



United States
Department of
Agriculture

Forest
Service

Region 1

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File Code: 1570 (215)
Route To:

Date: December 19, 1997

Subject: Dworshak Blowdown Salvage Project, Appeal #98-01-00-0014
Clearwater National Forest

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Gary Macfarlane on behalf of The Ecology Center, Inland Empire Public Lands Council, Clearwater Biodiversity Project, Idaho Conservation League, Friends of the Clearwater, and Alliance for the Wild Rockies protesting the Clearwater National Forest Supervisor's Decision Notice (DN) for the Dworshak Blowdown Salvage Project.

The Forest Supervisor's decision adopts Alternative 2. This decision will implement salvage harvest of approximately 3 MMBF of timber from about 328 acres. Timber will be yarded primarily with a helicopter or skyline system.

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:

Clarity of the Decision and Rationale

The DN is clear but could have been improved by better formatting. A more thorough discussion of the purpose and need and monitoring would have improved the decision's clarity.

Purpose of the Proposal and Comprehension of Benefits

The description of the proposed action is clear in the Environmental Assessment (EA), but is weak in the DN. The ties between the purpose and need and the Forest Plan could have been stronger. Within the DN, it is not clear whether the no-action alternative would meet the purpose and need. The rationale for selecting Alternative 2 are clear and are compared to the no-action alternative.

Consistency with Policy, Direction, and Supporting Information

Ecosystem management principles are demonstrated through project design and issues used to develop alternatives. Supporting documentation discloses how the selected alternative meets the purpose and need. The determination and rationale for the Finding of No Significant Impact are very clear, well stated, and explained in terms of context and intensity.



Effectiveness of Public Participation Activities and Use of Comments

The disclosure of how public comment was used in identifying issues and alternatives to the proposed action is difficult to understand. Issues related to the roadless resource could have been more clearly explained by dealing more directly with the question of whether a roadless area was or was not affected by this action. The Forest Supervisor did a good job of responding to comments received on the EA.

Appeal Review Findings

The Appellants allege violations of the National Environmental Policy Act (NEPA) and request the decision be remanded and an Environmental Impact Statement (EIS) be completed if the project goes forward. No informal meeting was held, and no interested party comments were received.

Objection 1: Whether the Forest Service has violated NEPA by failing to consider cumulative impacts to roadless resources, water quality, fisheries, soils, wildlife, and biodiversity.

Response: Impacts to the roadless resource were considered in relation to its natural integrity, naturalness, remoteness, opportunity for solitude, and special features that currently exist in the area; and these conditions would remain unchanged (EA, p. I-4). Since Forest Plan Standards for elk security habitat and old growth are currently being met and the scope of this project is small (removal of wind-damaged timber, no harvest in old growth stands, and no road construction or changes in road access), these issues were dismissed from further consideration (EA, p. I-3).

Water quality, fisheries, soil, wildlife and biodiversity were analyzed in relation to past, present and future activities (EA, pp. III-2-7). Input to the analysis was provided by specialists in soil science, wildlife, silviculture, hydrology, and fisheries (EA, III-8).

I conclude the cumulative effects analysis completed for this project is adequate.

Objection 2: Whether the Forest Service violated NEPA by failing to analyze an adequate range of alternatives.

Response: The Forest Supervisor considered seven alternatives and brought two forward (DN, p. 6). Mitigation measures to reduce potential adverse impacts were designed into the project; therefore, two alternatives are adequate.

I conclude the Forest Supervisor considered an adequate range of alternatives.

Objection 3: Whether the proposed harvest in a roadless area violates NEPA and Forest Service policy and whether an EIS should be prepared.

Response: A portion of the proposed action is located in the Mallard-Larkins Roadless Area that was inventoried as a roadless area in the Forest Plan. The harvest units are located within an area which was extensively roaded during previous timber harvest. The area affected by the project no longer meets the criteria for a roadless area. It is clear there will be no effects to the undeveloped character of the roadless area because this portion of the roadless area has been developed in the past.

I conclude the proposal is consistent with NEPA and Forest Service Policy established in Forest Service Handbook 1909.15, Chapter 26, item 3, and an EIS is not necessary.

Objection 4: Whether the decision violates the Forest Plan lawsuit settlement agreement concerning sediment.

Response: The EA, on page III-6, discloses there would be no measurable increase in sediment as a result of implementing Alternative 2.

I conclude the EA has adequately responded to this objection.

Objection 5: Whether Forest Plan Scenic Quality Objectives are being met by the project.

Response: The EA, page I-4, and document 79 of the project file disclose there will be no effect to the scenic character or existing landscape character of the North Fork of the Clearwater by implementation of this project.

I conclude Forest Plan Scenic Quality Objectives will be met.

The appeal record was reviewed with respect to the Appellants' objections, and I conclude the analysis and documentation are adequate and cover the objections raised.

However, based on my review, I do have one concern with the ability to implement this decision. The Forest Supervisor proposes the option to allow a rubber-tired skidder or tractor to cross Salmon Creek over a log and rock debris jam to "pre-bunch" logs for the helicopter yarding. To exercise this option, the Forest Supervisor has outlined several conditions, including on-site inspection by fisheries biologists and hydrologists to determine the stability of the jam and to evaluate the potential for sedimentation. Although these conditions are relatively straight forward, I believe they would be difficult to describe in a contract and to administer. My concern is based on: (1) the ability to represent these requirements in a contract and protect government interests, particularly with regard to potential liability; (2) the ability of potential bidders to reflect these requirements in their bids; and (3) creation of a difficult, if not impossible situation, for those administering the contract.

RECOMMENDATION

I recommend the Forest Supervisor's decision be affirmed and the Appellants' requested relief be denied. I also recommend the Forest Supervisor be instructed to ensure project implementation will not allow equipment to cross the debris jam on Salmon Creek to facilitate helicopter yarding.

/s/ Stephen J. Solem

STEPHEN J. SOLEM
Reviewing Officer