



File Code: 1570-1

Date: May 18, 2006

Route To: (1570 - 215)

Subject: 215 - ARO Letter - Chief Joseph Nordic Ski Trail Hazard Tree Salvage DM - Beaverhead-Deerlodge, Bitterroot, and Salmon-Challis NFs - #06-01-00-0033 - Kent Roche

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Kent Roche protesting the Chief Joseph Nordic Ski Trail Hazard Salvage Decision Memo (DM) on the Beaverhead-Deerlodge, Bitterroot, and Salmon-Challis National Forests (Wisdom, Sula, and North Fork Ranger Districts).

The District Rangers' decision authorizes the salvage of approximately 800 trees felled during the fall of 2004, and the harvest of approximately 20 additional live trees which were missed during the 2004 operation.

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.

This project decision was made using a category 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 12, which permits "Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction."

The DM dated February 6, 2006, (Doc. 8, p. 1) states under DECISION, "We have decided to salvage trees felled in the fall of 2004 on the Chief Joseph Nordic trail system. These trees were taken down to reduce hazards to skiers and groomers on the groomed nordic ski trails. Approximately 20 trees that were marked as hazards and missed during the 2004 operation will also be removed."

- The project is consistent with the category, as it will involve operations to remove both live and dead trees on less than 70 acres, and there is no temporary road construction.



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 appellant did not raise any comments regarding extraordinary circumstances, nor did he allege in his appeal that there were any extraordinary circumstances that warranted further analysis and documentation as per FSH 1909.15, 30.3. 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.

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 Rangers' decision be affirmed and the appellant's requested relief be denied.

/s/ Steve Williams
STEVE WILLIAMS
Appeal Reviewing Officer