



The District Ranger sent a certified letter to the appellants offering to meet on or before June 30, 1998, to discuss the appeal. No response was received from the appellants.

**Objection 1. Violates NFMA by using project specific Forest Plan Amendment to circumvent FP Standards.**

Response: Site-specific Forest Plan amendments are allowed based on an analysis of the objectives, guidelines, and other contents of the Forest Plan (36 CFR 219.10). If the change resulting from the amendment is determined not to be significant for the purposes of the planning process, the Forest Supervisor may implement the amendment following appropriate public notification and satisfactory completion of NEPA procedures (36 CFR 219.10). The Kootenai National Forest followed the appropriate procedure for amending the Forest Plan. Amending the Forest Plan does not "circumvent" standards as alleged by the Appellant, instead it updates the Plan to reflect current conditions. In this case, the Forest determined that in order to meet the long-term goals of the Forest Plan, these standards need to be amended. I find the Forest has used an appropriate procedure for amending the Forest Plan.

**Objection 2. Fails to provide cumulative effects analysis, with clearly foreseeable future actions planned.**

Response: The documentation of a cumulative effects analysis is not required if the proposed action meets certain criteria [FSH 1909.15(30.3(1))]. Scoping resulted in the indication that there were no significant effects on extraordinary circumstances as listed in FSH 1909.15[30.3(2)]. All actions in this decision have been mitigated through design criteria to prevent an adverse effect on the environment. The Appellants express concerns about project-specific amendments and cumulative effects. The Forest considered other projects and amendments that have and are occurring in the area. Only 5 percent of the compartment is affected at this time (DM, p. 8). Cumulative effects were considered in the analysis as documented in the Project File.

**Objection 3. Incorrect use of a Categorical Exclusion (CE) in presence of extraordinary circumstances.**

Response: Extraordinary circumstances are based on the significance of effects. The analysis determined that the Forest Plan amendment was not a significant amendment, therefore not considered an extraordinary circumstance. Pages 5 and 6 of the Decision Memo document the test for extraordinary circumstances and conclude there is not an adverse effect on extraordinary circumstances. The Forest has appropriately used a CE.

**RECOMMENDATION**

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

/s/ Thomas Pettigrew, Jr.

THOMAS PETTIGREW, JR.  
Reviewing Officer