

United States Forest R-1
Department of Service
Agriculture

Reply To: 1570 (215)

Date: September 25, 1997

Subject: Flume Creek Timber Sale Proposal
Appeal #97-01-00-0095, Beaverhead-Deerlodge NF

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Sara Jane Johnson on behalf of Native Ecosystems Council protesting the Wise River District Ranger's Decision Notice (DN) for the Flume Creek Timber Sale Proposal on the Beaverhead-Deerlodge National Forests.

The District Ranger's decision implements Alternative 4 which will harvest timber on 142 acres and burn sagebrush and grasslands on 161 acres. Harvest will be accomplished by thinning and selection cutting. No new, permanent roads will be constructed. Approximately .75 miles of temporary road may be constructed and will be obliterated following harvest activities. Road 8251 will be reconditioned.

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.

APPEAL SUMMARY

The Appellants allege violations of Forest Plan standards and direction, the National Forest Management Act, the National Environmental Policy Act, and the Multiple Use Sustained Yield Act.

The Appellants request the decision be remanded. If the project is pursued, the Appellants request the following issues be addressed: (1) amend the Forest Plan, (2) demonstrate why burning is consistent with Forest Plan projections for this area, (3) evaluate the economic benefits, (4) provide information on why logging will not reduce hiding cover, (5) identify how wildlife will be managed, (6) identify how elk security will be designed, (7) define old growth management, and (8) define what monitoring will be completed.

An informal meeting was held on August 18, but no resolution was reached. No interested party comments were received.

FINDINGS

My recommendation is based upon the following evaluation:

Clarity

The decision is concisely described up front in the document, and key points are referenced throughout the DN. It is clear that the decision will move vegetation closer to the historic landscape composition. It would have been helpful to more clearly define the situation in terms of natural range of variation, existing condition and desired condition. Mitigation and design criteria are clearly stated in the DN, and all activities will be designed to prevent erosion and sediment delivery to area streams.

The maps provided in the DN/EA are adequate.

I conclude the decision is clear and adequately written.

Purpose of the Proposal and Comprehension of Benefits

The purpose and need are concisely stated. However, the DN would have been clearer if it had provided the scope of the area reviewed for this project.

The DN briefly describes the relationship between the purpose and need and the Forest Plan, and the EA more thoroughly discloses how the project will move toward the desired condition.

The decision criteria used to frame the rationale are identified as reasons for the decision and included information provided by the public as well as analysis of the issues, and meeting to some degree, all of the purpose and need. The source and rationale for the decision are disclosed.

Consequences of the no-action alternative are not clearly stated in the DN, but the benefits of the selected alternative are stated in terms of the purpose and need and are compared to the no-action alternative. It is clear why one alternative was chosen. The reasons are given for considering some alternatives but not giving them detailed review. The decision documentation explains how the selected alternative responds to public comment.

I conclude the decision demonstrates and supports the need for the proposed action.

Consistency With Policy, Direction, and Supporting Information

The project is consistent with Forest Plan goals, objectives, and standards, as well as the goals and standards for Management Areas 1 and 16.

Ecosystem management principles are used in developing the purpose and need and design of the project. The selected alternative will move the area toward the management objectives for the Management Areas, and meets the purpose and need for the project.

The Finding of No Significant Impact (FONSI) adequately explains the determination of no significance in both context and intensity using information in the EA and project file. Required mitigation measures for the project are attached to the DN, and monitoring and area improvement opportunities are cited in the EA. The project file supports the FONSI.

I conclude the action is consistent with all legal and regulatory requirements, as well as Forest Service Policy.

Effectiveness of Public Participation Activities and Use of Comments

A public involvement plan was used, and public participation was well organized with documentation of accomplishment at several stages throughout the process.

The public was notified of the proposal and provided with progress updates through use of the quarterly proposal list, legal ads, letters to interested parties, a public meeting, and a meeting with adjacent landowners. The Montana Department of Fish, Wildlife, and Parks; the Montana Department of Health and Environmental Sciences; and the Confederated Salish and Kootenai Tribes were contacted.

Public comments were used in issue identification and alternative development. Features of the selected alternative include mitigation measures and improvement opportunities which reflect the use of public concerns and comments. The District Ranger clearly used public comments and concerns in making the decision. The alternative selected is different than the alternative identified as preferred, based in part on public concerns.

I conclude public participation efforts were appropriate in scope and responsive to the public.

RECOMMENDATION

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

/s/ John T. Drake

JOHN T. DRAKE
Appeal Reviewing Officer
Director, Recreation, Minerals, Lands, Heritage and Wilderness