wide snag standards because, where safety permits, numerous snags (4 to 10 of the largest snags per acre) would be left in the units, and abundant snag habitat would remain within the Skalkaho Creek drainage and other nearby drainages to ensure viability of snag-dependent species at the Forest scale (DM, p. 8, No. 8; PF, Binder #1, Resource Specialist’s Categorical Exclusion Review – Wildlife, p. 78).
- No previous commercial harvest operations have occurred within the proposed units. Soil resource impacts associated with the harvest/yarding as proposed will be well within the allowed thresholds and limits. The project is consistent with the protection of soil resources and maintenance of long term soil productivity (PF, Binder #2, Soils, pp. 54-61).

RECOMMENDATION

I have reviewed the record and have found that the decisions and analyses are adequately and appropriately documented in the DM and project file. I recommend the District Ranger's decision be affirmed and the appellants' requested relief be denied.

/s/ Paul Bradford
PAUL BRADFORD
Appeal Reviewing Officer