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Gary Macfarlane
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Dear Mr. Macfarlane:

This letter is in response to your objection regarding the St. Joe Travel Plan, on the Idaho Panhandle National Forest. District Ranger Matthew Davis, the Responsible Official, and I, as the Objection Reviewing Officer, have read your objection; and reviewed the Environmental Assessment (EA), and the draft Decision Notice. This letter details my response to your objection based on my review of the project in accordance with 36 CFR 218, *Project Level Predecisional Administrative Review Process*.

The regulations allow for a meeting between objectors and the Reviewing Official. I appreciated the opportunity to hear from you at our meeting on Friday, March 25th, 2016. You reiterated your concerns regarding effects to bull trout, range of alternatives, off-route motorized access for dispersed camping, enforcement of designations, specific trails and motorized use in the Grandmother Mountain Wilderness Study Area, and effects to wilderness characteristics in roadless areas. No resolution was reached during our meeting, and I have revisited the information for the areas you are most concerned about.

As specified by 36 CFR 218.11(b), I must provide a written response that sets forth reasons for the response; however, this written response need not be point-by-point. I have considered your issues and suggested remedies, and my responses are as follows:

Response to Objection Issues

My review finds that a number of your objection points are directly addressed in the EA and draft DN, have previously been addressed in the response to comments (EA Appendix C), or do not warrant substantive discussion. I provide responses below where I find that clarification will benefit the project, or where instruction to the responsible official are necessary. In most instances I consolidated similar concerns into one issue response.

Issue: You make several allegations that the EA fails to demonstrate how the minimization criteria of 36 CFR 212 subpart B (TMR) and Executive Order (EO) 11644 have been applied in this project.



Response: The draft DN (pp. 10-11) describes how the responsible official applied TMR minimization criteria in his decision. The purpose of this project (EA pg. 7), project alternatives (pg. 12), project sideboards (pg. 9), and design criteria (pg. 29) were developed in part to minimize impacts. The analysis specifically considers trail designation effects to vegetation, wildlife and wildlife harassment, water quality, soils, fisheries, and conflicts and compatibility of motor vehicle uses.

My review finds that routes were selected and designated to minimize impacts (PF: PD-26 through 34), and the designations, including limiting cross-country travel, are compatible with protecting resources. Here are examples provided in the record:

Ex. The lowest mile on Fly Creek Trail 629, Mosquito Creek Trail 631, Lower Simmons Creek Trail 80, and the lower part of Skookum Creek Trail 193 are located close to streams and some of them have multiple stream crossings, so they would not be designated for motorized use in any alternative in order to minimize damage to water quality and fisheries (EA pg. 13).

Ex. LNF area (PF: PI-320 pg. 6 Trail 13): "Not designated STM in any action alternative to minimize damage to water quality and fish habitat because of the many stream crossings"

Note that Trail 13 was not designated in order to minimize effects to water quality and fish habitat, *even though the record shows that motorized use at stream crossings is already low, and site monitoring indicates minimal to no existing effects to water quality and bull trout habitat* (EA pg. 24).

I find that the responsible official applied the minimization criteria in its motorized trail and area designations and is in compliance with the TMR and EO 11644 and applicable laws and regulations.

Issue: You allege the District violates the National Environmental Policy Act (NEPA) and other laws because you claim the responsible official fails to consider an adequate range of alternatives.

Response: The District Ranger considered numerous alternatives to the proposed action (EA pp. 19-47). Many alternatives were considered but dismissed from analysis, including your proposals to designate a minimum road system (EA pg. 19), and to prohibit motorized use in the Grandmother Mountain Wilderness Study Area (WSA) and in all roadless areas (EA pg. 21, EA Appendix C: Responses 26-5, 26-7a, and 26-21).

The proposed action and the alternatives analyzed are designed to address a need for change from the existing condition to minimize resource damage, wildlife harassment, or conflicts of use. Where evidence did not suggest a need for change, such as eliminating motorized dispersed camping, the responsible official correctly dismissed such alternatives to focus the analysis on important issues.

Issue: You allege that the project fails to consider impacts to roadless areas and wilderness.

Response: First, motor vehicle use is prohibited in recommended wilderness, and no actions proposed in this EA would affect this. Second, motorized uses are not prohibited in inventoried roadless areas (IRAs) (EA pg. 172). The route designations are in compliance with applicable law and the Forest Plan.

Trail designations in this project are determined on a trail-by-trail basis, including in the Grandmother Mountain WSA and IRAs, and the minimization criteria are applied to these trails. Annual monitoring of motorized trails on National Forest System lands in the WSA have not indicated any resource damage that would require a change in the current designation (PF: REC-57). The record clearly demonstrates that the analysis includes impacts to roadless areas and wilderness character, including specifically on the Big Creek, Foehl Creek, Mosquito Fly, Midget Peak, and Stateline Roadless Areas, per your comments and the objection meeting (EA beginning pg. 172, also Table 72 pg. 185). Additionally, the user experience is evaluated in the EA, and the analysis shows that opportunities for solitude within each IRA remains the same or increases under each alternative (pg. 174). I fail to understand where this project results in additional user conflicts.

Although the effects to IRAs are adequately addressed, I find the analysis fails to include a description of effects to adjacent unroaded areas that are not IRAs as part of the unroaded expanse. Therefore, I am instructing the responsible official to conduct this additional analysis.

Instruction: *I am instructing the responsible official to analyze effects to unroaded areas greater than 1,000 acres contiguous to IRAs as part of the unroaded expanse. This analysis needs to include effects to Roadless Character and Wilderness Attributes.*

Issue: You make various allegations that the analysis is insufficient because you claim the analysis lacks site-specific data to accurately disclose effects and make informed decisions.

Response: NEPA requires agencies to ensure the integrity of their analysis and if necessary explain if information is lacking that may affect the analysis. NEPA does not identify data collection standards or mandate the use of site-specific data when it is not needed for analyzing and disclosing potential project effects. For instance, you allege that the analysis is inadequate because the District lacks annual vehicle use numbers; however, such information is irrelevant to understanding and disclosing the effects of trail designations when the indicators are resource-based, as is the case here. Likewise, site-specific analysis of every potential dispersed camping site or stream crossing is unnecessary when the general effects of an action – particularly when those effects are not significant – can be summarized and disclosed. I find the analysis presents the evidence needed to reach conclusions regarding the effects of the action alternatives.

Issue: You allege that the EA does not consider the effectiveness of enforcement measures.

Response: One purpose of this project is to identify designated travel routes on a motor vehicle use map, the purpose of which is to make compliance, and therefore enforcement, easier. The draft DN emphasizes formal and informal monitoring to detect unauthorized use and the importance of working with adjacent landowners, local law enforcement, and the public to obtain cooperation (pg. 18). The EA discloses a comprehensive and detailed plan for enforcement consistent with the TMR (EA pp. 29-32), and the project file contains monitoring reports of travel infractions (PF: ACT-15 and ACT-28), monitoring reports of gate, barriers, and general road conditions (PF: WL-65 through 71), and measures taken to correct gate and barrier breaches (PF: ACT-4, ACT-29).

I find the responsible official has outlined an enforcement and monitoring plan that is in compliance with the Travel Management Rule.

Issue: You make a number of allegations regarding the quality of the wildlife analysis. My review finds that in many instances your issues and proposed remedies are addressed in the project record. NEPA directs federal agencies to summarize information, and discuss only briefly those issues that are relevant to the analysis. We make the important project files directly available on the project website, and all project materials are open to the public.

I will address your objection points on wolverine and lynx first, and then respond generally to several of your objection points on the wildlife analysis.

Wolverine: You allege that the District fails to conduct an analysis that recognizes the fact that in some areas motorized densities exceed the threshold that negatively influences wolverine occurrence.

Response: The EA (pg. 160) analyzes road densities as it relates to wolverines and the 2.8 mi/mi² recommendation by relevant research, and reports that alternatives B, C, and D would result in 7%, 6%, and 6% reductions in motorized routes, respectively. This is expected to reduce the potential for inadvertent trapping mortality of wolverines. Motorized access in the vicinity of potential maternal den sites would remain mostly unchanged, with access lost to only a single site under Alternative B compared to Alternatives A, C, and D. Route densities on the St. Joe Ranger District would remain at or below about 1.7 mi/mi² under all alternatives. While some areas (particularly in mixed ownership) may have somewhat higher route densities on a local scale, they are unlikely to approach the 2.8 mi/mi² threshold because that would require a 65% increase in motorized route density. Overall, the increased security provided by the action alternatives would improve wolverine habitat. Reductions in motorized route densities would also improve habitat for elk (and other ungulates), resulting in a more abundant prey base for wolverine.

The wildlife report (PF: RR-WL pg. 45) states, "Habitat loss for wolverine as a result of motorized transportation is an inconsiderable effect; and the evidence is inconclusive if wolverines avoid or are displaced by motorized use as a result of roads, or if roads serve as barriers to movement or connectivity. The U.S. Fish and Wildlife Service has found it unlikely that wolverines avoid the type of low-use forest roads that generally occur in wolverine habitat."

However, my review finds the record is unclear if there are areas that exceed the 2.8 mi/mi² recommendation, and how important those areas would be for wolverine.

Instructions: *I am instructing the responsible official to clarify how motorized road densities were calculated. If the average road density for the St. Joe Ranger District is the appropriate geographic analysis area, explain why.*

Lynx: You allege that the analysis does not address how motorized access impacts are to be minimized for lynx.

Response: The Wildlife Report and EA (pg. 147) discuss the potential effects of roads as a risk factor for lynx. Motorized route miles in lynx analysis units would decrease under all action alternatives (EA pg. 147). Alternatives B, C, and D would also reduce motorized routes in lynx habitat by 20%, 12%, and 11%, respectively. This would reduce the potential for incidental trapping mortality, as well as possible disturbance of denning lynx and the associated risk of mortality to kittens from being moved. Elimination of off-trail motorized use (except for access to dispersed campsites within 100 feet of trails), a feature common in the action alternatives, will further reduce potential disturbance at den sites.

The potential effects associated with travel management when added to past, present, and reasonably foreseeable future actions would decrease the overall long-term likelihood for direct or indirect mortality, and for disturbance of denning lynx and the associated risk of mortality to kittens from being moved. Because of this, habitat connectivity for this species would be improved under all action alternatives. All alternatives are compliant with applicable Standards and Guidelines of the Northern Rockies Lynx Management Direction.

Finally, the U.S. Fish and Wildlife Service (USFWS) concurred with the determination that implementation of the proposed plan, “may affect but is not likely to adversely affect Canada lynx (Biological Opinion, PF: N-8c pg. 12).

I offer the following responses to the issues you raise on wildlife:

- The EA summarizes project file documents that detail the impacts of roads and motorized recreation on wildlife. Analysis methods, assumptions, and relevant science are explained in the wildlife report. The wildlife report cites applicable scientific literature and available data used for the analysis. The EA analysis summary begins on page 142, and includes cumulative effects for species. Again, detailed analysis is found in the wildlife report.
- The wildlife analysis clearly applies the minimization criteria. Disruption of wildlife habitats was considered during alternative development (EA pg. 12, EA Appendix B [Trails], and PF: PD-26 through PD-34, and PD-60) and is addressed in the wildlife analysis that considers mortality risk, habitat avoidance and displacement, and disruption of wildlife linkage/movement.
- The EA (pp. 148-166) and the project file (PF: RR-WL) describe the quantity and quality of habitat that is necessary to sustain the viability of sensitive species, the methodology for measuring this habitat is explained, and the effects and findings are disclosed.
- Cumulative effects to species are described in the wildlife report and summarized in the EA and on the following pages in the wildlife report: lynx (pp. 23-25); black-backed woodpecker (pp. 27-29); flammulated owl, pygmy nuthatch, and fringed myotis (pp. 31-33); wolf (pp. 35-36); Harlequin duck (pp. 38-39); fisher (pp. 43-44); wolverine (pp. 46-47); Townsend’s big-eared bat (pp. 49-50); Coeur d’Alene salamander (pg. 52); western toad (pp. 54-56); and elk (pp. 61-62).
- Direct and indirect effects to fisher are covered in the EA (pp. 157-158). To recap, the action alternatives would bring about slight reductions in the number of total capable and mature forest capable acres available to woodcutters, reducing impacts to capable fisher habitat.
- I acknowledge your concern regarding the lack of “description of the quantity and quality of habitat that is necessary to sustain the viability of the western toad.” I would point out that a description of required habitat is given in the EA (pp. 163-164); but the project does not change the quantity or quality of habitat, and the main effect of the action alternatives on western toads is to lower the risk of direct mortality from vehicle collisions (pg. 165).

- Wildlife security areas are analyzed and weighed comparatively with recreation experience opportunities (EA pg. 13). Trails are designated to maintain or improve wildlife security (EA Appendix B, and PF: PD-26 through PD-34). The District appropriately analyzed elk security and effects to elk management units (EA pp. 169-170).
- I find that your objections regarding the analysis of focal species, as well as the USFWS pending determination for fisher, are premature for this project.

Instructions: *While the cumulative impacts of snowmobiles are analyzed in the wildlife report, I find that the report does not clearly explain in the cumulative effects analysis why snowmobiling would have no effect on Harlequin ducks or western toad. I am directing the responsible official to correct this oversight.*

Issue: You allege violations of the Endangered Species Act (ESA) and INFS due to project effects to bull trout and their habitat.

Response: The documentation in the EA (beginning pg. 113) and project file (PF: RR-F) display the likely direct and indirect effects to bull trout and bull trout habitat. Cumulative effects from roads are identified as important issues to both fish and water resources numerous times in both the fisheries and watershed (beginning pg. 94) sections of the EA. Consultation with the USFWS was completed in November 2011, with the issuance of a biological opinion with a finding of *Not Likely to Jeopardize the Continued Existence of the Bull Trout or Adversely Modify its Critical Habitat*. This is not a violation of ESA. Finally, INFS compliance is addressed in the biological assessment (pp. 46-60) and the document titled *St. Joe Travel Management EA Compliance with the Inland Native Fish Strategy* (PF: F-22).

While there is no requirement for the USFWS to visit every location in a project, Forest personnel have visited the Foehl Creek crossing sites, along with other crossings in the project area (PF: RR-F, F-32, F33, and F54). The Forest and USFWS conducted a field review of crossings and met through Level 1 and Level 2 meetings to discuss specific project components applicable to effects to bull trout (PF: RR-F, F-49, PI-345).

You are correct: information relating to the effectiveness of hardening crossing sites is not presented in the biological opinion. Fish spawn in gravels (rocks that are approximately 16-25 mm in size). The Beaver Creek trail crossing was hardened using concrete blocks (16" x 24" x 6") placed side by side. This size material does not provide the conditions necessary for spawning; therefore no eggs are laid. Since no eggs are laid there would be no eggs or fry present to be harmed by motorcycles crossing the stream. We will continue to monitor the hardened crossing on Beaver Creek. If spawning gravels accumulate we will reevaluate the situation.

Issue: You allege a violation of NEPA because you claim the EA fails to disclose effects of cross-country motorized travel for dispersed camping.

Response: The EA analyzed and discloses effects of motorized access for dispersed camping, and the draft DN describes how resource effects are minimized (pp. 5-6, 8). I find the responsible official has met the standard of review for an environmental assessment under NEPA.

I have reviewed the project in light of your objection and find the project is in compliance with all applicable laws and the Forest Plan. My review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or Department of Agriculture official of my written response to your objection is available (36 CFR 218.11(b)(2)).

Sincerely,



MARY FARNSWORTH
Forest Supervisor

cc: Ray Smith, Matthew Davis, Karl Dekome, Lynette Myhre