United States Department of Agriculture | Forest Service | R-1

Reply To: 1570 (215) Date: April 16, 1997

Subject: Fish Bate Salvage Timber Sale, Appeal #97-01-00-0039
Clearwater National Forest

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Jeff Juel on behalf of The Ecology Center, Clearwater Forest Watch Coalition, 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 Record of Decision (ROD) for the Fish Bate Salvage Timber Sale and Forest Plan Amendment 15.

The Forest Supervisor's decision adopts Alternative 7 (modified) implementing harvest of an estimated 14.9 MMBF of sawlogs from 2,257 acres using helicopter and skyline yarding methods. Also, 12.7 MMBF of pulp volume is available for harvest. Two helicopter landings will be constructed, 0.2 miles of new road will be constructed, and 0.6 miles of existing road will be reconstructed. Approximately 10 miles of road will be rehabilitated. Additional road restrictions described in the Final Environmental Impact Statement (EIS) will not be implemented. Approximately 1,256 acres will be scheduled for prescribed burning, and 2,089 acres will require fuel treatment of large, dead white pine. Also two site-specific Forest Plan Amendments will be implemented. Amendment 14 will establish a water quality objective for Bates Creek, and Amendment 15 will change the designations of Sheep, Sneak, Fish, Owl, Martin and Bates Creeks from priority to non-priority categories.

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 the Forest Plan, the National Forest Management Act, the National Environmental Policy Act, the Endangered Species Act, the Forest Service Manual, Forest Service policy, and the Wilderness vs. Robertson litigation settlement.

The Appellants request a full remand of the ROD including Amendment 15 and that all identified deficiencies and violations of law, regulation and Forest Service policy be corrected before this project and the Forest Plan amendment go forward.

An Informal Meeting was held, but no resolution was reached. Interested Party comments were received from the Resource Organization on Timber Supply.

FINDINGS

My recommendation is based upon the following evaluation:
Clarity of the Decision and Rationale

The ROD is clearly written, easily understood, and contains all pertinent facts or references. The proposed action is clearly described, and mitigation and design requirements are concisely identified. The ROD did a good job of explaining how the rationale was framed by the purpose and need criteria which

were derived from the desired conditions of the Forest Plan. The rationale also incorporated findings from the Interior Columbia Basin Ecosystem Management Project.

The selected alternative was modified based on issues raised by the public, and is consistent with and will accomplish the purpose and need for the project. Six other alternatives were analyzed in detail and were compared to the selected alternative.

Although the maps are legible, system roads are difficult to distinguish from streams. An intermediate scale map would have helped identify location and specifics of the project area.

I conclude the decision criteria and rationale are well stated, and the ROD is clear and supportable.

Comprehension of the Benefits and Purpose of the Proposal

The purpose and need are consistent with desired conditions developed from Forest Plan goals and direction. The ROD clearly depicts how the purpose and need are tied to the Forest Plan.

It is apparent from the documentation why action must be taken. Large volumes of western white pine, infected with pine blister rust, do not meet the desired conditions indicated in the Forest Plan. The Responsible Official did an excellent job of disclosing the consequences of taking no action and considering the consequences throughout the analysis and in the Environmental Impact Statement (EIS).

I find the decision documentation demonstrates and supports the need for, and benefits of, the proposed action.

Consistency of the Decision with Policy, Direction, and Supporting Information

It is apparent that ecosystem management principles are incorporated in the project design. Implementation will reduce the risk of large fires and improve forest health.

The proposal is consistent with Agency policy and direction and "Forest Service Ethics and Course to the Future." The EIS documents Forest Plan management area information indicating the project is also consistent with Forest Plan goals and direction. Two amendments were instituted to move the project toward the desired conditions described in the Forest Plan.

The decision documentation supports the need for modifying the selected alternative.

I conclude the proposal is consistent with all legal and regulatory requirements as well as Forest Service policy.

Effectiveness of Public Participation Activities and Use of Comments

No formal public involvement plan was used. However, public involvement methods were sufficient, and the Responsible Official clearly identified the objectives for each activity. The public was provided ample opportunity to give input, and Tribal agencies were consulted.

Issues were identified through scoping using the content analysis process. The Responsible Official did a good job of linking comments to issues using a tracking table. Issues were not verified with the commentors, but comments were evaluated and fully responded to in a positive tone. The Responsible Official acknowledged the use of comments in making his decision.

One alternative was added and the selected alternative was modified in response to public comments. The range of alternatives reflects public input.

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

Requested Changes and Objections of the Appellant and Interested Party Comments

The appeal is clearly written and reflects a knowledge of local and site-specific conditions. The Appellants' reasons for requesting changes are clearly expressed, though reasoning is based on different perspectives on interpretation of facts, policies, and guidelines.

The Appellants' failed to provide convincing arguments that the decision would have adverse effects on the environment. Generally, the appeal is in disagreement with the proposed project.

Interested Party comments supported the Forest Supervisor's decision. They felt the Appellants showed a lack of interest in the project since they declined to participate in an on-the-ground review of the project.

There is no evidence provided which would lead me to a different conclusion than the Forest Supervisor's decision.

RECOMMENDATION

I recommend the Forest Supervisor's decision be affirmed and the Appellants' requested relief be denied.

/s/ J. Doug Glevanik

J. DOUG GLEVANIK
Reviewing Officer
Director, Ecosystem Assessment and Planning