United States Department of Agriculture

Forest Service

Region 1

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

File Code: 1570 (215)

Date: October 27, 1998

Route To:

Subject: East Face of the Pioneers Ecosystem Management Project DN, Appeal #98-01-00-0128

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by John Talberth (signed by Bryan Bird) on behalf of Forest Guardians and Forest Conservation Council protesting the East Face Ecosystem Management Project Decision Notice (DN) signed by the Dillon Acting District Ranger (Beaverhead-Deerlodge National Forests).

The District Ranger's decision adopts Alternative A, modified, to do ecosystem restoration by removing invading conifer populations.

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:

Appeal Review Findings

The Appellants allege violations of the National Environmental Policy Act (NEPA), the National Forest Management Act, and Renewable Resources Planning Act (RPA). The Appellants request the decision be canceled, the project postponed until a national economic assessment is completed for the "national forest system logging program," and an EIS is prepared as well. A telephone call was made to the appellants offering to meet for informal resolution. The meeting was declined.

Objection 1: The East Face of the Pioneers Ecosystem Management Project fails to follow Forest Service Manual and Forest Service Handbook guidance for Economic and Social Analysis.

Response: Economic concerns were identified and analyzed in the IDT process, and considered by the District Ranger. The decision to approve the selected alternative was based, in part, on its ability to meet the goals, standards and objectives of the Beaverhead and Deerlodge National Forest Plans, and responsiveness to the purpose and need.

Objection 2: The East Face of the Pioneers Ecosystem Management Project fails to meet NFMA and RPA requirements regarding management of Forest Service lands for the highest public net benefits.

Response: This objection refers to regional or forest-wide economic analysis, which is not within the scope of this decision.

Objection 3: The East Face of the Pioneers Ecosystem Management Project cannot proceed until the Forest Service completes an environmental impact statement on the national forest system logging program as a whole.

Response: NEPA does not envision a multi-layered assessment of all agency policies and programs that have a significant effect on the environment. NEPA's purpose is not to generate paper---even excellent paperwork---but to foster excellent action (40 CFR 1500.1).

NEPA analysis for timber sales is undertaken at the programmatic level in NFMA forest plans and at the site-specific level in project NEPA documents. Ohio Forestry Association v. Sierra Club (1998). There is no "national forest system logging program," at least not in the sense recognized as an identifiable agency action for the purposes of NEPA. Lujan v. National Wildlife Federation (1990). Thus, a third level of NEPA analysis is not needed.

RECOMMENDATION

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

/s/ J. Doug Glevanik

J. DOUG GLEVANIK
Reviewing Officer