



File 1570 (215) Date: July 22, 1999
Code:
Route
To:
Subject: Baldy Peak Timber Sale, Appeal #99-01-00-0144, Gallatin NF
To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Jim Barrett on behalf of the Park County Environmental Council protesting the Baldy Peak Timber Sale Decision Notice (DN) signed by the Livingston District Ranger (Gallatin NF).

The District Ranger's decision harvests about 1.875 MMBF of timber on 337 acres, constructs 1.1 miles of temporary low standard road, reconditions 3 miles of existing roads, and prescribed fire (underburning) on 337 acres within thinning units and 500 acres in adjacent unharvested areas.

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' issues and recommended changes, has been thoroughly reviewed. Although I may not have listed each specific issue, I have considered all the issues raised in the appeal and believe they are adequately addressed below.

The Appellants allege violations of the National Environmental Policy Act (NEPA) and the National Forest Management Act. The Appellants request the decision be remanded and that an Environmental Impact Statement (EIS) be done. An informal meeting was held, but no resolution was reached. No interested party comments were received.

ISSUE REVIEW

Issue I. The Baldy Peak EA failed to fully consider the cumulative effects of the proposed action.

Chapter III of the EA, the Affected Environment and Environmental Consequences, addresses the cumulative effects of the proposed action (pp.14-24). The cumulative effects analysis identifies the past, present and reasonably foreseeable activities on the Forest and on private land (III, p.14) and the impacts associated with the proposed activities for visuals (III, p.15), recreation and wilderness (III, pp.15-16), vegetation (III, p.16), wildlife (III, pp. 17-22), watershed (III, p. 23), soils (III, pp. 23-24), fisheries (III, p. 24) and fire (III, p. 24). The EA discusses logging and development on adjoining private lands (EA III, pp.14, 16, and 23); road building (III, p. 16); effects on the Grizzly bear (III, pp.17-20); and other wildlife (III, pp.17, 20-22).

In addition, the DN and Finding of No Significant Impact (FONSI) and Response To Comments address cumulative effects. The DN/FONSI states that the cumulative effects analysis is based on the proposed action and how past, present and future actions relate to it in cumulative impacts (p. 13). The Response To Comments (Appendix C) responds to and addresses several questions in detail regarding cumulative effects .



Issue II. The Baldy Peak EA, DN and FONSI failed to fully analyze a reasonable range of alternatives to the proposed action.

Chapter II of the EA displayed two alternatives (p. II-3); the No Action (Alternative 1) and the Proposed Action (Alternative 2). The No Action alternative is considered in detail throughout the EA. These two alternatives provide a reasonable range of alternatives which are in response to the two issues (visual quality and timber harvest value) identified during scoping and determined to be truly significant to the decision.

As a result of public comments to the EA and internal Forest Service specialist input, three alternatives, which were modifications to the proposed action, were considered (DN/FONSI, pp. 3-4). These included dropping 20 acres of harvest in unit #3, totally dropping unit #3, and accessing unit #3 via a private road. The Response to Comments (Appendix C, pp .8-9) also describes how the District Ranger developed the range of alternatives for the analysis.

Including an alternative with all possible harvest sites on the Forest ("best of all other options in the Gallatin National Forest") is outside the scope of this project. The Gallatin Land Consolidation Act directs the Secretary of Agriculture to generate sufficient timber receipts to purchase the portions of the Big Sky Lumber (BSL) land in Taylor Fork. The Act does not provide additional funding to purchase BSL lands with appropriated dollars.

RECOMMENDATION

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

/s/ Harlan Smid

HARLAN SMID
Reviewing Officer