

Administrative Appeals of Project Decisions

OBJECTIVES: Evaluate and disclose number and types of administrative appeals affecting Forest Plan implementation.

DATA SOURCE: Planning databases, Regional appeal records, project records.

FREQUENCY: As interest and data warrant.

REPORTING PERIOD: 2010-2013

INTRODUCTION:

The Northern Region has maintained records on the type, number, name, and disposition of appeals since the mid-1980s.

The monitoring results provided below are limited not meant to be a comprehensive study on the subject, and the information is clearly limited by the type and amount of information available. Administrative appeals of decisions are guided by several definitions and rules:

- “Decisions” include almost any project, activity, or action taken by the Forest Service.
 - The appeal regulations themselves, as well as the types of activities subject to appeal, have changed. In March of 2013 a rule revising 36 CFR Part 218 was published.
 - Every project and activity has unique benefits and effects, which likely influence who appeals the decision. Similarly, the grouping by “type of activity” combines small projects with large ones and remote activities with those adjacent to private land or communities, both factors which might influence people’s decisions to appeal.
- In fiscal years 2010-2013 the Bitterroot National Forest had several projects appealed.

Table 1 – Bitterroot National Forest Projects Appealed from 2010 to 2013

Project Appealed	Year	Number of Appeals
Tin Cup Dam Access for Dam Rehabilitation Project, Dean Recreation Residence	2010	1
Selway Bitterroot Wilderness Invasive Plant Weed Spraying		1
Fred Burr Dam Access for Rehabilitation Tamarack Dam Access for Rehabilitation		1
Larry Bass Project.	2012	1
Martin Creek Restoration Running Creek	2013	1
Three Saddle Vegetation Management Project		3

In March of 2013 a rule revising 36 CFR Part 218 was published in the Federal Register and became effective. This expanded the use of the pre-decisional objection process originally used under the Healthy Forest Restoration Act (HFRA) of 2003 to include other projects and activities implementing land and resource management plans. Under this process, individuals and entities who have met certain requirements may file objections after an environmental analysis document is completed and before a decision is signed.

In order file an objection, the individual or entity must have previously submitted timely and specific comments on the project of interest during the public comment periods, unless the objection concerns an issue that arose after the opportunities for public comment. More information on this process can be found at 36 CFR Part 218 Project Level Pre-decisional Administrative Review Process.

The Forest Service believes that considering public concerns before a final decision is made aligns with our collaborative approach to forest management and improves the likelihood of resolving those concerns, resulting in a more informed decision.

Forest Plan Amendments

OBJECTIVE: Track formal changes to the Forest Plan.

DATA SOURCE: Amendments.

FREQUENCY: Annually.

REPORTING PERIOD: 1987 to 2013.

VARIABILITY: Repeated amendments for the same reason may indicate a need to adjust the Plan.

EVALUATION:

The Bitterroot National Forest and Northern Region decisions amended the Forest Plan several between 1987 and 2013. Occasionally, site specific Forest Plan amendments are needed to allow a treatment that would benefit another resource.

Site specific forest plan amendments were made for several projects during the time period 2010-2013.

MONITORING RESULTS:

Table 1 - Site Specific Amendments 2010-2013.

Year	Project Name	Site Specific Forest Plan Amendment
2012	Larry Bass	Thermal Cover, Coarse Woody Debris Standards
2010	Lower West Fork	Elk Habitat Effectiveness, Thermal Cover, Coarse Woody Debris
2013	Three Saddle Vegetation Management	Elk Habitat Effectiveness, Coarse Woody Debris

Effects of National Forest Management on Adjacent Land and Communities Item 42

OBJECTIVE: To monitor the effects of National Forest management on adjacent land and communities (36 CFR 219.7 (f)).

DATA SOURCE: Interdisciplinary team review of management activities.

FREQUENCY: Annually.

REPORTING PERIOD: 2010-2013

VARIABILITY: Eliminating effects would change National Forest outputs by five percent, or would change access.

EVALUATION:

National Forest management continues to be an integral part of Bitterroot Valley communities and to be important to people who derive products from the Forest or enjoy its scenic beauty, recreation opportunities, and other amenities. Approximately 73 percent of the land base in Ravalli County is National Forest System land. An additional 464,000 acres of the Bitterroot NF is in Idaho County, Idaho. The Magruder Corridor road extends through this county, between the Selway-Bitterroot Wilderness and Frank Church-River of No Return Wilderness.

The Bitterroot Forest Plan Five Year Review (July 1994) described the ongoing coordination among the Forest Service, other government agencies, the community, tribes, and the general public. These relationships are further described throughout this year's monitoring report and below.

Our activities and programs did not have significant adverse effects on adjacent land and communities.

MONITORING RESULTS:

Nearly all the Items address issues that influence adjacent lands. A few of the following Bitterroot NF programs that affect adjacent land and communities are highlighted below.

Air Quality Program

Outside the summer wildfire season, air quality standards continue to be met. The Forest Service is cooperating with BLM and the state other federal cooperators on air quality monitoring in western Montana and is part of Montana Idaho Air-shed Group that coordinates resources when evaluating air quality.

Conservation Education

The Forest continues its involvement in school programs and community service groups to provide information on natural resources. Forest personnel provided many presentations to a wide range of audiences during the reporting period, including classroom and outdoor settings. The topics discussed included weeds awareness, OHV ethics, wilderness skills, fire ecology, wildlife and fisheries, forestry, moonwalk series, special events, and individualized requests. An average of 300 individuals attend environmental education programs 2010-2013. The Conservation Education program developed educational trunks and curricula to add to its lending library. Teachers and other groups can reserve and use these trunks to improve their environmental education programs. The Forest Environmental Education position was eliminated during this reporting period to reduce costs but other forest employees have volunteered many times to keep this program operational. The forest also participates in the Bitterroot Water Forums Environmental Stewardship Program that brings environmental education to valley 7th graders.

Coordination - Confederated Salish and Kootenai Tribes and Nez Perce Tribe

The Forest Service and the Tribes consulted several times during this reporting period. The Forest consults on projects, shares information, and discusses issues and highlights. Refer to the Heritage Program monitoring section for more detail.

Coordination - Ravalli County

The Forest Service and Ravalli County continues keep one another informed on issues in the areas of fire management, law enforcement, weed control, air and water quality, road management and maintenance, and planning efforts.

Dam Management

Coordination with dam owners on the management of dams for water storage continued throughout the year. How the dams are managed has aesthetic, economic, safety, and ecological effects on lands and people in the Bitterroot Valley. Work continues with Dam and Reservoir Owners to develop 5-Year Operation & Maintenance Plans for the century-old dams in Wilderness in a manner that best meets the dam owners', the public's, and the Forest Service's needs and expectations.

Fire and Fuel Management

The Forest continues to cooperate with other fire protection agencies in the area. The Forest is also actively working to reduce hazardous fuels, especially along National Forest boundaries with private lands (also known as the wildland/urban interface).

Grazing

There are 20 grazing allotments on the Bitterroot National Forest. Seven permittees used their allotments in the 2013 grazing season. The active allotments occur on approximately 150,355 acres; 9.4% of the Forest.

Heritage Program

We continued to inventory cultural resources in FY2010-2013 and protected known sites from effects of other activities. We actively coordinated and consulted with the Tribes.

Insects

We worked with neighboring landowners to assist with their protection of high-value trees by distributing MCH pheromone capsules to discourage Douglas-fir bark beetles from attacking the trees.

Noxious Weeds

The Bitterroot National Forest continues in its efforts to control the spread of noxious weeds throughout the Forest and along Forest Service roads. We are working with other federal, state, and county agencies to control these invaders throughout the Bitterroot Valley. Some residents adjacent to BNF lands have requested that the Forest Service treat noxious weeds on adjacent National Forest lands so as to enhance containment efforts on private lands. We are coordinating these efforts with the assistance of Ravalli County.

Roads

Under the Forest Road and Trail Act the Bitterroot NF trades road maintenance equally with Ravalli County. The Forest maintains some county roads and the county maintains some Forest Service roads depending on what is most efficient.

Trapper Creek Job Corps Center

The Trapper Creek Job Corps Center continued to provide services to local communities through their on-the-job training for skilled labor employment.

Effects of Other Government Agencies Activities on the National Forest Item 43

OBJECTIVE: To identify those activities that could have an effect on National Forest management.

DATA SOURCE: Interdisciplinary team review of other agency activities.

FREQUENCY: Annually.

REPORTING PERIOD: 2010-2013

VARIABILITY: Effects cause +/- five percent change in National Forest outputs or services.

EVALUATION:

In 2010-2013 the Forest did not experience five percent change in National Forest outputs or services as a result of other government agencies activities.

MONITORING RESULTS:

Forest activities that may affect species listed under the Endangered Species Act are reviewed by the National Marine Fisheries Service (NMFS) or the U.S. Fish and Wildlife Service (USFWS). In 2010 – 2013 consultation provided the Forest with the backing of an agency focused on ESA listed species, which assisted in going from planning stages to the implementation of several socially and ecologically beneficial projects.

Steelhead, which are native to the upper Selway River, were listed as threatened in 1997 by the National Marine Fisheries Service (NMFS). The U.S. Fish and Wildlife Service (USFWS) listed the bull trout as threatened on July 10, 1998. Since then the Forest has been participating in consultation processes with these agencies.

The U.S. Fish and Wildlife Service listed Canada lynx as Threatened in March 2000. They concluded that the threat to the lynx in the contiguous United States is the lack of guidance to conserve the species in current federal land management plans. The Forest Service completed a biological assessment of current Forest Plans within lynx habitat in December 1999 and entered into a Canada Lynx Conservation Agreement with the U.S. Fish and Wildlife Service (USFWS) in February 2000. In FY2000 the Forest Service and Bureau of Land Management (BLM), with the assistance of the USFWS, completed a conservation strategy for the species across its range in the contiguous United States. The Forest Service and USFWS completed a Canada Lynx Conservation Agreement in 2005. In an amendment to the 2005 Canada Lynx Conservation Agreement, the Bitterroot National Forest was classified as unoccupied lynx habitat by the USFWS and the Forest Service. In 2013 the USFWS revised their determination regarding the potential presence of Canada Lynx within the Bitterroot National Forest and other Forests classified as unoccupied lynx habitat. New direction advised that transient lynx may be present in secondary/peripheral lynx habitat on these Forests. However, the recent addition of lynx to the USFWS list of threatened, endangered and candidate species that may be present on the BNF did not change the BNF's classification as unoccupied lynx habitat under the amended Canada Lynx Conservation Agreement. The USFWS finding that lynx may be present on the BNF requires consultation with USFWS on projects that affect lynx habitat or populations. Biological Assessments will be used to initiate consultation for individual projects.

The Forest's fish and wildlife programs also work jointly with Montana Fish, Wildlife and Parks. Data within Items pertaining to fish and wildlife use data from the State, and data collected by the Forest was shared with the State.

Continually strengthening the government-to-government relationship with neighboring Tribes is a priority of the Bitterroot National Forest. Since Bitterroot NF lands were once part of the traditional Bitterroot Salish homeland, tribal members continue to exercise their treaty rights and regularly visit cultural sites on the Forest, and the Forest heritage program personnel consult regularly with the Confederated Salish and Kootenai Tribes. The Forest also consults with the Nez Perce Tribe of Idaho and the Joseph Band of the Confederated Tribes of the Colville Reservation regarding Nez Perce sites and cultural concerns, and with the Shoshone-Bannock Tribes of Fort Hall. The forest regularly consults with the State Historical Preservation Office on project proposals

The Bitterroot National Forest and valley fire departments work together during wildfire season, State and Private Forestry program, has been cooperatively working with the Bitterroot Resource Conservation and Development

Area, Inc. (RC&D) in the treatment of hazardous fuels on private lands and National Forest lands immediately adjacent to the private lands throughout this last year. The Bitterroot National Forest fire management personnel have been providing expertise to the RC&D community forester when working with the private landowners in the Bitterroot Valley to improve understanding of fire risk in areas that need fuels treatment.

The Bitterroot National Forest has been supporting and participating in the collaboratively developed Community Wildfire Protection Plan. The RC&D is facilitating the production and maintenance of the plan by a diverse groups of valley residents and government agencies. The plan is founded on, and will guide the implementation of, the National Fire Plan and the related 10 Year Comprehensive Strategy and Implementation Plan, in the Bitterroot Valley.

The Forest also cooperates with a variety of other research efforts. In the time period 2010-2013 there were 37 Special Use Permits issued for research project being conducted on the BNF. Refer also to Item 44, Research.

Research Needs Item 44

OBJECTIVE: To identify research needed to accomplish national forest management activities.

DATA SOURCE: Interdisciplinary and management team review of activities.

FREQUENCY: Every two years.

REPORTING PERIOD: 2010-2013

VARIABILITY: Inability to accomplish Plan goals and objectives with existing research.

EVALUATION AND MONITORING RESULTS:

The Bitterroot NF continues coordination with research through the Bitterroot Ecosystem Management Research Project (BEMRP), which provides a forum for communication between managers and scientists. Participants in BEMRP include the Bitterroot National Forest, USFS Northern Region Office, five science programs of the Rocky Mountain Research Station (RMRS), and University of Montana. This research and other research funded through other sources are providing information that will be useful as we revise the Bitterroot Forest Plan and continue to manage National Forest lands using results of current research.

The Bitterroot National Forest has a long history as a research site. There has been significant, long-term research on ecosystem management in post-fire effects and recovery, riparian, grassland, and forest habitats. New research needs are also arising as we delve further into ecosystem management, climate change and its effect on local species. To keep the forest informed on activities taking place on the forest, researchers are required to obtain a Temporary Special- Use Permit (FSH 2709.11 sec. 54.6). This allows the forest to know what kinds of research is taking place on the forest, be apprised of the outcome of the research and to identify any mitigations needed to protect the resource. The following lists show the ongoing research described in permits granted for the years 2010-2013.

2010 Research Studies

- Western pine beetle in Ponderosa pine.
- Bull trout persistence and exotic trout distribution related to stream temperatures and other habitat variables.
- Secondary plant succession and conifer regeneration following wildfire.
- Drought effects on western spruce budworm, outbreaks. Fire effects on forest health and overall species composition
- Decomposition of coarse wood following fire.
- Boreal and saw-whet owl nestling productivity and growth rates.
- Life history, with emphasis on nest site selection, of Williamson's sapsucker and pileated woodpecker.
- Charcoal production below ground following wildfire.
- Effectiveness of pre-commercial thinning on elythroderma needle disease in Ponderosa pine
- Plate tectonics in western Montana to provide better idea of earthquake potential.

2011 Research Studies

- Changes in spotted knapweed and impact of biological control agents over time.
- Evaluation of cost and effectiveness of techniques for determination of bull trout passage at culvert restoration sites.

- Decomposition of coarse wood following fire.
- Maternal nutrition and predation on elk productivity and survival.
- Fish community changes as a result of fire-related stream warming.
- Genetics of aquatic vertebrates.
- Invasive plants and their ability to outcompete native species.
- Boreal and saw-whet owl nestling productivity and growth rates.

2012 Research Studies

- Vegetation monitoring on elk summer range; DNA based mark recapture of mountain lion.
- Bark beetle infestations and how it affects fire severity and post-fire tree regeneration.
- Change in proportion of area severely burned and how patch size has changed over time.
- Seasonal changes in grass development, fuel moisture and fuel production in bluebunch wheatgrass communities.
- Boreal and saw-whet owl nestling productivity and growth rates.
- Evaluation of effectiveness of verbenone treatments.
- Decomposition of coarse wood following fire.
- Understanding implication of climate change on fish communities, recovery on native and non-native trout after 2000 fires, examination of distribution non-native fish species and their sensitivity to wildfire.
- Monitoring study of microclimate.
- Pollinator observation and seed collection.
- Changes in genetic diversity of ponderosa pine in response to climate change.

2013 Research Studies

- Old orchard site location on Bitterroot National Forest, and tree propagation.
- Invasive plants and their ability to outcompete native species.
- Boreal and saw-whet owl nestling productivity and growth rates.
- Life history of Williamson's sapsucker and pileated woodpecker.
- Decomposition of coarse wood following fire.
- Climate change and vulnerability of non-game fish species. Effect of fire disturbances upon non-game fish.
- Wildfire following bark beetle mortality.
- Small mammal study.