United States
Department of
Agriculture

Forest Service
Eastern Region

May 2007

Whyte Forest Management Project

Decision Notice and Finding of No Significant Impact

Superior National Forest
Laurentian Ranger District

Bunchberry (*Cornus canadensis*)

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File Code: 1950-1
Date: June 14, 2007

Dear Interested Publics:

Here is your copy of the Whyte Forest Management Project Decision Notice and Finding of No Significant Impact. I have decided to implement Alternative 1 with some modifications, as described in the Decision Notice. I am also including the comments we received during the 30-day public comment period and the agency response.

The Whyte Forest Management Project Environmental Assessment (EA) is available on the web at: www.fs.fed.us/r9/superior or by contacting this office at (218) 229-8800. The EA includes some additional information to better clarify the effects of the project. The additional information does not change the analysis in the amount or intensity of the effects nor does it disclose effects that were not disclosed in the Preliminary Effects Analysis.

I want to thank every one who submitted comments on both the Whyte Project Scoping Report and the Preliminary Effects Analysis. We made changes to the Project based on your input. I believe we have an improved analysis and a better decision because of your involvement.

Please contact Sue Duffy at (218) 229-8832 if you would like any additional information.

Sincerely,

DEWAYNE THORNBURGH
Acting District Ranger

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Whyte Forest Management Project
Decision Notice
and Finding of No Significant Impact

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Introduction

This Decision Notice and Finding of No Significant Impact document explains my decision to select an alternative from the Whyte Forest Management Project Environmental Assessment (EA) on the Laurentian Ranger District of the Superior National Forest. This document describes my rationale for the decision, and the finding that an environmental impact statement is not needed. This finding is in accordance with the National Environmental Policy Act.

Project Area

The Whyte Project Area is located in Lake and St. Louis Counties in Townships 56, 57, 58, and 59 North, and Ranges 8, 9, 10, 11, and 12 West. The Project Area encompasses approximately 94,146 acres of National Forest System land within this area.

Purpose and Need

The overall objectives of the Whyte Forest Management Project are to maintain and improve forest health by moving the vegetative component towards the landscape ecosystem objectives described in the 2004 Superior National Forest Land and Resource Management Plan (Forest Plan p. 2-23, O-VG-1).

This Project also considered opportunities to maintain, enhance, and/or preserve the following resources: existing large patches of mature forest; riparian areas; wildlife habitat for threatened, endangered, and sensitive species and game species; habitat for management indicator species, watershed health and soil resources; scenic integrity; and preserving the quality of heritage resources.

As described in detail in the Environmental Assessment, the Purpose and Need for the Project Area includes the following:

1. Create young forest to move the area towards the long-term landscape ecosystem objectives in the Forest Plan for age class composition and management indicator habitats. In particular, create young forest in the aspen and birch forest types in the upland LEs (MIH 4) and black spruce in the lowland LEs (MIH 9). Most of the young forest would be provided through regeneration harvests of mature-aged forest. (Forest Plan p. 2-24, O-VG-13 and O-VG-16).

2. Increase the amount of white pine and jack pine on appropriate sites to move the Forest towards the vegetation composition objectives. (Forest Plan p. 2-23, O-VG-2, and p. 2-35, O-WL-32)

3. Enhance riparian forest habitat through planting and, where needed, create conditions that are more suitable for planting long-lived species such as white pine, white and black spruce, tamarack, and red oak. (Forest Plan p. 2-12, O-WS-3 and p. 2-35, O-WL-34)

4. Enhance the growing conditions in red pine, maple, and white spruce stands by conducting intermediate treatments, such as thinning and selection harvests. (Forest Plan p. 2-23, O-VG-6 and O-VG-9)

5. Reduce fragmentation and create larger-sized patches of young forest by harvesting adjacent to recently harvested areas. These large patches will be coordinated with other landowners. (Forest Plan p. 2-22, D-VG-7; p. 2-26, O-VG-21 and O-VG-23; p. 2-35, O-WL-35)

6. Improve the fire regime condition class ratings by moving the Project Area towards the LE objectives. (Forest Plan p. 2-22, D-VG-3 and p. 2-23, D-VG-8)

7. Provide sustainable forest products. (Forest Plan p.2-20, O-TM-1 and D-TM-1)

8. Provide an adequate transportation system for managing the National Forest System land. Road management plans will include managing gravel pits. (Forest Plan p. 2-47, D-TS-2 and p. 2-49, O-TS-7)

The Decision

I have reviewed the Superior National Forest *Land and Resource Management Plan* (also called the Forest Plan) and the Record of Decision for the Forest Plan Revision Environmental Impact Statement. I have also considered the environmental effects analyzed in the Whyte Forest Management Project Environmental Assessment. After reviewing these documents, I have decided to implement Alternative 1 with the modifications listed in Table 1.

Table1: Modifications to Alternative 1

Unit	Acres	Rationale
Units 190, 191, and 192	251	I am deferring these units from this decision because they are part of large mature patch of forest located all on federal land. This patch provides quality interior forest habitat conditions and quality habitat for rare species. There are currently no existing roads within this large patch, and harvest of these units would require the addition of approximately 1,715 feet of temporary roads to be constructed through undisturbed forested areas. Deferring these units will retain a 1,000 plus acre intact patch of mature forest.
Unit 250	39	I am modifying the prescription from clearcut with reserves to variable retention for this harvest unit. This prescription change mimics natural disturbance patterns that occur in wet-mesic, mesic hardwood, and hardwood / conifer forests. Catastrophic disturbances in these forest types were rare. Disturbance events such as light surface fires and patchy windthrow were much more common and generally resulted in partial loss of trees. Variable retention harvest better emulates the partial loss of trees.

The decision is based upon my knowledge of the Project Area, including a review of the Whyte Forest Management Project Environmental Assessment (EA). The Whyte Forest Management Project EA includes the Biological Evaluation, Biological Assessment, the Project File and resource reports, and the comments received during the 30-day comment period on the Preliminary Effects Analysis document. The Whyte Forest Management Project EA is tiered to the 2004 Forest Plan Revision Final Environmental Impact Statement.

Table 2 is a summary of the actions described in the EA and incorporates the changes listed above.

Table 2: Summary of Actions in the Decision	
Vegetation Management	Acres
Create young aspen, paper birch, black spruce, and spruce-fir forest through a variety of even-aged management treatments such as clearcut with reserves, overstory removal, and shelterwood harvest.	4,375
Increase the amount of white pine through two-aged management treatments including shelterwood with reserves and shelterwood with canopy gaps.	428
Increase the amount of jack pine through a clearcut with reserves harvest followed by site preparation and planting jack pine.	32
Increase the amount of white pine by converting upland brush and poor quality aspen stands.	156
Enhance riparian habitat by planting longer-lived tree species and releasing existing long-lived tree species adjacent to streams and lakes.	241
Enhance yellow birch forest through site preparation to encourage regeneration of over-mature stand.	29
Improve the quality of red pine, white spruce, upland black spruce, and northern white cedar-aspen/birch stands through a variety of intermediate treatments such as thinning, group selection, variable retention, and shelterwood with canopy gaps.	3,427
Restore the ecological effects of fire in older red pine forest through underburning.	50
Improve Nabokov Blue butterfly habitat by eliminating brush through mechanical or prescribed burning methods.	2
Total acres of vegetation management.[1]	8,740
Fire Regime	Acres
Restore and/or maintain fire regime condition classes 1, 2, and 3 to condition class 1 and 2 through vegetation management.	8,738
Roads	Miles
Add existing unauthorized road to the managed system to provide adequate access to lands that are in need of management.	2
Decommission unauthorized road.	24
Use previously used temporary road corridor to access vegetation management units.[2]	48
Construct new temporary road to access vegetation management units.[2]	17
Gravel Pits	Number
Approve gravel pits.	5

[1] Acres of vegetation management are approximate and represent stand acres. Actual treated acres will be less than stand acres because of legacy patches, riparian buffers, leave trees, etc.

[2]Road miles are approximate.

The vegetation treatment unit information is listed in Appendix A, the road and gravel pit information is in Appendix B, the design features and site-specific mitigation measures which incorporate 2004 Forest Plan standards and guidelines are listed in Appendix C, and the monitoring plan is in Appendix D. These appendices and the site-specific unit cards are available on the internet at www.fs.fed.us/r9/superior; paper copies may be requested by calling (218) 229-8800.

Attachment 1 contains the comments received during the 30-day public comment period and the agency response. Attachment 1 is included with the Decision Notice.

Rationale for the Decision

In making my decision, I considered the environmental effects of each alternative and how well each alternative would meet the Project's Purpose and Need and move the Project Area towards the desired condition in the Forest Plan. I considered all of the issues, competing interests and values of the public, and the interactions between various resources.

All of the alternatives meet some aspects of the Purpose and Need and would move the area towards some of the desired conditions as described in the 2004 Forest Plan. However, Alternative 1 Modified provides the best balance between moving the area toward the desired conditions, limiting to the extent practicable any adverse effects related to timber harvest and associated activities, and providing sustainable forest products. I know that timber harvest and associated roads result in changes to vegetation, wildlife habitat, scenery, and sometimes increased human use of an area. I considered the interactions between the various resources and the direct, indirect, and cumulative effects of the actions on the different resources.

The unit prescriptions and mitigations will minimize to the extent practical the adverse effects that may occur as a result of the Project. All practical means to avoid and or minimize environmental harm that might occur from implementing Alternative 1 have been incorporated into the Project design and mitigations.

I recognize that some individuals and groups support Alternative 3 because harvest would not occur in some harvest units having a high or outstanding ranking as identified by the Minnesota County Biological Survey (MCBS). Public comments did not provide new or additional information that identified effects or changes that could result from the harvest that were displayed and addressed in the effects analysis of Chapter 3 of the EA. My decision to select Alternative 1 Modified addresses the concerns to maintain biological diversity within these units by deferring Units 190-192, which offer the best opportunity for maintaining a large, intact patch of mature forest and modifying the prescription of Unit 250 to mimic natural disturbance regimes. Overall, vegetation management in the MCBS sites is prescribed and designed to avoid and/or mitigate the effects to biological diversity while moving the vegetation towards the Forest Plan desired condition.

The information below provides my rationale for this decision based on how it meets the Purpose and Need, and how it addresses each of the issues and resource areas analyzed in the Whyte Forest Management Project EA.

Biological Diversity of Stands Identified by Minnesota Department of Natural Resources Minnesota County Biological Survey (MCBS)

MCBS raised a concern that harvest within some of the higher-ranked MCBS sites would decrease the biological diversity of those sites.

The interdisciplinary team of resource specialists assigned to the Whyte Project met with MCBS during the development of the alternatives. The intent of the meeting was to clarify the specific aspect of biological diversity that would be impacted by harvest. Based on this discussion and additional on-the-ground information, some of the Alternative 1 prescriptions were modified from what was proposed in the Scoping Report. These changes, as described below, will avoid and/or mitigate some of the effects of timber harvest on biological diversity. Chapter 3 of the EA discloses the effects of Alternative 1 which conducts management activities within the sites where MCBS identified concerns and of Alternative 3 which would not harvest on most of the sites with

specific concerns. The following documents my rationale for conducting vegetation management within the units identified by MCBS:

Units 190-192 – No vegetation management will occur for the reasons listed in Table 1. By maintaining this large, intact patch of mature forest, concerns raised by MCBS have been addressed.

Units 268-274 – The prescriptions for Units 268-274 were changed from thinning to group selection based on comments and concerns received by the public. These units are also part of a patch greater than 1,000 acres, but the large patch contains private land and therefore does not meet the same large patch criteria as the patch containing Units 190-192. Units 268, 272, 273, and 274 are adjacent to, or close to, system roads. Forest Road 107 is to the north of the units, and FR107A is on the east. Road access to the units will be through these harvest units and therefore there will be very little disturbance from roads outside of harvest units.

Units 268, 272, and 274 were surveyed for rare plants. Rare species that were found during the survey will be avoided through mitigations listed in Appendix C. Canada yew and oak species will be protected during management activities. Stands containing Canada yew are noted in Appendix C. The Biological Evaluation shows that this Project will not contribute toward federal listing or a loss of viability for Canada yew or any other threatened, endangered, or sensitive species.

Group selection harvest will not change the size of the patch. There may be a decrease in the quality of the patch through creation of temporary openings in the canopy and temporary road corridors. These changes in the quality of the patch will be mitigated by retaining larger-sized trees, retaining untreated areas, creating gaps of varying size, and looking for opportunities to replicate natural disturbance patterns. Within five years after the harvest, the temporary roads and temporary openings will be revegetated and the canopy will be growing to increase the amount of crown closure.

Approximately 50 percent of the patch will be treated, retaining 50 percent in an untreated condition. In the 50 percent of the patch that is treated, Forest Plan direction for large mature and older upland patches states "In Spatial Zones 1 and 2 (Whyte Project Area is in Zone 1), in mature and older upland forest types managed to maintain patch sizes of greater than 300 acres, vegetation management treatments are allowable where they maintain a 50% minimum canopy closure at time of treatment and favor retention of larger and older trees characteristic of the patch." (Forest Plan, G-VG-3, p. 2-26)

Units 250, 258-260 – The prescription for Unit 250 is changed from "clearcut with reserves" to "variable retention" for the reasons listed in Table 1. The prescription for Unit 260 was changed from "clearcut with reserves" to "overstory removal" because there is existing advanced regeneration in the understory. Units 258 and 259 will be clearcut with reserves in an effort to capture aspen and balsam fir mortality and create conditions suitable for aspen regeneration. Cedar, yellow birch, sugar maple, spruce, and ash will not be harvested. Portions of each stand will not be treated and those areas will retain characteristics of old forest and will not be disturbed. There is a need to increase the amount of young forest in the Sugar Maple LE, and Units 258-260 are suitable for regeneration harvest. All four stands are greater than 20 acres and therefore at least 5 percent of each stand will be retained in legacy patches. (Forest Plan G-TM-5, p. 2-20)

The native plant community for Units 258-260 is mesic fire-dependent forest/woodland system. Crown and severe surface fires were common; windthrow was not common. The early growth stage was typically dominated by aspen, with less jack pine and paper birch. The clearcut with reserves harvest method emulates severe surface fires and maintains the early growth stages. By retaining the sugar maple, cedar, yellow birch, spruce, and ash, the species, structural, and age class diversity will be maintained and enhanced.

Unit 7 – Unit 7 prescription was changed from "shelterwood" to "shelterwood with canopy gaps" to better meet the Riparian Emphasis Management Area direction which calls for "a mixture of young, but more frequently old, trees with multi-layered canopies present". The shelterwood with canopy gaps treatment will help maintain the existing paper birch component that needs openings and ground disturbance to regenerate while maintaining more of the overstory trees. Planting red and white pine will result in increased species diversity on the site. Vegetation management will not fragment the bog complex, and the shelterwood with canopy gaps maintains the older vegetative growth stages and better addresses the concerns raised by MCBS.

Units 33-40 – These harvest units were planned and designed collaboratively with *The Nature Conservancy* to create larger sized patches of young forest and conduct similar management activities across landownership boundaries. Through this collaboration, harvest of Units 33 and 34 and 37 and 38 will create two patches of young forest greater than 100 acres in the Mesic Birch-Aspen-Spruce-Fir LE and the Lowland Conifer LE. These larger patches of young forest will result in less edge density than if just the Forest Service or *The Nature Conservancy* were to harvest. Units 35 and 36 will be thinned and thinning will not create any edge. Units 39 and 40 will have an overstory removal treatment and this will have minimal effect on fragmentation because of the advanced regeneration. *The Nature Conservancy* indicated they would conduct similar management activities on their land and this results in similar disturbance patterns in an entire stand, not just the stand on Federal land.

MCBS did not identify concerns with the vegetation management proposed in the Headwaters Site which is ranked "outstanding". Units 3-5 will be treated with a shelterwood with reserves. The objectives are to remove enough overstory to create conditions suitable for converting the stands to white pine (See Appendix A for definition of shelterwood with reserves). MCBS supported this treatment and encouraged continued collaboration with the DNR and Sand Lake Seven Beavers MOU to develop specific prescriptions and achieve large patch objectives (See Scoping Comments and Agency Responses, available on the internet at http://www.fs.fed.us/r9/forests/superior). Units 31 and 32 are also in the Headwaters Site. The objective is to regenerate these stands through clearcut with reserves. MCBS asked that the Agency consider reserve trees and legacy patches that retain long-lived conifers and black spruce, as well as scattered planting of white pine. MCBS suggestions will be included in the prescription for Units 31 and 32.

I believe the changes I made to Alternative 1 Modified, including deferring three units, changing prescriptions to emulate native plant community disturbance patterns, maintaining patch sizes, and retaining aspects of the older growth stages such as larger trees and creating a variety of gap sizes in some stands will adequately protect and maintain the biological diversity of each unit.

Threatened and Endangered Species

A Biological Assessment was completed for the alternatives in the Whyte Forest Management Project EA. U.S. Fish and Wildlife Service concurred with our finding that actions proposed in with Alternative 1 may affect but are not likely to adversely affect the bald eagle, gray wolf, and Canada lynx.

The EA, with additional information in the Biological Assessment, includes the following:

Bald Eagle – The Project is not likely to adversely affect the bald eagle because there will be a decrease in the miles (2.1 mi) of unauthorized roads within a ½ mile of suitable foraging lakes which is the result of road closures. The temporary roads that will be constructed and used will not be located within ½ mile of known nest sites. Vegetation management activities will not occur within ½ mile of any nest site.

In general, available habitat for eagles will increase over time because 152 acres of white pine will be planted within ½ mile of lakes > 20 acres. In addition, the red and white pine forest type will increase from the existing 4.6 percent of the upland forest to 5.8 percent prior to the Year 2014.

Canada lynx – Habitat conditions for Canada lynx will improve as a result of the Project. Alternative 1 Modified will increase the within-stand species and structure diversity through conifer planting and will improve cone production at an earlier age in red pine and spruce plantations, positively affecting red squirrels (prey species). Hiding cover will be improved through planting of conifers and natural regeneration. Prey habitat is abundant with more than 53 percent of the federal land in hare habitat, and/or more than 30 percent of the federal land in squirrel habitat in all Lynx Analysis Units. Foraging and denning habitat is and will remain well distributed throughout the Project. The amount of unsuitable habitat will remain well below 15 percent.

Alternative 1 Modified will result in bringing SNF LAU 16 below 2.0 miles per square mile. The existing condition of LAU 16 is 2.09 miles per square mile. The density will decrease to 1.98 miles per square mile.

Gray Wolf – The gray wolf is no longer a threatened or endangered species. The delisting of the gray wolf by the U.S. Fish and Wildlife Service is published in the final rule “Designating the Western Great Lakes Populations of Gray Wolves as a Distinct Population Segment; Removing the Western Great Lakes Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife Species” (Federal Register / Vol. 72, No. 26 / Thursday, February 8, 2007, pp. 6052-6103).

Forest Service Eastern Region 9 policy and framework for sensitive species management (FSM 2672.11) directs that "...species delisted by the FWS in the last five years... will be designated as a Regional Forester Sensitive Species (RFSS) for the National Forests and Grasslands on which they occur." Therefore, gray wolf is automatically designated as an RFSS. It also retains its Superior National Forest status as a management indicator species.

Regional Forester Sensitive Species

The Whyte Forest Management Project Biological Evaluation discloses the effects of the Project on the Regional Forester Sensitive Species. Regional Forester Sensitive Species are species for which population viability is a concern due to one or a combination of several factors: habitat and species

rarity or poor distribution, a declining population trend; risk to habitat integrity, and/or population vulnerability (Final EIS, p. 3.3.5-1). Table 2 of the Biological Evaluation lists the sensitive species which are known to exist in the Project Area. The District Wildfire Biologist, Aquatic Biologist, and Plant Ecologist determined that there may be impacts to individual species through implementation of the Decision, but the proposed activities are not likely to result in a trend to federal listing or a loss of viability for the same species.

Forest Plan standard and guidelines, design criteria, and mitigation measures listed in Appendix C identify specific species that are within the Project Area and provide specific direction that will protect the known species. This includes specific direction for the gray wolf, northern goshawk, boreal owl, wood turtle, neat spike rush, club spur orchid, clustered bur-reed, New England sedge, Canada yew, and goblin fern. If any nests, dens, or other sensitive plants or animals are located during management activities, the District Biologist will be consulted and appropriate action will be taken to protect the nest, den, and/or species found.

The Project was designed to minimize impacts to sensitive species through protecting important habitat. The Project will also produce better future habitat by reducing fragmentation, avoiding known occupied territories, and moving the vegetation towards the landscape ecosystem objectives.

Management Indicator Species

The four Management Indicator Species include bald eagle, gray wolf, white pine, and northern goshawk. Bald eagle is discussed above under the heading "Threatened and Endangered Species".

White Pine - The Whyte Project will manage for white pine through maintaining existing white pine and planting pine on over 800 acres, including over 200 acres within riparian areas. There will be more white pine on the landscape as a result of implementing Alternative 1 than if no action is taken.

Northern goshawk - The Biological Evaluation determined that the Project may impact individuals, but is not likely to cause a trend to federal listing or loss of viability. There are no known active goshawk nests in the Project Area. Five survey routes consisting of approximately 60 calling points were conducted in the Whyte area in 2005 and 2006. There were no detections of goshawks. Two incidental sightings of goshawks have occurred in the Project Area in the last few years. These locations were followed up with stand searches and call playback; no known goshawk nests were located. Two stick nests were found in the Whyte Project Area that have the potential to be historic goshawk nests (based on shape and proximity to each other). The nests were not used by any species in 2006; additional monitoring of the nests will be conducted during implementation.

There will be a 7 to 8 percent reduction in the amount of mature forest in the Project Area. The decrease in the mature forest results in an increase in young forest which provides habitat for important forage species such as ruffed grouse and snowshoe hares. The Project minimizes effects to species needing mature forest by maintaining all of the mature patches greater than 300 acres.

Gray Wolf – There are no known wolf dens in the Project Area. The Project will provide foraging habitat for deer and moose (prey species). The quality of thermal cover will be improved as a result of planting conifers. There will be a decrease in the miles of road; this will decrease potential human disturbance. Temporary roads will be limited in duration and will be obliterated when actions are completed.

I am aware there is debate on the sufficiency of the Forest Plan's use of management indicator species (MIS) and validity of use of management indicator habitats (MIH). However, I am confident that our approach of using both MIS and MIH is adequate and valid, and that this decision is supported by the programmatic analysis done during Forest Plan Revision. The Forest Service Chief decision on the Forest Plan Revision ROD appeal included the following: "[t]he MIS program for the Superior NF monitors a suite of species sufficient to comply with NFMA regulations, demonstrated that it has an adequate framework in place to conduct the required monitoring, and uses habitat as an appropriate adjunct to species monitoring" (p. 54-55 of the Chief's Appeal Decision). In the Forest Plan Planning record, the Forest Biologist describes in detail how and why MIS and MIH are appropriate and allow reasoned decisions.

A lawsuit alleges that the Forest Plan does not have enough Management Indicator Species (MISs). However, the Forest went through a selection process guided by the regulations, Forest Service manual, and recent case law on MIS. Our management indicator species were developed to fulfill these requirements. Regulations (36 CFR 219) required the Forest Service to select "management indicator species" (MIS) in order to estimate effects on wildlife. Forest Service policy (FSM 2621 Management Indicators (WO Amendment 2600-1)) expands the use of MIS to use of "management indicators" that can include habitats. The Forest Plan Revision (FPR) EIS analyzed (Appendix B of the FPR FEIS) and the Forest Plan has direction for 10 MIHs that relate to forest type, 3 MIHs that relate to spatial patterns and interior forest, and one MIH that relates to lakes and streams. In addition to the 14 MIHs, we have direction for gray wolf, bald eagle, northern goshawk, and white pine as "management indicator species".

Management indicator species are monitored during Forest Plan implementation in order to assess the effects of management activities on their populations and the populations of other species with similar habitat needs that they may represent.

Because of scientific limitations of using individual species to indicate effects on many other species, a limited number (four) of management indicator species were selected (A Critical Analysis on the use of Indicator Species in Management by Niemi, Hanowski, etal, 1997 and Ecological Uses of Vertebrate Indicator Species by Landres, Verner, Thompson, 1988). Management indicator habitats were favored because it was determined that they better reflect the broad spectrum of major wildlife management issues and challenges than individual species. Management indicator habitats represent the major biological communities on the National Forests that are affected by management. In other words, they provide a "coarse filter" that represents the array of native ecosystems of the National Forests - with emphasis on those that would be most affected by management and whose conditions would vary by alternative. In summary, management indicator habitats were developed to generally encompass coarse filter habitats associated with as many species as possible to provide a practical and efficient approach to addressing the thousands of species that are found on the National Forests.

Some species may fall through this coarse filter because of their specialized habitat requirements, because of their high public concern, or because of concern for their continued viability on the Forest-wide planning area. Therefore, we selected additional species as "fine filter" indicators that, although not designated as "management indicator species" per 36 CFR 219, allow us to address important wildlife impacts or issues not adequately addressed by "management indicator species and habitats". Forest Plan Revision indicators 15 (lynx), 18 (107 sensitive species) and 21-23 (woodcock, deer, and ruffed grouse) were selected because they allow evaluation of individual species identified during scoping as species of high public concern because of their social, economic, or ecological importance. They include commonly hunted species, watchable wildlife species, species associated with special habitats, and species of viability concern in the Forest-wide

planning area (threatened, endangered, and sensitive species). The individual sections of Chapter 3 of the Forest Plan Revision EIS that analyze these indicators provide more information on rationale for selection.

The Superior National Forest will continue to use the best available science in planning for the long-term health of the land.

Game Species

There will be adequate habitat for deer, moose, and ruffed grouse.

White-tailed Deer – The Decision will result in slightly less thermal habitat; however, the planting of conifers will result in better quality of thermal cover. Currently, there is 48 percent suitable thermal cover in the Project Area. Under Alternative 1 Modified there will be 47 percent suitable thermal cover. Currently nine percent of the Project Area provides suitable forage habitat. Under Alternative 1 Modified there will be eight percent suitable forage habitat. The harvest of mature timber will create approximately 3,800 acres of foraging habitat. Vegetation management will provide better foraging habitat than the No Action Alternative

Ruffed Grouse – There will be slightly less grouse habitat because of converting aspen/birch forest to conifer forest; however, aspen and birch forest will continue to dominate the Project Area. Currently there are 28,500 acres of grouse habitat. Under Alternative 1 Modified there will be 27,700 acres of habitat.

Moose – There will be a small decrease in the amount of thermal winter cover but the increase in conifer through planting will result in better quality cover in the future. Currently, there is 48 percent suitable thermal cover in the Project Area. Under Alternative 1 there will be 47 percent suitable thermal cover. Currently nine percent of the Project Area provides suitable forage habitat. Under Alternative 1 Modified there will be eight percent suitable forage habitat. The harvest of mature timber will create approximately 3,800 acres of foraging habitat.

Landscape Ecosystems – Age Class, Species Composition, and Management Indicator Habitats 1 – 9

The Forest Plan provides landscape ecosystem objectives for age class, species composition and management indicator habitats. The Purpose and Need for the Project is to move the vegetative component of the Project Area towards the LE objectives in the Forest Plan.

While all of the alternatives would meet some aspects of the landscape ecosystem objectives, there are differences in how the alternatives address age class, composition, and management indicator habitats. I selected Alternative 1 Modified because it better meets the LE objectives for young forest and species composition.

- Young Forest – The LE objectives, including MIH 4 and 9, show there is a need to increase the amount of young forest, especially young aspen-birch forest, in the Mesic Birch/Aspen/Spruce-fir LE, and to create young black spruce forest in the Lowland Conifer LE. Alternative 1 Modified provides more young forest than does Alternative 3. Alternative 2 would not provide any young forest. Currently, 1.4 percent of the Federal land in the Project Area is in young forest aged 0 to 9 years old. Alternative 1 Modified will increase the amount of young forest by 5 percent. In less than ten years, all of the existing young forest will grow out of the 0 to 9 age class.

●White Pine and Jack Pine – The LE objectives show there is a need to increase white pine and jack pine. Alternative 1 Modified will increase the amount of white pine through converting 428 acres of aspen forest to white pine and through planting 241 acres within riparian areas. Thirty-two acres will be converted to jack pine. There are limited opportunities to convert additional acres to jack pine because there are few ecologically suitable sites.

●Riparian Habitat – Alternative 1 Modified will improve 241 acres of riparian habitat through site preparation activities followed by planting longer-lived tree species of white pine with smaller components of red pine, yellow birch, spruce, cedar, and oak.

● Alternative 1 Modified will enhance the growing conditions on 3,427 acres of red pine, maple, and white spruce stands through removal of smaller, less desirable trees. This will leave more growing room for the remaining trees. Harvest within the sugar maple stands will consist of mostly group selection harvest to create un-even aged forest.

Fragmentation and Patch Sizes (Spatial Management Indicator Habitats 11, 12, and 13)

The Whyte Project is designed to reduce fragmentation and create larger-sized patches of young forest while maintaining existing large patches of mature vegetation greater than 300 acres. The Proposed Action was developed in a collaborative manner with other landowners to reduce fragmentation, create larger-sized patches of young forest, and maintain larger-sized patches of mature forest. The harvest and non-harvest areas would then follow ecological boundaries rather than straight-line property boundaries.

MIH 11, Acres of Upland and Lowland Edge. Forest Plan direction is to reduce the amount of forest edge while retaining a range of small patches and edge habitat. Alternative 1 reduces the amount of edge, which reduces fragmentation. This is a direct result of creating some larger-sized patches of young forest and harvesting adjacent to recently harvested stands and stands proposed to be harvested on other ownership.

MIH 12, Acres of Mature Interior Forest Habitat. Forest Plan objective is to maintain or increase the amount of mature interior forest habitat. The Project will decrease the amount of mature interior forest within the Project Area because of harvesting stands greater than 20 acres. Stands less than 20 acres are generally not large enough to provide interior forest. As was stated above, the Project maintains patches greater than 300 acres and reduces fragmentation by creating larger-sized patches of young forest. As the larger-sized patches of young forest that are created through this Project grow and mature, there will be better quality interior forest habitat in the future.

On federal land within the Superior National Forest, the Forest Plan projected the amount of interior forest would decrease over the next ten years with the implementation of future projects. In the long-term however, it is projected that there will be a greater percentage of interior forest than currently exists. Taking this information into account, it is still my decision to select Alternative 1 as modified in this decision.

MIH 13, Patches of Upland Mature Forest Greater Than 300 Acres. Forest Plan objective is to maintain or increase the acres and number of 300 acre patches. The Project will not decrease the number of patches greater than 300 acres, nor will it decrease the size of these patches.

Management actions that will occur within patches will maintain a 50 percent crown closure and will retain larger and older trees that are characteristic of the patch.

Wild, Scenic, and Recreational Rivers

There are no proposed activities located within ¼-mile of the St. Louis River and therefore the Whyte Project activities will not have any impact on St. Louis River's free-flowing character, outstandingly remarkable values, or classification.

Approximately 210 acres of vegetation management including intermediate, two-aged, and restoration activities will occur within ¼ mile of the Cloquet River. Although there are some short-term changes in vegetation structure and species composition within ¼ mile of the river, management activities and treatment prescriptions are designed to increase tree size and promote longer-lived conifers. The vegetation management activities will result in temporary impacts to the vegetation through the loss of some of the trees; however, prescriptions are designed to generally remove only smaller trees and retain many of the existing larger trees. Follow-up treatments will consist of planting longer-lived conifers such as white pine in many of the units. The future stands along this river corridor will contain a greater diversity of tree species, and will futher promote larger and longer-lived trees.

The effects to the scenery within ¼ mile of the Cloquet River are relatively minor and will not affect the river's free-flowing condition, outstandingly remarkable values, or classification as an eligible Wild, Scenic, and Recreational River. According to the Forest Plan (Final Environmental Impact Statement Volume II, p. E-2), the Cloquet River does not contain any outstandingly remarkable values.

Forest Plan Inventoried Roadless Areas

The Forest Plan does not recommend the Seven Beavers Forest Plan Inventoried Roadless Area for additional wilderness study. The Forest Plan allocated the Seven Beavers area into two management areas; Candidate Research Natural Area and Riparian Emphasis Management Area. Management activities will not occur in the area designated as a Candidate Research Natural Area; however, vegetation management activities will occur in vegetative treatment Units 19 and 20, totaling 58 acres within the Riparian Emphasis Management Area.

Management within Unit 19 is designed to restore white pine along Seven Beaver Lake. This will enhance scenic quality, improve future bald eagle nesting habitat, and meet Forest Plan direction for increasing the amount of white pine and restoring long-lived conifers within the riparian areas. I expect that there will be some minor social effects resulting from burning and/or machinery noise (chainsaws or water pump) while site preparation activities occur. These social impacts are expected to last only for the duration of the activity, approximately 2 weeks. Unit 19 will be accessed via motor boat or snowmobile.

Management within Unit 20 is designed to create a larger-sized patch of young forest and to manage the entire stand in an ecological manner rather than following straight-line land ownership boundaries. Temporary roads and skid trails will be used to access this unit and will be decommissioned upon completion of management activities. I expect there will be some minor social effects resulting from machinery noise while harvest activities occur. These social impacts are expected to last only for the duration of the activity, approximately four months during the winter when recreation use is low.

Based on the above disclosure, the vegetation treatment activities in Units 19 and 20 will not have any long-term effects on the Roadless characteristics.

Roadless Area Review and Evaluation (RARE II) and Roadless Area Conservation Rule

No vegetation management activities will occur within the Phantom Lake RARE II area. Approximately one mile of unauthorized road will be decommissioned. Road decommissioning is not prohibited under RARE II or the Roadless Area Conservation Rule.

Soils and Wetlands

The soil quality, nutrient status, and wetlands throughout the Project Area will be adequately protected during vegetation and road management activities and gravel pit development through project design and mitigation measures displayed on the unit cards. Some riparian functions will be improved through decommissioning unauthorized roads. At the time of closure, culverts will be removed and drainages restored. Revegetation of areas will improve the structure, nutrient status, and water holding capacity of the soil.

Forest Plan monitoring (Fiscal Year 2005 Monitoring and Evaluation Report) shows that the design features and mitigation measures set forth to protect and maintain soil and wetland resources are being implemented and are affective at meeting Forest Plan standards and guidelines.

Those same design features and mitigation measures will be implemented with this Project; therefore, the vegetation management, associated road activities, and gravel extraction will not adversely affect soil quality, nutrient status or wetlands.

Scenery

The scenery along Forest Highway 11 and Lake County Highway 2 within the Project Area will be adequately maintained through mitigations for vegetation management and scenery. Harvest occurring along roads and trails may be noticeable to some people, but will be designed to appear as a natural disturbance within two years following management activities. The use of legacy patches, reserve trees, reserve buffers, harvest prescriptions, and specific mitigations for harvest along the main travel routes will adequately protect scenic quality.

Heritage Resources

Heritage resource professionals were involved throughout the planning process. Known sites will be adequately protected. Reviews and/or surveys have been completed for the vegetation, road activities, and gravel pits. The unit cards identify specific units that will undergo additional review prior to soil disturbance to ensure potential new sites are protected. The Superior National Forest Heritage Program Manager concluded that because of the specified mitigation measures, there will be no effects to heritage resources under any of the alternatives.

Alternative 1 is in compliance with the provisions of 36 CFR part 800. The provisions of the Memorandum of Understanding with the State Historic Preservation Officer have been followed.

Non-native Invasive Plants

I recognize the concern about the spread of non-native invasive plant species and the need to reduce the risk of the spread of non-native invasive species. I recognize there is a risk of spreading non-native invasive species under either of the action alternatives, although the amount of risk is similar to what might occur under Alternative 2, No Action. The mitigation measures for non-

native invasive species will effectively lessen the threat of spread of species within harvest units and monitoring will ensure that mitigation measures are effective. The mitigation includes avoiding known sites when activities will occur during the growing season, and mowing or pulling plants within 50 feet of units before mechanical disturbance occurs. The overall benefits of the Project are greater than is the risk of spread of non-native invasive species.

Water Quality

The Project is designed to enhance aquatic resources through management of riparian areas including planting and, where needed, creating conditions suitable for planting long-lived conifer species. This will also increase shade and cover for aquatic organisms and increase in-stream habitat complexity with future large-woody debris recruitment. Also, there will be an improvement in water quality through decommissioning roads that cross streams.

The wetland and soil mitigations will adequately protect seasonal ponds, wetlands, and wetland inclusions during vegetation management activities.

Recreation

The Whyte Project will not impact other recreational activities although some recreational users may be individually impacted if harvest occurs in an area they visit, or if an unauthorized road they used in the past is decommissioned. Vegetation management, including timber harvest, has been occurring in the Project Area for many years and current users of the area recognize this. Signs will be used to notify the public of logging trucks and other vegetation management activities where deemed appropriate. The roads being decommissioned are generally short sections of road and were not intended to be public roads. Decommissioning approximately 24 miles of unauthorized road may have a minor effect on some people, but overall there will be few changes in recreation experience or opportunities.

Fire Regime Condition Class

The fire regime condition classes will be improved under Alternative 1. Some forest communities have been altered from their natural range through fire suppression and the lack of vegetative management that addresses the historic native forest communities. The vegetation management activities will emulate some aspects of natural disturbance and this will begin to restore some ecosystem components of forest health, including the fire regime condition class.

Transportation System

A purpose of the Whyte Project is to provide an adequate transportation system for managing National Forest lands. Two miles of existing unauthorized road will be added to the managed road system and approximately 24 miles of existing unauthorized road will be decommissioned. Most of the roads to be decommissioned are short sections of road that were originally constructed to access vegetation management units. These roads were never intended to become part of the managed road system.

Overall, there will be fewer road corridors in the Project Area when compared to the existing condition.

The 2 miles of road being added to the system will provide access to gravel pits, National Forest System land, and access to State and County land. Appendix B shows which roads will remain open for public motorized use and which will be closed. These roads will be reconstructed to standard, will be designed to have proper drainage and stream crossings, and will receive routine maintenance based on the maintenance level and need for maintenance. By adding these roads to

the system, they will not result in additional adverse effects on soil, water quality, or vegetation, and they will be available for current and future management actions that are needed to manage National Forest and other lands.

Approximately 24 miles of unauthorized roads will be decommissioned. These roads are not needed for current or foreseeable future management activities. This will lessen impacts to wetlands, soil, wildlife, and vegetation.

The five gravel pits will be available to meet the needs of local landowners, other government agencies, and the Forest Service. Gravel pit management plans will be developed for each pit and will include direction on how and where gravel should be extracted, how the pit will be managed, and specific plans for closure and rehabilitation. Gravel pits will be monitored to ensure pit plans are followed and only approved amounts of gravel are removed.

Economics

Alternative 1 will produce approximately 32 million board feet of timber. This amount will provide for sustainable forest products in an environmentally acceptable manner. This area has provided commercial timber in the past and the lands proposed for harvest are suitable for timber harvest. The value of the timber will be used to meet other resource objectives such as planting more desirable species, enhancing species and structural diversity, and closing roads.

Monitoring

District and Forest resource specialists have been monitoring past projects. I reviewed the entire monitoring folder that is included in the Project Record. The monitoring contains reviews of vegetation and road management actions that were included in the Virginia Forest Management Project Environmental Impact Statement. Monitoring shows that generally the prescriptions and mitigations are being implemented as planned. Changes and modifications are documented on the unit cards and timber sale folders.

Other Alternatives Considered

In addition to the selected Alternative, I considered two other alternatives in detail (discussed below). A more detailed comparison of these alternatives can be found in the EA.

Alternative 2, No Action

Under the No Action alternative, current management plans would continue to guide management of the Project Area; however, no new projects would be implemented.

Alternative 2 does not move the area toward the desired condition set forth in the Forest Plan for creating young forest, increasing the white pine and jack pine conifer component, enhancing riparian habitat, improving forest health, or for addressing the unauthorized roads. This alternative does not create any young forest, and after approximately ten years there would be no young forest. Alternative 2 allows the greatest number of roads to remain open, resulting in additional impacts on soil productivity, wildlife, and water quality.

Alternative 3

Alternative 3 was developed to address an issue raised by the Minnesota Department of Natural Resources, Minnesota County Biological Survey. This alternative would treat 1,128 fewer acres than Alternative 1, and would use variable retention harvest instead of a clearcut harvest on 175

acres. The MCBS raised a concern that harvest within some of the higher-ranked MCBS sites would decrease the biological diversity of those sites. Alternative 3 would generally not harvest within the stands that MCBS recommended deferring harvest at this time.

Alternatives Considered but Eliminated From Further Consideration

The following alternatives were considered but eliminated from detail study:

Alternative 4: Initial Proposed Action

Alternative 5: Scoping Report Proposed Action

Alternative 6: Additional Roads to Remain Open for Motorized Use

Alternative 7: Harvest within the RARE II / Roadless Area Conservation Rule Areas

Alternative 8: Harvest Young Stands before the Culmination of the Mean Annual Increment

Alternative 9: Develop an Alternative that Better Meets Range of Natural Variability

Chapter 2 of the Whyte Forest Management Project EA explains why these alternatives were not considered in detail. Three alternatives were brought forward for detailed study and six alternatives were considered but not carried forward for detailed analysis. The alternatives brought forward for detailed study provided a range of management options that recognize the need for management activity and also address the key issues. The analysis provided me with sufficient information to make a sound and reasonable decision.

Public Involvement

On April 3, 2006, the Laurentian Ranger District mailed a letter to over 800 people stating the District would soon be issuing the Whyte Project Scoping Report. The letter was mailed to those who either live or own land within or adjacent to the Project Area, or who asked to be notified of Projects proposed on the Forest. A stamped postcard was included with the letter and asked recipients to return the postcard if they wanted to receive a copy of the Scoping Report. Over 300 people returned the postcard and these people were mailed a copy of the Whyte Project Scoping Report on May 12, 2006. The Project was also listed in the "Schedule of Proposed Actions" and included in the Superior Quarterly beginning in January 2006. (See http://www.fs.fed.us/r9/forests/superior/publications/quarterly_reports/SQ.php)

The public was also notified of the Whyte Scoping Report through a paid advertisement placed in the newspaper of record, the Mesabi Daily News, on May 12, 2006. A news release was printed in the Lake County Chronicle, the newspaper nearest the Project Area, on May 19, 2006. The Scoping Report was also made available online at http://www.fs.fed.us/r9/superior. The purpose of scoping was to identify significant environmental issues deserving of further study and to de-emphasize the insignificant issues (40 CFR 1500.4g).

The District also hosted an open house on May 31, 2006. Two people came to the open house. A private landowner identified a road proposed for closure that he uses for access to his private land. This road is no longer proposed for closure and will be addressed as a special use request in a future analysis. A representative from the MN Department of Natural Resources also attended to obtain additional information about the Project.

The Scoping Report included specific information on how to submit comments on the Project. It was requested that comments be submitted by June 9, 2006. Eleven responses from individuals, groups, and agencies were received by June 9, and several letters were received after June 9. The list of people who commented is included in Appendix E of the EA. See www.fs.fed.us/r9/superior for the letters and the Forest Service responses to those letters.

The Whyte Project Preliminary Effects Analysis was mailed to the public on February 13, 2007. It was mailed to the same recipients as the Scoping Report. The list of people contacted is included in Chapter 4 of the EA. A legal notice was placed in the February 14, 2007 edition of the Mesabi Daily News, which is the newspaper of record for the Laurentian Ranger District. Publication of the legal notice initiated the 30-day public comment period, during which nine comments were received. Those letters, as well as agency responses to those letters, are included in Attachment 1 of this document.

Tribal Communities

Members of the interdisciplinary team met with the Bois Fort Band on March 17. The team also met with the 1854 Authority, representing the Grand Portage and Bois Fort Bands of the Lake Superior Chippewa, on March 23, 2006. A draft proposal was shared with the tribes and with the 1854 Authority.

Topics addressed at these meetings included hunting access, and moose and white tail deer habitat. Both hunting access and game species management were considered during the development of the Proposed Action. The effects of closing roads, and the subsequent effects to moose and deer, are disclosed in the EA.

I recognize the Laurentian Ranger District is part of the territory ceded to the United States under the La Point Treaty of 1854, and that tribal members have reserved rights to use the area for hunting, fishing, gathering forest products, recreating, and other cultural activities. I know that hunting and gathering are important culture aspects of the tribes under the 1854 Treaty.

The EA presents effects to moose, deer, and ruffed grouse and demonstrates that Alternatives 1 and 3 offer higher levels of habitat for game species than does Alternative 2. As habitat is maintained, hunting opportunities will also be maintained.

Motorized access will be limited by decommissioning 24 miles of unauthorized road. However, non-motorized access will be available. I did look for additional motorized opportunities off the Stony River Grade. There are limited opportunities for National Forest System roads because of mixed landownership and wetland areas. There is one system road off the Stony River Grade and this road will remain open for public motorized use.

Findings Required By Other Laws and Regulations

Compliance with the National Forest Management Act (16 USC 1600 ET SEQ.)

The National Forest Management Act (NFMA) requires specific determinations in the Decision, including consistency with the Forest Plan.

My decision to implement Alternative 1 Modified is consistent with the Forest Plan's long term goals and objectives. The Project is in conformance with the Forest Plan standards and guidelines and incorporates appropriate Forest Plan desired conditions, objectives, standards, and guidelines

for the landscape ecosystems and management areas. The analysis in the EA clearly shows how the Project would move the area towards the landscape ecosystem objectives in the Project Area including Mesic Birch/Aspen/Spruce-fir, Lowland Conifer, and Sugar Maple Landscape Ecosystems. I have reviewed the Forest Plan direction for the following management areas (MAs): General Forest, General Forest - Longer Rotation, Riparian Emphasis, and Eligible Wild, Scenic, and Recreational Rivers. The majority of the even-aged management will occur within the General Forest MA. No even-aged management will occur within the Eligible Wild, Scenic, and Recreational River MA. Table G3 (see Appendix G) of the EA shows how much and what type of management will occur in each management area.

The Project is consistent with the desired conditions and standards and guidelines for vegetation, water quality, wildlife, scenic resources, transportation, and recreation. Timber harvest was designed with the principles of ecosystem management that will provide biological diversity and forest health, while producing sustainable timber products and providing for human use of the area. I have thoroughly reviewed the EA and the Project Record. I believe the interdisciplinary team adequately analyzed and disclosed the relevant effects on the resources to the level commensurate with the risks concerning vegetation and road management projects and other actions included in this Project. Three alternatives were analyzed in detail and six more were considered but dropped from further review. This range of alternatives is broad enough to provide a range of effects based on different levels of vegetation management actions while meeting the Purpose and Need. This analysis provided me with sufficient information to make a sound and reasoned decision, based on providing goods and services to meet the needs of the public and maintaining and enhancing the long-term productivity of the land.

Suitability for Timber Production (16 USC 1604(e)(2))

All timber removal will occur on National Forest System land that is suitable for timber production. This conclusion is based upon on-the-ground examination of the stands proposed for harvest by resource specialists, review of the maps and facts provided in the EA, and information provided in the Project File, in particular the Effects Disclosure for Vegetation and Effects Disclosure for Soil and Wetlands. Based on my experience and the knowledge and expertise of the interdisciplinary team, I find there is reasonable assurance that harvested lands will be adequately restocked within five years. None of this land has been withdrawn from timber production by an Act of Congress, the Secretary of Agriculture, or the Chief of the Forest Service.

Optimality and Appropriateness of Harvest Methods (16 USC 1604(g)(3) and (F)(i))

The National Forest Management Act states, “When timber is to be harvested using an even-aged management system, a determination that the system is appropriate to meet the objectives and requirements of the Forest Plan must be made and where clearcutting is to be used, it must be determined to be the optimum method.”

Choosing the optimum harvest method for regenerating a particular stand is influenced by the silvicultural requirements of the species on the site, existing stand conditions, issues raised during the analysis, prior experiences in the area, and Forest Plan direction. A silvicultural prescription is prepared based primarily on the biological requirements of the stand and the management area objectives. The harvest method for any given stand may differ from another stand. The method may be modified to mitigate other resource concerns such as visual quality or desired future conditions. However, the proposed harvest method is required to be sufficient to ensure regeneration of the stand.

This prescription is then subject to interdisciplinary analysis by foresters, biologists, soil scientists, hydrologists, recreation planners, landscape architects, and fuel specialists, with special consideration given to the issues raised during scoping and the 30-day official comment period. In some cases, prescriptions may be modified to mitigate other resource concerns such as visual quality, water quality, or vegetation composition guidelines.

The selected silvicultural methods for each stand, listed in the Appendix A, accomplish the Purpose and Need for the Project. This includes meeting the Forest Plan objectives for moving the area towards the management area and landscape ecosystem objectives for age class, species composition, and patch sizes. It also includes meeting the objectives for maintaining and enhancing vegetative diversity to improve habitat for wildlife species, and the production of raw material to the timber industry.

Guideline G-TM-2 of the Forest Plan states that clearcutting may be used to regenerate the following forest types: jack pine, red pine, spruce-fir, oak, aspen, aspen-spruce/fir, paper birch, and lowland conifers. The use of clearcutting is the optimum method for regenerating jack pine, aspen, and paper birch because they are pioneer forest tree species and shade intolerant. The site disturbance provided by the mechanical removal of the overstory will allow them to regenerate vigorously. Use of the clearcut method reduces competition and provides needed sunlight to ensure successful regeneration. Stocking and regeneration surveys show we have been successful in regenerating clearcut units.

The use of even-aged management is consistent with the direction provided in Table G-TM-7 of the Forest Plan and for the specific management areas in the Project Area. Where clearcut harvest is not needed to regenerate the aspen or jack pine, we will use harvest methods such as intermediate or two-aged harvest. These harvest methods will retain more of the existing stand and will be used to meet other resource objectives besides regeneration. Therefore, clearcut harvest is used when it is needed to meet age-class and patch size objectives, to create wildlife habitat, and to regenerate shade intolerant species.

The Whyte EA provides a thorough analysis of effects from even-aged management. The analysis documented in Chapter 3 includes effects to soils, watershed, fish, wildlife, recreation, aesthetics, and regeneration of the forest. Each of these resources will be adequately protected through design features and mitigation measures. ("Effect Disclosure for Vegetation", Whyte Project Record)

Vegetation Manipulation (16 USC 1604(g)

All manipulation of vegetation complies with the seven requirements of National Forest Management Act (NFMA) Regulations. This conclusion is based upon the following:

1. The actions in Alternative 1 modified are best suited to the goals stated in the Forest Plan for the landscape ecosystem objectives and management area objectives.

2. The land being treated can be adequately restocked within five years after final harvest as discussed under "Suitability for Timber Production" above.

3. These activities were not chosen primarily because they give the greatest dollar output or the greatest output of timber. I selected Alternative 1 modified because it best meets the goals and objectives in the Forest Plan.

4. These activities were chosen after considering potential effects on residual trees and adjacent

stands. The effects are disclosed throughout the EA and in all cases the effects are acceptable and are within the effects analyzed in the Forest Plan FEIS. In reaching this conclusion, I considered the Purpose and Need of the Whyte Project, and the goals, objectives, and desired conditions in the Forest Plan.

5. The selected activities will avoid permanent impairment of site productivity and will ensure conservation of water resources. The prescriptions and mitigations will adequately protect the natural resources.

6. The selected activities will provide the desired effects on water quality, wildlife and fish habitat, regeneration of desired tree species, recreation uses, aesthetic values, and other resource needs. The effects of the actions are fully disclosed in the Resource Reports and consider the effects of the action on water, wildlife, recreation, and other resources. The vegetation management prescriptions and in particular the design criteria and mitigations will adequately protect the other resources.

7. The selected activities are practical in terms of transportation and harvesting requirements, preparation costs, logging and administration, reforestation and release needs. I am basing this determination on the fact that the selected activities are similar to those which have been practiced on the Superior National Forest and the Laurentian Ranger District in areas similar to those in the Whyte Project Area.

Finding of No Significant Impact for the Whyte Forest Management Project Environmental Assessment

The Whyte Forest Management Project Environmental Assessment (EA), including the Whyte Project Record, provides sufficient analysis to determine that the Whyte Project will not have a significant effect on the environment. The EA briefly documents and discloses the environmental consequences for the effects of the actions proposed in the Whyte Project. The Resource Reports conducted for each relevant resource contain the detailed effects analysis, and other relevant information.

I have considered both the context and intensity of the environmental consequences of the Whyte Project, including the reference documents, additional information in the Project Record, and maps of the Project. Based on my experience with similar projects and practices, I conclude that the selection of Alternative 1 modified does not constitute a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. The level of analysis conducted for the Whyte Project is adequate and contains enough analysis for me to determine that an environmental impact statement is not needed. This determination is based on the following factors:

Context- The geographical setting of the proposal is the immediate area. It does not have implications that warrant extending the analysis beyond the Superior National Forest. The physical and biological effects are disclosed in Chapter 3 and are analyzed at appropriate scales, such as within the Project Area, adjacent to the Project Area, and across the Superior National Forest as based on landscape ecosystems. The effects of the Project are limited to those described in the EA and other documents incorporated by reference. All actions are consistent with the Forest Plan, and all environmental effects are within the range of effects disclosed in the Forest Plan Revision FEIS. The Whyte EA discloses how this Project would move the Forest vegetative condition towards meeting the landscape ecosystem objectives. This also shows that the level and type of effects that will result through implementation of the Whyte Project were considered and disclosed in the Forest Plan Revision FEIS. The types of vegetation and road management activities selected to be implemented are similar to activities that have occurred in the past in this area and in similar areas across the Superior National Forest. Past vegetation and road activities have been monitored and the effects of those projects did not result in significant adverse effects on the physical, biological, or social environment. This is based on the Superior National Forest 2005 Monitoring Plan and the monitoring conducted on other vegetation and road projects on the Laurentian Ranger District. The EA shows that Alternative 1 modified will not have significant adverse effects on the resources, either in the short-term or long-term.

Intensity - The severity of the impact will not be significant based on the following:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if, on balance, effects are believed to be beneficial.

Both adverse and beneficial impacts of the selected alternative are discussed in Chapter 3 of the Whyte EA. The EA discloses there will be both beneficial and adverse impacts resulting from implementing the Project. I have not given more weight to the beneficial effects in order to offset or compensate for potential adverse effects.

I have carefully considered the effects of managing the units identified by the Minnesota County Biological Survey. I have deferred harvest on Units 190, 191, and 192 that are part of a large patch of mature forest on federal land. I believe the effects of conducting group selection management

on Units 268-274 will adequately mitigate the adverse effects that timber harvest might have on the biological diversity of those stands. The mitigation measures in Appendix C will adequately protect sensitive species. Units 250, and 258 – 260 have been reviewed on-the-ground and we identified parts of those units that will not be harvested. And I have modified the prescription for Unit 250 to better address the native plant community. This also addresses the concern raised about range of natural variability for this unit. The type of management that will occur within these units will provide for the maintenance and restoration of ecological processes and functions. Group selection and variable retention harvest will move these units toward older, more structurally complex forest conditions. Vegetation management will be used to replicate natural disturbances to the extent practicable.

The potential adverse effects have been mitigated to the extent practical. Based on the analysis in the EA, the Biological Assessment, the Biological Evaluation, the Project file, Forest-wide and District monitoring, and my professional experience, I conclude there will be no significant adverse effects resulting from the implementation of Alternative 1 modified.

2. The degree of effects on public health or safety.

The Whyte EA describes the risks associated with each of the alternatives in Chapter 3. Public health and safety will be protected under Alternative 1 by the design features and mitigation measures. Specific mitigations such as posting signs at road and trail junctions during timber operations to warn trail users of logging activity will protect public safety during the implementation of this Project.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Historic or cultural resources – The Project will not have an adverse effect on historic or cultural resources.

Park Lands and Prime Farm Lands – There are no park lands or prime farm lands within the Project Area.

Wetlands - Alternative 1 modified includes approximately 1,573 acres of wetland ecological land types, which is 3% of the total wetlands in the Project Area, based on stand acres. Actual treated acres will be less because of legacy patches, leave areas, and wetland inclusions will not be treated. Mapped wetlands are identified on unit cards. Mitigation measures and harvest prescriptions require that all mechanical operations occurring on wetlands will occur during frozen conditions. Under frozen conditions, effects to wetlands such as rutting or changes in hydrological flow will either not occur or be minimal. This Project will have limited impacts to wetlands because in general wetlands will be avoided where practical and where not practical, activities will be restricted to frozen ground conditions. In addition, temporary erosion control techniques will be used where necessary to prevent sediment going into wetlands. (Effects Disclosure for Soils and Wetlands in Project Record)

Wild and Scenic Rivers – There are no wild or scenic rivers in the Project Area. There are two rivers that are classified as Eligible Wild, Scenic, and Recreational Rivers: the Cloquet River and the St. Louis River. Both are classified as Recreational Rivers (Forest Plan p. 3-17). There are no planned projects within ¼ mile of the St. Louis River; therefore, the Whyte Project will have no effect on this river or its eligibility as a Wild, Scenic or Recreational River. The Whyte Project

will conduct management activities on approximately 210 acres within ¼ mile of the Cloquet River. The majority of management consists of intermediate and two-aged management. Intermediate management will generally thin pine and spruce and maple stands, retaining the majority of the existing tree cover. Two-aged management will remove more of the tree cover and will be followed by planting pine. The purpose of two-aged management is to convert the stands to pine. This meets management area direction for managing for long-lived species and creating future big-tree character areas. Management within the Cloquet River corridor will not affect the free-flowing condition of the river, will not impact any outstandingly remarkable values, and will not affects its classification. The Whyte Project will not have a significant effect on these eligible Recreational Rivers.

Ecologically Critical Areas – The Forest Plan established several management areas that contain unique or unusual ecological or biological attributes. These management areas include the Unique Biological Areas, the Research Natural Areas (RNAs), and the candidate Research Natural Areas. Areas identified during the Forest Plan Revision process as having significant ecological features are designated as Candidate Research Natural Areas or as Unique Biological management areas. (Forest Plan Record of Decision, p. 17) The Project does not propose any vegetation management activities within or directly adjacent to any of the RNAs or candidate RNAs. Therefore, the vegetation management activities do not pose any risk of negative impacts to the RNAs or candidate RNAs. The Project proposes to decommission the unauthorized all-terrain vehicle trails in the RNA located in the southwest corner of the Project Area. This would enhance the overall quality of the RNA. There are no Unique Biological Areas within the Project Area. The Project will have no effect on ecologically critical areas.

4. The degree of controversy over environmental effects.

Based on my consultation with others, including the U.S. Fish and Wildlife Service and other Forest Service resource specialists, my review of the comments received from the public during both the scoping period and the 30-Day Public Comment period, my past experiences with similar projects, and my review of the Whyte Environmental Assessment and Project File, I have determined there are no highly controversial effects. I recognize that this does not mean that implementation of the Project will be acceptable to all people. During the scoping and 30-day comment periods, people expressed divergent views on how National Forest System land should be managed and what values are most important.

I have given careful consideration to the management activities that will occur within the units identified by the Minnesota Department of Natural Resources, Minnesota County Biological Survey and analyzed in Chapter 3 of the EA. However, no scientific evidence was presented that refuted the effects analysis in the Whyte EA. The effects of the Project displayed in the Whyte EA do not have substantial controversial scientific disagreement.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Activities that will be implemented as a result of this Decision, including timber harvest, reforestation, and road and gravel pit management, are similar to those that have occurred in the past in this area and similar areas across the Superior National Forest. The effects of the Whyte Project will be similar to the effects of many past vegetation and road management actions. These past actions have been monitored and no significant effects have been identified as a result of these

past actions. The effects of past management were taken into account during the development of the Forest Plan and the development of the Whyte Project. All actions included in the Whyte Project are consistent with the Forest Plan, and all environmental effects are within the range disclosed in the Final Environmental Impact Statement for the Forest Plan. Based on the effects of past decisions and the effects that are disclosed in this environmental analysis, there will not be any highly uncertain effects or effects that involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This Project will not establish a precedent for future actions nor does it represent a decision in principle about a future consideration. My decision to implement specific activities within this Project Area does not commit the Forest Service to actions either within or outside the Project Area. The reasonably foreseeable future projects disclosed under cumulative effects includes those that are in the development phase. Environmental analyses will be completed on all of these projects and site specific decisions will be made on whether or not to implement these other projects.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

I have considered the cumulative effects, consisting of the past projects and the impacts of those projects, in addition to this Project as well as on-going and anticipated future projects on both the individual resources and collectively. Other landowners within the Project Area were contacted and asked for information regarding current and planned activities. These actions were quantified and are considered in the cumulative effects analysis for each resource and documented in the Resource Reports. The cumulative effects to each resource area are disclosed in Chapter 3 of the EA and in more detail in each of the Resource Reports in the Project Record. There are no known significant cumulative effects that will result from this Project and other projects that have occurred in the past, or currently being implemented, or planned in the Project Area or adjacent areas.
The EA discloses the effects that the Whyte Project, in addition to other recent decisions such as the Virginia, Dunka, and Echo Trail Projects will have on the landscape ecosystem objectives including age class distribution, vegetation composition, and management indicator habitats (See Section 3.8 and Appendix G).

The State of Minnesota, Lake County, St. Louis County, and The Nature Conservancy have been working together through the Sand Lake Seven Beavers Collaborative to develop similar ecological objectives. These landowners, in addition to the federal government, account for 82 percent of the land in the Project Area. I expect this collaboration will continue and future vegetation projects will be coordinated to provide for larger-sized patches of young and old forest.

Management actions can be expected to continue to occur in the Project Area. These actions may include timber management activities such as harvesting, planting, burning, or allowing natural succession to occur. Future actions may also include new road construction, or upgrading or decommissioning existing roads. Private land sale and development, and developments relating to recreation, may also occur. Some of these actions may lead to both adverse and beneficial effects,

but I did not find any evidence that the Whyte Project would result in adverse effects that would then either lead to, or result in, significant adverse effects.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

No significant impacts are foreseen on any properties listed in or considered eligible for listing in the National Register of Historic Places, nor will there be any loss or destruction of any scientific, cultural, or historic places. The Project Area has been reviewed by Heritage Resource trained staff on the Forest. They have identified the known heritage sites within and adjacent to treatment sites. These will be protected with a minimum 66-foot buffer. Additionally, standard contract clauses protect cultural resources that may be discovered during implementation. The EA also contains mitigations for sites that have the potential for containing unknown heritage resources. The State Historic Preservation Office reviewed the heritage resource effects analysis and did not submit changes to analysis or mitigations. The Whyte Project will not have a significant effect on heritage resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (ESA).

A Biological Assessment was completed for threatened and endangered species for the Whyte Project. The Biological Assessment disclosed potential effects to threatened and endangered species and determined that the Project "may affect but is not likely to adversely affect" gray wolf, Canada Lynx and bald eagle. The Forest Service consulted with the U.S. Fish and Wildlife Service in accordance with requirements, who concurred with this determination. See "Reasons for the Decision, Threatened and Endangered Species" in this Decision Notice.

Since consultation with the U.S. Fish and Wildlife Service, the gray wolf has been downlisted (March 2007) and is no longer a federally threatened species. The gray wolf now has the status of Region 9 sensitive species. Management objectives on the Superior National Forest have changed from seeking to recover the species to seeking to maintain, protect, and enhance its habitat and prevent federal listing. In the future, impacts to gray wolf will be addressed in a Biological Evaluation with other sensitive species, rather than the Biological Assessment. The gray wolf's changed status however, does not change the biological effects expected from the gray wolf from the alternatives analyzed. The Whyte Project may impact gray wolves but is not likely to lead to a loss of viability on the Superior National Forest or lead to a trend toward Federal listing.

A Biological Evaluation (BE) was completed for all of the relevant sensitive species. It determined that Alternative 1 "may adversely impact but is not likely to cause a trend to federal listing or loss of viability" for heather vole, northern goshawk, boreal owl, black-throated blue warbler, bay-breasted warbler, Connecticut warbler, three-toed woodpecker, great gray owl, wood turtle, northern brook lamprey, creek heelsplitter, black sandshell, tiger beetle, Mancinus alpine butterfly, red-disked alpine butterfly, jutta artic butterfly, Quebec emerald dragon fly, pointed moonwort, common moonwort, Michigan moonwort, pale moonwort, ternate grapefern, and least moonwort, swamp beggar-ticks, floating marsh-marigold, Katahdin sedge, linear-leaved sundew, neat spike rush, moor rush, Vasey's rush, auricled twayblade, fall dropseed muhly, American shoregrass, dwarf water lily, club-spur orchid, northern bur-reed, awlwort, lance-leaved violet, *Cladonia wainoi*, large-leaved

sandwort, Appalachian fir clubmoss, *Arctoparmelia centrifuga*, *Arctoparmelia subcentrifuga*, small shinleaf, cloudberry, fairy slipper, ram's head ladyslipper, *Caloplaca parvula, Certraria aurescens, Menegazzia terebrata, Ramalina thrausta, Sticta fuliginosa*, *Usnea longissima, Pseudocyphellaria crocata*, *Frullania selwyniana,* triangle grapefern, goblin fern, New England sedge, Canada yew, barren strawberry, Canada ricegrass, or *Peltigera venos*. Alternative 1 may have a beneficial impact to the olive-sided flycatcher and the Nabokov's blue butterfly.

The effects to all of the Regional Forester Sensitive Species are briefly summarized in the EA. The BE contains the complete effects analysis and considered the existing condition information, including populations and trends and information on Project Area surveys, habitat needs and limiting factors; habitat trends, direct and indirect effects, cumulative effects, the determination, and mitigations. The mitigations are also included in Appendix C of the EA.

Based on the EA, the BA, and the BE, I have concluded there will be no significant direct, indirect, or cumulative effects to any Federally Threatened, Endangered, or Sensitive species or their habitats. Both the BA and BE are available for review at the Laurentian District Office and online at www.fs/fed/us/r9/superior.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

These actions do not threaten a violation of any Federal, State, or local law or requirement for the protection of the environment. I have carefully reviewed pertinent laws and regulations and the Whyte Project will not threaten any applicable Federal, State, or local laws. The Whyte Project will protect the environment to the extent practical and will enhance water quality; threatened, endangered and sensitive species; and soil quality through vegetation and road management activities to meet Forest Plan desired conditions and objectives.

Implementation

Implementation of this decision may occur no sooner than 50 days following publication of the legal notice of the Decision in the Mesabi Daily News, published in Virginia, Minnesota. If no appeal is received, implementation of this decision may occur on, but not before five business days from the close of the appeal filing period. If an appeal is filed, implementation may not occur for 15 days following the date of a decision on the appeal.

This Project will be implemented in accordance with Forest Service Manual (FSM) and Forest Service Handbook (FSH) direction for Timber Project Implementation in FSM 2431.3. This direction provides a bridge between project planning and implementation and ensures execution of the actions, environmental standards, and mitigation approved by this decision.

Implementation of all activities authorized by this Decision will be monitored to ensure that they are carried out as planned and described in this Decision unless modified consistent with direction in the FSM 2432.3 and FSH 2409.18.

Appeal Rights for the Project

This Decision is subject to appeal pursuant to Title 36 CFR 215. An appeal may be filed by those who submitted comments for the Project during the 30-day comment period on the Preliminary Effects Analysis. The appeal must be filed within 45 days of the date that the notification of this Decision is published in the Mesabi Daily News, the official newspaper of record, published in Virginia, Minnesota. The publication date of the legal notice is the exclusive means for calculating the time to file an appeal. The Notice of Appeal must be sent to:

USDA Forest Service, Eastern Region
ATTN: Appeal Deciding Officer, Forest Supervisor James W. Sanders
626 E. Wisconsin Avenue, Suite 700
Milwaukee, WI 53202

Facsimile number: 414-944-3963
Office Hours: 7:30AM to 4:00 PM Central Standard Time, Monday-Friday

Electronic Address for email appeals: appeals-eastern-regional-office@fs.fed.us, subject: Whyte Forest Management Project Notice of Appeal, Superior National Forest. Acceptable electronic file formats include: txt, html, pdf, or any file format viewable from MS Office applications.
It is the responsibility of those who appeal a Decision to provide the Deciding Officer sufficient narrative evidence and argument to show why this Decision should be changed or reversed. At a minimum, the written Notice of Appeal must:

- State that the document is a Notice of Appeal filed pursuant to 36 CFR part 215;
- List the name, address, and, if possible, a telephone number of appellant;
- Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Official;
- Identify the specific changes(s) in the decision that the appellant seeks or portion of the decision to which the appellant objects;
- State how the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period specified in 36 CFR 215 and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

Contact Person

For more information about the specific activities authorized with this Decision, please contact Susan Duffy, Environmental Planning Coordinator, Laurentian Ranger District, 318 Forestry Road, Aurora, MN 55705; 218-229-8832.

DeWayne R. Thornburgh
Acting District Ranger
Laurentian Ranger District
Superior National Forest

6-14-07
Date

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Attachment 1

List of People Who Responded to the Preliminary Effects Analysis

Nine people submitted comments on the Whyte Forest Management Project Preliminary Effects Analysis during the official comment period. One comment was received after the comment period ended. Table A-1 contains the list of people who submitted comments. Each letter was assigned a number based on the order it was received. The comments and the agency response to the comments are on the following pages.

Table A1 List of Commenters

Commenter	Comment Number
Tom Gustin	1
Janet Green	2
Robin Vora	3
Lake County Highway Department	4
Minnesota Forest Industries	5
Minnesota Timber Producers Association	6
Minnesota Department of Natural Resources	7
Minnesota Center for Environmental Advocacy	8
Sierra Club, North Star Chapter	9
United States Environmental Protection Agency	10

District Ranger,

At this time I have a few notes so far in the margin.

A. NNIP – the report talks about treatment. I either missed the type of chemical that will be used or it was not included.
B. What is the standard treatment for NNIP?
C. What is the success rate of complete removal of NNIP?

I feel the NNIP is not a win – win issue. I feel it is only a matter of time that it becomes an up hill battle for us.
Lake Michigan is slowly losing ground with NNIS and P.
Will our forest be in the same class?

I noticed that comments have to be written comments and I have 30 days.
I will print this out and send it in.

Tom Gustin
500 Sherman Ave.
Stevens Point, WI 54481

Response to 1-A: Chemicals are not proposed to be used as part of the Whyte Project. The Whyte Project would manage for non-native invasive species through avoiding known sites, conducting management activities during frozen ground conditions, or pulling the weeds prior to activities.

In 2006, the Forest completed the Superior National Forest Non-Native Invasive Plant Management Project Environmental Assessment. The Environmental Assessment and Decision Notice are available upon request from the Superior National Forest and both documents are available at the Superior National Forest website at www.fs.fed.us/r9/superior. Chemicals, in addition to other treatments, will be used to treat invasive plants through this decision. Weed sites in the Whyte Project area will be treated under this decision.

Response to 1-B: There is not a set standard for treatment of invasive species. It depends on the species, the location, and the extent of infestation. Treatments authorized by the 2006 Non Native Invasive Plant EA include herbicide, pulling, mowing, and biological controls.

Response to 1-C: The summer of 2006 was the first season to actively treat invasive plants and based on preliminary monitoring, those treatments were 90-100 percent effective. However, long-term monitoring is needed to determine overall effectiveness. Monitoring will be done as part of the Whyte Project and as part of the forest-wide EA.

2

Janet C. Green
1754 Old North Shore Rd.
Duluth MN 55804
Phone: 218-525-5654; email: jgreen@d.umn.edu

March 5, 2007

District Ranger
Laurentian Ranger District, Superior NF
318 Forestry Road
Aurora MN 55705

Dear Sir:

These are my comments on the **Whyte Forest Management Project.**

I strongly support Alternative 3 for this project area. It takes into account the recommendations of the Minnesota DNR's County Biological Survey (see p. 2-4,5) in response to the detailed ecological field work they have done. That field work identifies sites of Statewide Biodiversity Significance in accordance with an approved protocol and ranking. In this project area they identified three sites of High Biodiversity Significance and two sites that are still under field review but have indications of biodiversity significance.

The three sites in the Marble Lake area provide large patches of undisturbed mature forest with important populations of rare plant species, Canada yew, oak and cedar. These types of forest are absolutely critical for the protection of forest biodiversity and for an undisturbed forest baseline that can provide indicators for future forest practices. Since the ecological significance of the other two sites is still under review, they also should be removed from this project proposal until their biodiversity ranking becomes known.

Although Alternative 3 treats 1,128 fewer acres that the proposed Alternative 1, there still are 7865 acres proposed for vegetative management in 300 units. This is certainly sufficient management actions for implementing the 2004 Superior National Forest Plan in the Whyte area for this decade of plan implementation.

2-1

Thank you for considering these comments.

Sincerely yours,

Janet C. Green

Janet C. Green

Response to 2-1: Your support of Alternative 3 is noted. Your comments will be thoroughly considered prior to a decision being made on which of the three alternatives to implement. The effects of the project on rare species can be found in the Biological Evaluation and the design features and mitigations in Appendix C states that cedar and oak would not be harvested unless they need to be removed for safety reasons or to meet other silvicultural objectives. Appendix C also shows two sites where Canada yew was located and provides direction to avoid disturbing the sites. There is also direction that if other threatened, endangered, or sensitive species are located, the activities would be halted and the District Biologist would be consulted.

04/02/2007 09:44 FAX 541 383 5719 DES FOREST PRODUCTS 001/002

3

Comments on Whyte Project Preliminary Effects Analysis

March 12, 2007

Robin Vora called to submit some verbal comments on the Preliminary Effects Analysis. He was concerned he did not have time to write his comments to meet the deadline. I told him he had until Friday but he preferred to submit his comments to me on the phone.

1. He would prefer that we create and maintain more spruce-fir forest through less even-aged harvest. He feels this area is better suited to spruce-fir than other areas of the forest. He was glad to see two-aged and intermediate harvest but would still prefer less even-aged management and less aspen. The project could have a better mix of even-age aspen management vs. two-aged management favoring spruce-fir and more diverse forests.
2. Stated that upland brush is important for many wildlife species. Does not want to see more upland brush converted to trees. I told him that only some of the upland brush stands would be converted because of the value they provide for some wildlife species. A couple sites that were forested but as the trees died they were replaced by brush. It is these sites that would be converted back to forest. Replanting is typically not cost effective. Better to focus on new sites.
3. He is glad we are managing for Nabokov blue butterfly. And that we are maintaining for longer-lived species. And decommissioning roads.
4. He prefers Alternative 3 because it maintains the mature patches better than does Alternative 1. And it emphasizes the MCBS higher-ranked sites.
5. Habitat for boreal owl is very important. Boreal owls are difficult to locate, their response varies by the week, and they may move to different territories each year. It appears they prefer mature forest with adjacent to large patches of lowland conifer. It is important to maintain the larger patches of lowland conifer for foraging and their juxtaposition with mature aspen-birch upland for nesting habitat. I told Robin that we identified the large patches of mature forest that are next to lowland conifer sites. We are not proposing management in those areas. In addition, the mature patches over 300 acres are not included in any of the even-aged management treatments. Those patches will not be reduced in size through the Whyte Project.
6. Upland cedar is not common and it is found in this area. If there are patches of upland cedar in any of the stands, they should be protected. Management practices that increase deer browsing may adversely affect the sustainability of upland cedar ecosystems.

Notes taken by: Sue Duffy, Team Leader

I concur with the above comments.

Robin Vora

To: Sue Duffy

From: Robin Vora

Response to 3-1: The Forest Plan provides Landscape Ecosystem objectives for vegetation composition. For the two primary upland LEs in the Project Area (Mesic Birch-Aspen-Spruce-fir and Sugar Maple), the vegetation composition objectives show an increase in the spruce-fir forest type for the decade one desired conditions. The Whyte Project does directly increase the amount of spruce-fir in the Mesic Birch/Aspen/Spruce-fir LE. The Project does not directly increase the spruce-fir forest type in the sugar maple LE. For these and the other LEs in the Project Area, many of the aspen and birch stands will naturally convert to spruce-fir forest through natural vegetation succession.

Response to 3-2: Approximately 156 acres of upland brush would be converted to white pine. There are approximately 1,396 acres of upland brush stands in the Project Area. Two stands proposed to be converted to white pine are within or adjacent to other proposed activity areas and one stand is adjacent to Highway 1. Establishing pine along Highway 1 would add to the scenic character of that road.

Response to 3-3: Comment noted.

Response to 3-4: Comment noted.

Response to 3-5: We agree that habitat for boreal owl is very important. The project was developed by taking into account the habitat needed for all threatened, endangered, and sensitive species. For instance, no regeneration harvests are proposed within the patches greater than 300 acres. See Section 3.4 in the Environmental Assessment and the Biological Evaluation for more information on the boreal owl.

Response to 3-6: Mitigations state that standing, live, healthy cedar would not be cut unless they are needed to be removed because of safety concern or to meet other silvicultural objectives. And when practical, reserve areas would be incorporated with upland cedar to offer better protection.

4

Lake County
MINNESOTA

LAKE COUNTY HIGHWAY
DEPARTMENT
1513 Hwy 2
Two Harbors Minnesota 55616
(218) 834-8380
FAX (218) 834-8384

March 7, 2007

Laurentian District Ranger
Superior National Forest
318 Forestry Road
Aurora, MN 55705

RE: Whyte Forest Management Project

The above project involves the CSAH 2 and Forest Hwy 11 road corridors in Lake County. Active timber management along both of these routes to enhance the scenic quality should be considered. Planting of White Pine along both corridors would aid these scenic qualities. 4-1

Maintenance of both CSAH 2 and Forest Highway 11 will be provided by Lake County for active timber management. The segment of CSAH 2 between CSAH 14 (Wales Road) and Forest Highway 11 will be reconstructed in 2007 with paving in 2008. Preliminary environmental is slated to begin in 2007 for the development of a parkway design through the Pines Picnic area from CSAH 2 to 2.4 miles north. Future rehabilitation of CSAH 2 from 2.4 miles of Forest Highway 11 to Trunk Highway 1 is currently not scheduled, however, future plans will call for culvert replacement, bituminous reclamation, new pavement with four foot wide paved shoulders. Finally, lake County will begin reconstruction of the first 2.0 miles of the Marble-Kane Lake Road (also, Forest Road 107) in 2007 with new pavement in 2008. 4-2

In regard to gravel pits, the Langley Pit in Section 13, T56, R11W is not shown on the maps, USDA Forest Service plans, as communicated to Lake County, had the remainder of gravel in this pit committed to Forest Service Road maintenance. In regards to the Red Pine Pit, gravel from this pit has been used for maintenance on the Stony Grade. Permission to continue this use is hereby requested. Also, Lake County has previously committed to pit restoration and rehabilitation of this pit; please count us in on this effort. 4-3

Thank you for a well thought out plan for the Whyte area.

Yours truly,

Alan D. Goodman
Lake County Highway Engineer

ADG/df

Response to 4-1: Proposed management actions along both CSAH 2 and Forest Highway 11 include direction to maintain and enhance scenic quality along these roads. See Appendix C, pages 6 and 7 for specific actions that would be followed during implementation.

Response to 4-2: Thanks for the updated list of road work in the project area. We look forward to working with you in developing the route through the White Pine Picnic Area.

Response to 4-3: The Langley Pit is not in the Project Area. It is in the next area the District will evaluate and gravel pits will be considered in that project. We understand you were referring to the White Pine Pit rather than the Red Pine Pit. The White Pine Pit does contain a stock pile of gravel. We will work with you on your request to use this gravel. We appreciate your commitment to restore and rehabilitate gravel pits.

#5a

MINNESOTA FOREST INDUSTRIES

903 Medical Arts Building • 324 West Superior Street • Duluth, Minnesota 55802 • 218-722-5013 • Fax 218-722-2065 • www.minnesotaforests.com

March 12, 2007

District Ranger
Superior National Forest
Laurentian Ranger District
318 Forestry Road
Auroa, MN 55705

Re: Whyte Forest Management Project

Dear District Ranger:

Minnesota Forest Industries (MFI) is a trade association representing the primary manufacturers of forest products in Minnesota. MFI members are dependent on a reliable and predictable supply of timber from the Superior National Forest. Our members are directly impacted by forest management actions on the Forest. MFI has reviewed the preliminary effects analysis for the Whyte Forest Management Project. Our comments follow.

MFI supports the proposed management actions as presented in Alternative 1, of the alternatives being considered. We encourage the District to develop an additional alternative that would accomplish first decade forest plan objectives, however. 5-1

We disagree with the District's decision to limit or avoid management within proposed scenic and natural river corridors (pp. 2-5). The Forest Plan states that proactive management would occur within riparian areas. The purpose of proactive management was to restore the function of riparian areas. The decision to limit management within these areas is contrary to Forest Plan direction. MFI recommends that the District manage within these areas to restore riparian area functions. 5-2

The preliminary effects analysis is several instances provide detailed analysis of areas that were evaluated as potential Research Natural Areas during the Forest Plan Revision. It is not clear to us why these areas are being provided special recognition. The Forest Plan eliminated these areas from RNA consideration. The District should recommend forest management actions consistent with current Forest Plan direction, not what these areas were being considered as during plan revision. 5-3

The Forest Plan identified objectives for Forest Service administered lands. Page 3-30 states that "*Planned harvests on state, federal, county, and TNC lands and anticipated harvests on corporate and private and county lands over the next 10 years…*" [would meet young forest age requirements in the Plan]. MFI disagrees with this assessment. The Forest Plan identified age class objectives for Forest Service lands, not other ownerships within the project area which are not administered by the Forest Service. If the District is considering other ownership the young forest age class requirement must 5-4

Response to 5-1: MFI's support of Alternative 1 is noted. And MFI's support of an alternative that would accomplish first decade Forest Plan objectives is also noted. The Whyte Project was developed following Forest Plan goals and objectives that would move the vegetation conditions toward the decade one objectives. Therefore, Alternatives 1 and 3 both contribute towards meeting the decade one objectives. MFI does not specify which objectives should be met to a greater extent. It is important to know that the Landscape Ecosystem objectives are objectives and it is important to consider each project area and weigh the effects of proposed actions in each area. There are other on-going and planned projects across the Superior National Forest that will also be moving the Forest toward the full complement of Forest Plan objectives for vegetation, wildlife, transportation, water quality, and recreation. Also see Alternatives 4 and 5 in Section 2.4.

Response to 5-2: The Forest Plan does provide objectives for management actions within riparian areas and within the Riparian Emphasis Management Area. There has not been a decision to limit management within these areas. See also Response to 5-6.

Page 2-5 of the Preliminary Effects Analysis, Section 2.4, Alternative 4, Initial Proposed Action states "….This alternative proposed a greater amount of regeneration harvest than Alternatives 1, 3, or 5. For instance, this alternative originally included mostly clearcut harvest within several units in the Eligible Wild, Scenic, and Recreational River corridor and Riparian Emphasis Management Area. While this type of management is allowed, the planning team deferred some units and modified the treatment of some other units because it would better meet the Eligible Wild, Scenic, and Recreational River and Riparian Emphasis Management Area direction. (See Forest Plan pp. 3-16 through 3-20) The project record contains additional information on these and other changes made to the initial proposed action."

Team notes from April 5, 2006 show that in the Riparian Management Area, Units 11 and 15 were deferred from the proposal because Unit 15 has a lot of cedar in the unit and Unit 11 is a small unit and would be difficult to access.

#56

be increased. MFI recommends that the District meet the young forest age class requirement for Forest Service lands as intended in the direction provided by Forest Plan.

5-5

The project area contains one Forest Plan inventoried Roadless area. The Forest Plan dismissed this area from further wilderness study. Yet, the preliminary effects analysis treats this area as a Roadless area, thus providing special designation. Further, the management within this area is limited. The Forest Service appears to be providing analysis and protections to this area that are beyond Forest Plan direction. MFI recommends that management actions be applied within these areas that are consistent with current management area designation.

5-6

MFI appreciates the opportunity to comment on the Whyte Forest Management Project. We are concerned, however, that the District is providing management protections that exceed current management area designations. These include Forest Plan inventoried roadless areas, potential RNA's, and wild and potential wild and scenic river designation. Collectively, these areas remove significant amounts of forest land acreage from timber management consideration and limit the Forests ability to meet Plan objectives of young forest, improving forest health, and fire regime condition class.

MFI requests that the District provide us with acres being treated within these areas and compared to the amount of acres that have completed field surveys (within these special designations). If the District has limited management actions within these areas they should identify areas outside these "designations" to meet Forest Plan objectives of young forest and fire regime condition classes. We encourage the district to develop and analyze an alternative to address our concern.

If you have questions regarding MFIs comments, please call.

Sincerely,

Tim J. O'Hara
Vice President of Forest Policy

Cc: Congressman James Oberstar
Senator Norm Coleman
Randy Moore, FS R-9 Supervisor
Jim Sanders, SNF Supervisor

Whyte Forest Management Project Preliminary Effects Analysis 2

The same team meeting notes also show that three black spruce units were deferred from within the Eligible Wild, Scenic, and Recreational River MA. The rationale for deferring these units is because they are young enough to be carried for at least another ten years, possibly longer and Forest Plan direction is to promote the retention of long-lived species. And to meet the Project purpose and need for creating young black spruce habitat, Units 300 and 301 were added to the proposal to account for deferring the three black spruce units within the Wild, Scenic, and Recreational River MA.

In addition, five unit prescriptions were changed from clearcut with reserves to shelterwood followed by planting white pine. Again, increasing the pine component of these units better meets MA direction than does clearcut management. (See Forest Plan p. 3-19, G-WSR-6 and p. 3-31, D-RE-3)

Response to 5-3: The areas evaluated during the Forest Plan revision as potential Research Natural Areas and not carried forward as candidate Research Natural Areas, are not being provided special recognition and the District is proposing management within these areas. The Minnesota Department of Natural Resources, Minnesota County Biological Survey identified some possible effects to areas they ranked as high and very high in regards to biological diversity. So while management is appropriate in these areas, it is important to consider the type of management occurring in these areas and the effects that different types of management might have on the different aspects of biodiversity. There is direction in the Forest Plan to consider native vegetation conditions. (See Forest Plan p. 2-22, D-VG-1, D-VG-2, and D-VG-3)

Response to 5-4: The Forest Plan identifies objectives for Forest Service land. These objectives do take into account how other landowners might manage their land. The effects to vegetation are disclosed in Section 3.8 of the EA and Appendix G. The tables in these two sections show only what would occur on federal land. The reference to page 3-30 is from the Cumulative Effects analysis for vegetation. It is very important to consider actions on other ownership when evaluating the cumulative effects. The President's Council on Environmental Quality (CEQ) defined "cumulative impact" in regulations implementing the procedural provisions of NEPA as follows:

"Cumulative impact" is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonable foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. (40 CFR 1508.7)

Cumulative effects analysis was done for all of the resources impacted by the project. See Appendix F for the list of past, present, and reasonably foreseeable future projects that were considered by resource specialists when conducting cumulative effects analysis.

Response to 5-5: Section 3.10 of the EA shows the Seven Beavers area was allocated to the Riparian Emphasis and Candidate Research Natural Area Management Areas. The final Environmental Impact Statement for the Forest Plan Revision states that *"Once the Forest Roadless Area Inventory is finalized, any proposed site-specific projects within an inventoried area will require an environmental analysis which considers effects of the project proposal on the Roadless characteristics in the area"* (p. 3.7-7). For this reason, the effects of managing within this area are disclosed. See also Response to 5-6.

Response to 5-6: The Whyte Project proposes to manage vegetation within all of the Management Areas except Candidate and Research Natural Areas. Timber management is not suitable for Candidate or RNAs (Forest Plan pp. 3-35 and 3-37). Alternatives 1 and 3 propose to manage 499 acres and 449 acres respectively within the Riparian Emphasis MA. There are 6,601 acres of Riparian Emphasis in the Project Area. Therefore, the project proposes management on approximately 7 percent of the MA in the Project Area. This does not include any reduction for lands that might not be suitable for timber management. Alternatives 1 and 3 propose management activities on 210 acres within the Eligible Wild, Scenic, and Recreational River MA. The Project Area contains 3,867 acres of Eligible River MA. This is approximately 5.4 percent of the MA in the Project Area and again does not deduct for lands that are not suitable for timber management.

The Seven Beavers Inventoried Roadless Area contains 5,174 acres within the Riparian Emphasis and Candidate Research Natural Areas. Vegetation management is not appropriate in the Candidate Research Area and the Riparian MA is discussed above. The Project proposes to manage 58 acres within the Seven Beavers Inventoried Roadless Area.

The Whyte Project does propose management activities in these management areas that adhere to the Forest Plan Management Area direction. The proposal does propose less clearcutting with reserves and more shelterwood harvest followed by planting pine because this type of treatment better meets the Management Area guidelines.

The Project did consider more intensive management actions within these areas and this is noted in Alternatives 4 and 5. These two alternatives were considered but not carried forward for detailed analysis because of Management Area direction and on-the-ground conditions.

#6a

Minnesota Timber Producers Association
903 Medical Arts Building • 324 W. Superior St. • Duluth, Minnesota 55802
Phone 218-722-5013 • Fax 218-722-2065

March 12, 2007

District Ranger
Superior National Forest
Laurentian Ranger District
318 Forestry Road
Auroa, MN 55705

Re: Whyte Forest Management Project

Dear District Ranger:

The Minnesota Timber Producers Association (MTPA) is a trade association representing the loggers, truckers, and sawmills in Minnesota. MTPA members are dependent on a reliable and predictable supply of timber from the Superior National Forest. Our members are directly impacted by forest management actions on the Forest. MTPA has reviewed the preliminary effects analysis for the Whyte Forest Management Project. Our comments follow. 6-1

MTPA supports the proposed management actions as presented in Alternative 1, of the alternatives being considered. We encourage the District to develop an additional alternative that would accomplish first decade forest plan objectives, however.

We disagree with the District's decision to limit or avoid management within proposed scenic and natural river corridors (pp. 2-5). The Forest Plan states that proactive management would occur within riparian areas. The purpose of proactive management was to restore the function of riparian areas. The decision to limit management within these areas is contrary to Forest Plan direction. MTPA recommends that the District manage within these areas to restore riparian area functions. 6-2

The preliminary effects analysis is several instances provide detailed analysis of areas that were evaluated as potential Research Natural Areas during the Forest Plan Revision. It is not clear to us why these areas are being provided special recognition. The Forest Plan eliminated these areas from RNA consideration. The District should recommend forest management actions consistent with current Forest Plan direction, not what these areas were being considered as during plan revision. 6-3

The Forest Plan identified objectives for Forest Service administered lands. Page 3-30 states that "*Planned harvests on state, federal, county, and TNC lands and anticipated harvests on corporate and private and county lands over the next 10 years…*" [would meet young forest age requirements in the Plan]. MTPA disagrees with this assessment. The Forest Plan identified age class objectives for Forest Service lands, not other ownerships within the project area which are not administered by the Forest Service. If the District is considering other ownership the young forest age class requirement must 6-4

Response to 6-1: See Response to 5-1.

Response to 6-2: See Response to 5-2.

Response to 6-3: See Response to 5-3

Response to 6-4: See Response to 5-4.

Response to 6-5: See Response to 5-5.

Response to 6-6: See Response to 5-6.

+6b

be increased. MTPA recommends that the District meet the young forest age class requirement for Forest Service lands as intended in the direction provided by Forest Plan.

The project area contains one Forest Plan inventoried Roadless area. The Forest Plan dismissed this area from further wilderness study. Yet, the preliminary effects analysis treats this area as a Roadless area, thus providing special designation. Further, the management within this area is limited. The Forest Service appears to be providing analysis and protections to this area that are beyond Forest Plan direction. MTPA recommends that management actions be applied within these areas that are consistent with current management area designation.

6-5

MTPA appreciates the opportunity to comment on the Whyte Forest Management Project. We are concerned, however, that the District is providing management protections that exceed current management area designations. These include Forest Plan inventoried roadless areas, potential RNA's, and wild and potential wild and scenic river designation. Collectively, these areas remove significant amounts of forest land acreage from timber management consideration and limit the Forests ability to meet Plan objectives of young forest, improving forest health, and fire regime condition class.

MTPA requests that the District provide us with acres being treated within these areas and compared to the amount of acres that have completed field surveys (within these special designations). If the District has limited management actions within these areas they should identify areas outside these "designations" to meet Forest Plan objectives of young forest and fire regime condition classes. We encourage the district to develop and analyze an alternative to address our concern.

6-6

If you have questions regarding MTPA's comments, please call.

Sincerely,

Ray Higgins
Field Representative

Cc: Congressman James Oberstar
Senator Norm Coleman
Randy Moore, FS R-9 Supervisor
Jim Sanders, SNF Supervisor

Whyte Forest Management Project Preliminary Effects Analysis 2

#7a

STATE OF
MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

Region II Headquarters
1201 East Highway 2
Grand Rapids, Minnesota 55744

March 12, 2007

Acting District Ranger
Superior National Forest
318 Forestry Road
Aurora, MN 55705

RE: Whyte Forest Management Project

Dear District Ranger:

The Minnesota Department of Natural Resources (DNR) appreciates the opportunity to provide input into the Preliminary Effects Analysis for the Whyte Forest Management Project. The District has thoroughly considered the DNR's input from the scoping phase, and incorporated many of our suggestions into the project. Thank you for addressing our interests so comprehensively. We support the District's efforts to move the project area towards meeting the goals set forth in the Forest Plan. 7-1

In addition to the comments below, we ask the District to consider the pertinent portions of the Governor's Task Force on the Competitiveness of Minnesota's Primary Forest Products Industry's Final Report to the Governor as they relate to this project. Specifically, the report provided the following Near-Term Recommendations on Wood and Fiber Availability and Price:

- 2. Direct the DNR and strongly urge the counties and National Forests to re-sell timber and re-offer returned sales as quickly as possible and not count them as part of the current year's timber sale plan.
- 5. Strongly urge the National Forests to sell both this year's and last year's sales. Specifically, urge the Superior National Forest to sell its Fiscal Year 2007 target of 65 million board feet (mmbf) and the 23 mmbf in unsold sales from Fiscal Year 2006 for a total of 88mmbf during the current Fiscal Year. Strongly urge the Chippewa National Forest to sell its Fiscal Year 2007 target of 35 mmbf and the 2.3 mmbf in unsold sales from Fiscal Year 2006 for a total of 37.3 mmbf during the current Fiscal Year. Strongly urge both National Forests to aggressively move to selling the annual Allowable Sale Quantity in their Forest Plans (Superior National Forest – 102 mmbf; Chippewa National Forest – 57 mmbf) by FY 2009. 7-2
- 6. Direct DNR and encourage county and federal land managers to immediately begin offering more wood for sale at optimum economic rotation ages. This should be done to the extent that it does not preclude Extended Rotation Forestry (ERF) projections utilized as mitigations in the *Generic Environmental Impact Statement on Forest Management and Timber Harvesting* (1994).
    - A. Public forest managers should utilize rotation ages that reflect the optimum economic rotation age for their normal management activities.

AN EQUAL OPPORTUNITY EMPLOYER

Response to 7-1: We also appreciate your time and efforts in working with us and collaborating to meet landscape ecosystem objectives.

Response to 7-2: The Forest has been responding to the issue of wood and fiber availability in the following ways:

Timber sales that went no-bid in FY2006 are being reoffered in FY2007.

Two successive market rate reductions have been made this year to attempt to keep up with market changes.

A variety of timber sales have had their sale contract lengths and mid-term payment dates extended one year, based on the November 2, 2006 determination by the Deputy Under Secretary of Agriculture for Natural Resources and Environment that there is Substantial Overriding Public Interest in extending certain timber sale contracts.

A new national flexibility in the choice of which Producer Price Index is included in federal timber sales is being used to select the price index most appropriate to each sale, within the newly established guidelines.

Age class distribution goals/objectives across the Forest were determined in the Forest planning process, and are a part of the desired conditions described in the Plan. These conditions are a part of broad issues, including timber production, and represent a balance among timber productivity and a variety of ecological and experiential objectives.

The Forest intends to meet its FY2007 target of approximately 65 MMBF and to increase its timber sale pipeline. Approximately 57 MMBF was sold in FY 2006 (target was approximately 60 MMBF), and there was an additional 23 MMBF offered that did not sell. Those no-bid sales, as stated above, are being re-offered in FY2007.

#7b

Acting District Ranger
Page Two
March 12, 2007

Following are specific comments from the separate Divisions:

Division of Waters: No comment 7-3

Division of Forestry: Contact Paul Dubuque, 218-834-6605

DNR Forestry-Two Harbors has reviewed in detail the preliminary effects analysis and three alternatives proposed. We recognize and support the USFS need to manage forests sustainably for a variety of ecological, biological, and human needs. Therefore, it is our view that Alternative 1 best meets these needs and is most consistent with the DNR Forestry North Shore SFRMP plan. Your analysis of the environmental consequences of each alternative addressed our concerns for meeting objectives like creating young forest and increasing long-lived species like white pine. 7-4

Thank you for the opportunity to comment.

Division of Fish and Wildlife: Contact Rick Horton, 218-999-7947

We appreciate the District actively considering our suggestions from the scoping phase and incorporating them into the project where appropriate. We support the modified proposed action, Alternative 1, as we feel it best meets the multitude of objectives set forth in the Forest Plan. It moves closest to meeting young forest objectives, while still protecting rare resources and moving composition towards long-term goals. We feel the mitigation measures, stand treatment revisions and monitoring protocols put in place will adequately protect the unique character of the region. We applaud the District for their collaborative approach to management within the Seven Beaver area. 7-5

We have some concerns about the conversion of 156 acres upland brush and offsite aspen to white pine. The Section of Wildlife and the District have a history of cooperatively cutting and regenerating upland brush as moose browse habitat. We realize that this is a relatively small amount, and there likely is a lot more of this habitat left in the project area. We also realize that the creation of young forest offsets the loss of upland brush. However, we ask the District to avoid considering upland brush across the board as "low hanging fruit" for white pine conversions. It does have habitat value. It is not necessary to address this issue any further in this project. We simply ask that the District take it under consideration in future project analyses. 7-6

Division of Lands and Minerals: No comment

Division Trails and Waterways: No comment 7-7

Response to 7-3: Comment noted.

Response to 7-4: Thank you for your detailed review of the Preliminary Effects Analysis and for the information that Alternative 1 is most consistent with the DNR Forestry North Shore SFRMP plan.

Response to 7-5: Your support of Alternative 1 because it best meets the multitude of Forest Plan objectives and moves the closest to meeting young forest objectives while still protecting rare resources is noted. We also appreciate the efforts of the entire Sand Lake Seven Beavers collaboration.

Response to 7-6: See Response to 3.2. We recognize the value of maintaining upland brush. As you are aware, the DNR and Forest Service have cooperatively managed upland brush stands in the Project Area to provide moose browse and maintain the quality of the upland brush.

Response to 7-7: Comments noted.

#7c

Acting District Ranger
Page Three
March 12, 2007

Division of Ecological Services: Contact Bruce Carlson, 218-999-7807 (Grand Rapids) 218-723-4763 ext. 225 (Duluth).

The Division of Ecological Services did not conduct a detailed review of the Whyte Project Preliminary Effects Analysis and, therefore, we do not offer specific comments. Based on a general review of the Analysis, Ecological Services appreciates the USFS's efforts in reviewing and incorporating comments submitted by MCBS - Ecological Services during the Whyte Project Scoping Phase. Ecological Services also commends the Laurentian District for honoring the Sand Lake Seven Beavers Memorandum of Understanding (MOU) by making specific efforts to coordinate with the MOU parties. We think the District Ranger has an adequate Analysis at hand in order to make an informed decision.

7-8

Again, thank you for allowing the Minnesota Department of Natural Resources to participate in the District's planning process. We look forward to working with District staff further as this project develops.

Sincerely,

Craig Engwall, Regional Director

cc: Jim Sanders
North Shore Field Team

Response to 7-8: As you are aware, the planning team met with Division of Ecological Services staff during the development of Alternative 3 for clarification of specific biological diversity issues. We also appreciate your input into this project and the collaboration that has occurred.

8a

March 13, 2007

VIA E-MAIL AND FACSIMILE

District Ranger
Laurentian Ranger District
Superior National Forest
318 Forestry Road
Aurora MN 55705
(218) 229-8800 / -8821 (fax)
comments-eastern-superior-laurentian@fs.fed.us

Re: MCEA Comments On The Whyte Forest Management Project

Dear District Ranger and Project Leader:

Thank you for the opportunity to comment on the U.S. Department of Agriculture (USDA) U.S. Forest Service (USFS) Preliminary Effects Analysis for the Whyte Forest Management Project (FMP) ("the Project"). I am the forestry and wildlife advocate and a staff attorney for the Minnesota Center for Environmental Advocacy (MCEA). MCEA is the legal and scientific voice protecting and defending Minnesota's environment, wildlife, and public health. We work with communities and conservation groups in the courts, the legislature, and state agencies, using science and policy to develop, communicate, and achieve positive change. MCEA is particularly interested in encouraging the U.S. Forest Service to design, modify, and select forest management actions in order to advance landscape and site level goals through. MCEA is glad to have the opportunity to comment on the Project. 8-1

MCEA supports Alternative three and urges its selection over the other alternatives for the reasons identified in the March 5, 2007 comment letter from Janet Green, which MCEA incorporates herein by reference. The areas in the Marble Lake vicinity provide very important large older interior forest habitat which is a Management Indicator Habitat and is far underrepresented on the landscape currently. Further loss or diminishment of qualifying large areas of older interior forest habitat is readily avoidable, as Alternative three demonstrates. In addition, the areas overlap substantially with areas identified and mapped by the Minnesota County Biological Survey (MCBS) as being of Outstanding Biodiversity Significance, which is the highest ranking available. Alternative three provides roughly 280 harvest units and 7,865 acres of timber harvest, which in light of recent industrial consumption indicators - namely the substantial amount of timber sales recently offered on state and county that have 8-2

Response to 8-1: Comment noted.

Response to 8-2: Please note Table 2.2 in the EA shows that two of the MCBS sites are ranked high and two are in process of being ranked. MCBS was contacted in regards to the Seven Beavers and Wet Foot Hills sites and stated "there is a strong likelihood that Seven Beavers and Wetfoot Hills would be ranked as high biodiversity sites. However, at present these sites are still in MCBS's preliminary site layer and the rankings are preliminary, not final" (personal communication between Jack Greenlee and Lawson Gerdes, April 13, 2007). None of the sites with the specific concerns listed in Table 2.2 of the EA are with sites ranked as outstanding.

Vegetation management is proposed in Units 3-5 and 31-32 and these units are in the Headwaters Site which is ranked outstanding. MCBS supports the efforts to restore white pine and to continue collaboration with the Sand Lake Seven Beavers Memorandum of Understanding in units 3-5 and for units 31 and 32 they asked that reserve trees and legacy patches retain long-lived conifers and that white pine be planted. These recommendations have been incorporated into Alternative 1. The activities proposed in Units 3-5 and 31-32 are not analyzed in the MCBS issue because there was no concern raised about the effects of vegetation management on biological diversity. There are no other sites in the Toimi and Laurentian Uplands with rankings (preliminary or final) of outstanding.

Project–level environmental analysis identifies opportunities for the Superior NF to meet Forest Plan direction. The Plan has objectives to move toward in terms of forest health, restoration, and ecological conditions. The objectives are dependent on meeting the whole package of activities planned for the next ten years, including harvest treatments. It is important to this whole suite of Plan objectives that the vegetation treatments occur along the timeframes and levels predicted within the Plan in order to meet all of the various resource goals. The current market conditions are temporarily a barrier to accomplishing treatments, however there is still plenty of room for projects to be on the shelf, ready to be offered when the economic market is more suitable. The Forest has a need for timber sales ready to be offered to

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MCEA COMMENT LETTER

gone unsold and or from which the winning bidders have backed out and sought release – is proportionately more than the forest products industry is likely to require from similarly-sized forest management areas in Minnesota. Alternative 1 would harvest roughly 7% more forest patches totaling roughly 1,116 more acres in a slackening market. In doing so, Alternative 1 would reduce, perforate, and diminish several qualifying large areas of older interior forest habitat, and several areas already mapped or likely to be mapped by MCBS as possessing outstanding biodiversity qualities in their current condition.

MCEA has two additional general comments, followed by a series of comments that are specific to the range of natural variability (RNV) effects of the treatment types proposed. For purposes of the comments that are specific to the various treatment types proposed, each treatment is then assessed as a type for its effects on the larger forested ecological landscape, using MCEA's analytical tool, PlanEval. PlanEval was designed by the Natural Resources Research Institute for MCEA, and builds upon data and research completed by NRRI researchers and Dr. Lee Frelich, Director of the Center for Hardwood Ecology at the University of Minnesota, under contract to the Minnesota Forest Resources Council (MFRC), a quasi-governmental agency of the State of Minnesota. The data used in the analysis for this project are specific to the Ecological Section and the Landscape Ecosystems (LEs) that contain the stands proposed for active management under this Project. The data and underlying calculations are used to define the RNV for each LE. The Superior National Forest was represented on the MFRC at the time of approval of the contract and of the receipt by the MFRC of the contracted-for products from the NRRI and University of Minnesota researchers. The USDA-Forest Service Superior National Forest is represented on the MFRC by Forest Supervisor Jim Sanders. The MFRC has approved the Northeast Landscape Committee Report of March 25, 2003, which defines desired future forest conditions (DFFCs) for the entire northeast landscape, which is essentially the Ecological Section known as the Northern Superior Uplands, and which entirely encompasses the Project area. The long-term DFFC defined by the Northeast Landscape Committee and approved by the full MFRC is a forest landscape that, "approximates/moves toward the range of variability (the spectrum of conditions possible in ecosystem composition, structure, and function considering both temporal and spatial factors) for plant communities naturally living and reproducing in northeastern Minnesota."

The same underlying data and analysis of RNV parameters informs the Superior National Forest Land and Resource Management Plan (LRMP) with regard to LEs on the Forest.

8-3

General Comments

COMMENT: Effective Obliteration and Closure
Have a specific plan to obliterate the temporary forest roads and skid trails created by the thinning, so that they do not become lasting features on the land as a result of ATV use. Also, have a specific plan as to what further steps might be taken soon after the attempted revegetation, in the event that efforts to keep ATVs out of the area are not working. The Project area can and should address non-motorized recreation needs (hunter-walking trails). The Gunflint Ranger District has tried some imaginative yet low-cost ways of obscuring temporary roads and skid trails, ways that go beyond simply berming and resculpting the roadside ditch. These same techniques should be included in the Project plan.

RATIONALE: For multiple reasons, MCEA is extremely concerned about the management of the Forest's transportation system, which has enormous implications for public safety, for protection of the environment, and for the high-quality traditional recreational experiences that hundreds of thousands of Americans seek in the Superior National Forest each year. MCEA's concerns are additional to the Forest Service's interest in reducing its transportation system and

8-4

MCEA COMMENT LETTER 2

assure a relatively stable output from the Forest. Stability and predictability of forest product output is important to the economic vitality of the area. If the market situation continues to be problematic and sales ready to be offered reaches a level where there is diminishing value in completing further project-level analysis associated with vegetation treatment, the Forest Service will assess the most appropriate direction to take. The current difficulty with selling timber sales is less than a year old, and the amount of sales ready to offer is still lower than desirable; thus there is still the need for more project decisions and the opportunity for the market to shift so that it is no longer a barrier to reaching Forest Plan objectives and desired conditions on the land.

The effect of the project on large patches is disclosed in the EA.

Response to 8-3: The Superior National Forest Land and Resource Management Plan (Forest Plan) is based on modified Alternative E as disclosed in the Forest Plan Revision Final Environmental Impact Statement and Record of Decision. Alternative E provides for the maintenance and restoration of ecological processes and functions and includes objectives to move toward older, more structurally complex forest conditions. Alternative F, which would manage NFS land to eventually achieve vegetative conditions that are within the range of natural variability, was not selected to be implemented. Pages 1-6 and 1-7 of the FEIS include information on how RNV was used in the Forest Plan Revision process. The Record of Decision states that *"The vegetative objectives in the Revised Plan are consistent with the desired future forest conditions outlined in the Northeast Forest Landscape Report of the Minnesota Forest Resource Council."*

While the Forest Plan incorporates aspects of the Range of Natural Variability it does not propose to move all of the vegetative conditions toward the range of natural variability. Projects such as the Whyte Forest Management Project are designed to move toward the Forest Plan objectives.

Response to 8-4: The mitigations contained in Appendix C provide information on how and when temporary roads would be closed and decommissioned. And Appendix D contains the monitoring plan and shows that temporary road closures would be monitored.

The Whyte Project purpose and need did not include recreation projects and does not propose to change any of the developed recreation opportunities that

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MCEA COMMENT LETTER

recreational user management costs. The best way for the Forest Service to reduce such costs is to aim for effective closures on the first attempt.

First among MCEA's concerns is the fact that there is a great disparity between the amount of recreation that is non-motorized and the amount of U.S. Forest Service land in Minnesota managed for non-motorized uses. Specifically, state and U.S. Forest Service data (year 2000 recreational visitor day (RVD) counts) show that 70% of all non-winter recreation on the Superior National Forest is non-motorized (excluding Wilderness activities; add Wilderness activities, and the figure rises to 88%). Clearly, the demand is there for non-motorized non-Wilderness recreation opportunities. There is only a tiny amount of U.S. Forest Service land outside of the Wilderness are managed for non-motorized activities like hunter-walking trails, birding, hiking, biking, or camping. Even including Wilderness lands, just 31% of U.S. Forest Service land in Minnesota is managed for non-motorized uses. When the Wilderness acres are excluded, the disparity is far greater. This is a serious concern because although most hunters are not looking to hunt in the Wilderness, they do want a hunting experience that is free of the most common annoyance on the forest today, that being ATVs. After driving the car or truck on a forest road, the typical bird hunters' idea of an enjoyable hunt is to find a place to park, and then set out walking for several hours without having ATVs driving past and disturbing them either 15 minutes or well into their hunt. Most hikers, bird-watchers, and other traditional users have similar stories to tell and similar desires for high quality recreation experiences unmarred by encounters with ATVs or the damage they've left behind.

8-4 cont

Second, the record of success in keeping ATVs out of public land areas where they are not wanted is checkered, at best. If special efforts are not made to ensure that skid trails and forest roads are absorbed back into the land quickly, then this Project – though intended to reduce fuels – will have serious, predictable and undesired environmental consequences: soil damage (compaction and erosion); sedimentation; wetland disturbance; water quality degradation; introduction and spread of non-native invasive species; wildlife disturbance; motorized use proliferation; and loss of badly needed and under-provided non-motorized recreation opportunities outside of the Wilderness. MCEA does not want these effects to be found on this Project site, and requests that every care should be taken to obliterate and revegetate all signs of temporary roads and skid trails on the Project site. Equipment routes from the forest road to the stands should be obliterated and revegetated as the last pieces of equipment are being removed from the Project site. Some good examples of obliteration and revegetation have been documented on the Tofte Ranger District, and the best techniques from these should be used on this Project.

8-5

COMMENT: Spatial Composition of the Project Area
The Project area currently contains 6,553 acres in mature interior forest (large older interior forest), a number that would increase by 2014 to 6,850 under Alternative 2 (no action) and would be reduced to 5,969 and 6,114 acres under Alternatives 1 and 3, respectively (*see* Whyte Preliminary Effects Analysis Table 2.8). Table 2.9 can confuse this point, and it should not be read to detract from the problem with insufficient acreage and number of larger older interior forest blocks. The Project's interest in creating large blocks of young regenerating forest is good, but with a few thoughtful changes, that goal as well as the harvest goals can be met and still achieve far better performance in retaining the existing mature interior forest acres and creating more blocks of large older interior forest.

8-6

Seek a wildlife habitat improvement waiver from federal regulations that carry out the general rule in the National Forest Management Act (NFMA) against harvesting stands before the culmination of mean annual increment (CMAI). 16 U.S.C.A. §1604(m)(2). The waiver would allow the Project to seize valuable opportunities to conduct forestry activities that meet harvest

MCEA COMMENT LETTER 3

currently exist in the project area. By decommissioning the unauthorized roads, it would enhance non-motorized areas although most of the roads to be decommissioned are short segments.

The Superior National Forest is also implementing the Travel Management Rule. This process will identify areas suitable for motorized use. Public involvement will be an important part of the process and is expected to begin in the near future. The expected completion date for the Travel Management Rule is July 2008.

Response to 8-5: We are very aware of the difficulties of closing some areas to motorized vehicle use. Please remember that under the previous Forest Plan, many roads were left open for the specific purpose of ATV access, and cross country travel by ATVs was acceptable. Under the 2004 Forest Plan, cross country travel is not allowed and all temporary roads are to be closed to public motorized use. It will take time and effort to close off areas where there is historical use of ATVs and the Forest is decommissioning unauthorized roads every year and is conducting on-going monitoring.

To better address this issue, timber sale contracts now include clear direction that temporary roads are to be closed when not needed for a period of time and they are not to be used by the public at any time. In addition, unauthorized roads on the District are being decommissioned and District and Forest-wide monitoring shows that many of these closures are effective.

The District held a monitoring meeting on November 21, 2006 to review roads that were decommissioned as a result of the Record of Decision for the Virginia EIS. (See Road Decommissioning Review November 21, 2006, in the Whyte Project Record.) Nearly 45 temporary roads were closed through timber sale contracts and an additional 15 unauthorized roads were decommissioned via a separate contract. The District will continue to monitor the effectiveness of these road closures. The decommissioning of the unauthorized roads followed the examples as documented on the Tofte District. In some cases, it is not evident that a road ever existed. See also the 2005 Forest Monitoring Report for forest-wide road decommissioning work. Because our monitoring shows that our recent road closures have been

MCEA COMMENT LETTER

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goals and achieve two crucial ecosystem management objectives: converting younger (15 to 45-year-old) stands of over-represented vegetative cover types to stands of ecologically appropriate and more-desired cover types (e.g., white pine, jack pine); and in the process also helping to restore much larger, young forest patches on the landscape and retain mature interior forest. These objectives could be accomplished with a few changes while still harvesting substantially similar, or perhaps slightly more acreage.

RATIONALE: Large blocks of mature interior forest habitat are already drastically underrepresented on the Forest compared with conditions under historic natural disturbance regimes. *See* M. A. White and Host, G. E. 2003. Changes In Disturbance Frequency, Age And Patch Structure From Pre-Euro-American To Settlement To Present In Northcentral And Northeastern Minnesota. Natural Resources Research Institute, University of Minnesota, Duluth. Minnesota Forest Resources Council Report LT-1203a, available at: http://www.frc.state.mn.us/Info/MFRCdocs/line_note_change.pdf; *and see,* G. E. Host and White, M. A. 2003. Contemporary Forest Composition And Spatial Patterns Of North Central And Northeastern Minnesota: An Assessment Using 1990s Landsat Data. Natural Resources Research Institute, University of Minnesota, Duluth. Minnesota Forest Resources Council Report LT-1203b; NRRI Technical Report NRRI/TR-2002/21, available at: http://www.frc.state.mn.us/Info/MFRCdocs/landsat.pdf; *and see,* G. E. Host and White, M. A. 2003. Changes In Forest Spatial Patterns From The 1930s To The Present In North Central And Northeastern Minnesota: An Analysis Of Historic And Recent Air Photos. Natural Resources Research Institute, University of Minnesota, Duluth. Minnesota Forest Resources Council Report LT-1203c, available at: http://www.frc.state.mn.us/Info/MFRCdocs/airphoto.pdf.

The severe under-representation of large blocks of mature interior forest habitat is a concern to the Forest and the public because the native biodiversity that took root and persisted in this geographic area did so in a forest shaped by those natural disturbance regimes, and many species prefer or require large blocks of interior mature/old forest patches. *See,* above and also, C. Lane, Carr, C., and Perry, E. 2003. Background Paper: Relationships Between Forest Spatial Patterns And Plant And Animal Species In Northern Minnesota. Minnesota Forest Resources Council Report LT-1203f, available at: http://www.frc.state.mn.us/Info/MFRCdocs/species_report.pdf. The majority of the forest songbirds that are in decline on the Superior National Forest, for example, depend upon large blocks of mature interior forest habitat for feeding, breeding, rearing young, and sheltering. While other factors operating at the regional, continental, and global scales are affecting the decline of these species, the reduction of suitable habitat contributes to the pressures increasingly faced by these species. *See,* Species Trends data at the Forest Songbirds of the Western Great Lakes site of the Natural Resources Research Institute, Center for Water and the Environment, available at: http://www.nrri.umn.edu/mnbirds/speciestrends.htm; *see also,* the Species Accounts database at the same site, available at: http://www.nrri.umn.edu/mnbirds/accounts.htm.

8-6, cont

The concern and importance of large blocks of interior mature/old forest patches is reflected in the LRMP, and the fact that spatial patterns and the total acreage and number of large blocks of interior mature/old forest patches are the subject of three Management Indicator Habitats (MIH) in the new Superior National Forest LRMP, MIHs 11, 12, 13. The Superior National Forest LRMP recognizes the ecological need for large blocks of mature/old forest interior habitat, and incorporates into the LRMP the direction. For example, for MIH 11, the direction is to, "[r]educe the amount of forest edge created through vegetation management." *See,* DEIS at 3-55, Table 3.8-7. For MIH 12, the direction is to "[s]trive to minimize the decrease in interior forest habitat in a variety of upland and lowland communities." *Id.* Likewise the LRMP directs in relation to MIH 13 that projects, "[s]trive to minimize the decrease in acres and number of mature patches ≥ 300ac." *See, Id.* at 3-56, Table 3.8-8. This is the broad direction offered at the LRMP level of

8-7

MCEA COMMENT LETTER 4

effective, the undesired environmental consequences you mention such as impacts to soil, water, wildlife, and vegetation will not occur.

Response to 8-6: The Whyte Project purpose and need included specific direction to reduce fragmentation and create larger-sized patches of young forest by harvesting adjacent to recently harvested areas. The Team also considered existing mature patches and did not propose regeneration harvest within patches that are greater than 300 acres. The Forest Plan did not identify a need to manage stands before the culmination of mean annual increment (CMAI) to meet wildlife, vegetation, or other resource objectives.

The interdisciplinary team also did not identify a need for harvesting stands younger than 40 years of age to meet resource objectives. Harvesting stands at or after CMAI addresses the purpose and need of the project because it effectively contributes to balanced resource management, including sustainable forest products and moving the vegetation towards the desired age class and composition objectives and management indicator habitats.

The Forest Plan age class objectives show an abundance of forest in the mature age class. Some of this forest is needed to move into the older age classes and some is available to meet the young forest age class. The tables in Sections 3.7 and 3.8 and Appendix G show that the Whyte Project is contributing toward meeting the Forest-wide age class objectives.

Table 2.8 does show there would be a reduction of mature, interior forest habitat; however, 91 percent of the interior forest habitat would remain. Table 2-8 explains that the young patches created through this project would grow into interior forest habitat in the future. The Forest Plan FEIS shows a 9 percent decrease in the mature upland patches by the second decade (FEIS p. 3.3.2-5). Table 2.9 shows there would not be a decrease in the number or acres of patches over 300 acres.

Table 2.10 shows that the average size of young patches increases by ten acres under Alternative 1 and nine acres under Alternative 3. The Team collaborated with adjacent landowners to create larger-sized patches of

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forest management planning that specific projects, such as the Whyte FMP, should follow. If followed, these directions can constitute a necessary part of effective coarse-grained management for biodiversity on the Forest.

These LRMP directions should not be interpreted to require a reduction in the amount (acreage) and number of large blocks of mature/old forest interior habitat. If loss of something recognized to be rare and ecologically important were reasonably avoidable, it would be incongruous and incorrect to conclude that the LRMP directions to minimize loss in fact required that some amount of loss must occur with each project. Opportunities to compensate for, or even reverse, an unwanted yet expected loss are not prevented by LRMP directions for MIHs 11, 12, and 13.

The changes necessary for this Project to address forest fragmentation problem start with identifying a half-dozen pairs or clusters of mature forest stands proposed for treatment under Alternative 3 and which are located in the Jack Pine/Black Spruce (Jack/Black), Mesic Birch-Aspen-Spruce-Fir (MBASF), or Mesic Red and White Pine (MRWP) LEs.[1] Key pairs or clusters of stands would be identified based on certain criteria: their condition as mature forest desirable for commercial timber harvest operators; not being part of existing qualifying large patches of older interior forest habitat, but rather being in a landscape more fragmented by younger forest regenerating from recent (past 40 years) smaller timber harvests; and adjacency of one or more such younger forest patches that could not be harvested without waiver from the CMAI rules. 8-8

The key mature stands would then be harvested along with the intervening and adjacent younger stands for which the waiver was required. The desired results would be production of wood fiber for social and economic interests; creation of larger blocks of younger forest (future large blocks of older interior forest) and avoidance of existing large blocks older interior forest for ecological purposes; creation of larger patches that, because of their greater area and problems caused by deer browse, may be more successfully and therefore cheaply regenerated to desired long-lived conifers for management interests. Such an addition would still meet social and economic objectives of both Alternatives 1 and 3, but it would do something else. It would help to address currently unmet ecological objectives, namely the amelioration of the under-representation of large older interior forest blocks by intentionally creating young large blocks now while also avoiding the existing large older interior forest areas.

These are not major or difficult changes to make in the Project. Exceptions to the CMAI-related requirements should be used to address the fact that the Alternatives all lead to the unnecessary and continued loss and diminishment of large blocks of mature interior forest habitat, in terms of both number of such patches and their individual and collective extent in acres.

COMMENT: MCEA strongly supports modifications made to the Initial Proposed Action. Modifications made to make the Project more congruent with the Eligible Wild, Scenic, and Recreational River corridor and the Riparian Emphasis Management Area are significant improvements over the Initial Proposed Action, and MCEA supports them. These changes better meet the scenic, water quality, and traditional recreational demands placed upon the Forest. 8-9

COMMENT: MCEA supports deferment of harvest in the Phantom Lake Roadless Area. Traditional hunting, hiking, wildlife watching, and other non-motorized recreational pursuits are better provided by avoiding harvest and accompanying roads in the Phantom Lake Roadless Area. 8-10

[1] Lowland Conifer LE stands need not be included because of potential conflicts with accidental elimination of the paired habitat components required by boreal owl. Sugar Maple LE stands should not be included because the typical disturbance regime in true Sugar Maple forest would more often have been dominated by gap-phase disturbance regimes rather than large stand-clearing fires.

MCEA COMMENT LETTER 5

young forest. Therefore, regeneration harvests were located next to recently harvested areas (less than 15 years of age) and proposed harvest on other ownership.

Some younger aged stands are intermixed with older stands. The proposal is to harvest the surrounding older stands and leave the younger ones in place. In the short term, some edge would be created, but the resulting area would be more uniform in age than it currently is. These areas will then enter the mature and older age classes over a shorter period of time, rather than in scattered increments, and will function as a more unified grouping of ages. The gap in stand ages of these adjacent stands will be less than 20 years rather than 40 or more years.

The long-term effect of creating larger and more uniform patches is not reflected in Table 2.10 because at this time the stands are dissimilar whereas when they are older, their characteristics would be more representative of a larger mature patch.

Response to 8-7: The Forest Plan provides objectives for "Reducing the amount of forest edge while retaining a range of small patches and edge habitat (MIH 11), maintaining or increasing the amount of mature interior forest habitat (MIH 12), and maintaining or increasing the acres and number of 300-acre patches (MIH 13). (Forest Plan O-VG-21, O-VG-22 and O-VG-23)

The Whyte Project purpose and need is to reduce fragmentation and create larger-sized patches of young forest, while maintaining existing large patches (Whyte EA pp. 1-4 and 1-5). The Whyte Project EA shows what would happen to each of the MIH indicators. See Tables 2.7 through 2.10 on pages 2-8 through 2-10.

Response to 8-8: See Response to 8-6

Response to 8-9: Comment noted.

Response to 8-10: Comment noted.

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Specific RNV Comments

COMMENT: RNV Considerations –Aspen Stands in Alternative 1 Not in Alternative 3
Five treatments proposed in Alternative 1 and dropped in Alternative 3 would clearcut Aspen stands (code 91) ranging in age from 56 to 71 years, resetting those stands to seedling/sucker aspen of an anthropogenic origin.[2] The result of these five treatments would be predominantly negative with regard to RNV conditions. Minor benefits would appear to follow from reduction in acres in the sapling-pole conifer (age 1-50) and pole-mature conifer (age 51-80) vegetative growth stages (VGS) of the MBASF LE, however these apparent benefits are deceiving. As the Superior National Forest has characterized the dominant tree type to be aspen, the stands are assumed to be aspen and not conifer, primarily. Substantially negative RNV consequences include increases in the two anthropogenic birch-aspen-spruce-fir VGSs in this LE, which are already definitionally over-represented on the landscape already. Also, the treatments would result in a reduction in the acres that would otherwise be assumed to transition shortly through successional into multi-aged conifer, which is drastically underrepresented on the landscape compared to RNV conditions. For RNV-related reasons, these stands would be better left uncut. *See* PlanEval output on the following two pages, below. These output tables represent the effects of 17 stands proposed for "aspen clearcut and regenerated to aspen" in the MBASF LE (Alternative 1), and the avoided effects for the five (of 17) stands that would be dropped in Alternative 3.

8-11

COMMENT: RNV Considerations –Aspen Stands Generally
Alternative 3, while significantly preferable to Alternative 1, would still contain 12 of these 17 stands. MCEA asks that some portion of those harvest units be modified to include post-harvest site treatments designed to result in stand conditions more closely resembling those that might be produced by natural disturbances (such as scarification and/or controlled burn and aerial seeding with birch; or selection harvest leaving such advanced conifer regeneration as might be present so as to resemble a pole-mature conifer stand following wind-throw). If those or other modifications were made, a much more natural post-harvest condition (and a better effects score) could be presumed to result.

Also note that many of the same RNV effects anticipated from these "aspen clearcut and regenerated to aspen" stands ("91-91" stands), as well as suggestions for post-harvest site treatments that would improve conditions, also hold true for the larger acreage of proposed aspen/white spruce clearcut and reset to aspen/white spruce stands (33 "95-95" stands total 944 acres). A nearly identical output table representing these stands follows the two tables for the 91-91 stands discussed above.

Given the "95" code assigned to these stands, MCEA assumes that spruce and other conifer cover in these stands is more substantial, and therefore that in these stands selective aspen harvest, perhaps with some reduction in basal area of mature white spruce to add to timber volume, is a viable alternative to clearcutting. Such a shift in treatments, even if only in a fraction of the 33 "95-95" stands, would produce far superior resulting conditions in the project area due to reduction in the amount of anthropogenic aspen acreage created.

It might also be argued that, at least in some of the older stands containing the densest and largest conifer (presuming that some of the stands actually have these characteristics), a selective aspen treatment might produce a condition emulating the multi-aged conifer VGS. Though speculative,

[2] Stand IDs for the five stands are: 09090100155006, 09090100155011, 09090100476004, 09090100476053, and 09090100476014.

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Response to 8-11: Your support of Alternative 3 is noted and is partly because some of the aspen stands proposed for clearcutting in Alternative 1 would not be harvested under Alternative 3 and your concern that harvest of those aspen stands would have negative effects on range of natural variability. Please note that the aspen and the aspen-fir stands all contain a variety of tree species and all treatment units would retain leave trees and those greater than 20 acres would have legacy patches. Also, areas of advanced regeneration may be protected. These management actions would maintain and may increase the species and structural diversity of these stands. Generally the aspen and the aspen-fir stands would contain similar species composition after harvest as before harvest, except the stand would be regenerated to create young forest.

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MCEA includes a fourth output table below, to demonstrate the very different RNV effects that such harvest techniques might produce. The output shows essentially only positive RNV results. There is a very minor negative indication for VGS 2 (pole-mature birch) but that VGS is barely under-represented currently, and the amount of the negative effect is negligible (approaching zero). Likewise, there are some negative effects caused by slight increases in acreage of VGS 5(sapling-pole conifer), which is already somewhat overrepresented on the landscape, and an effect on anthropogenic VGSs 7 and 8. These few slightly negative scores are easily outweighed by the more strongly positive scores resulting from the significant increase in acreage of underrepresented multi-age conifer VGS (VGS 4), and the significant decrease in acreage of mature birch-conifer (VGS 3), which is presently over-represented.

In addition to RNV-related benefits, there may be some role for such modified harvests in qualifying stands in areas where visual sensitivity might be an issue. Again, these potential benefits would come at the cost of some reduction in volume resulting from any stands that were selected to try such a treatment.

COMMENT: Beneficial but minor (by acreage) treatment types should be increased.
Several treatments types proposed in this Project are highly beneficial in terms of RNV conditions, but are under-utilized. The use of these beneficial treatment types should be increased by modifying prescriptions for some proposed harvest units.

For example, in the Jack Pine/Black Spruce LE, some of the aspen stands proposed for clearcut and automatic regeneration to aspen should be converted to seedling jack pine. Interestingly, the two stands proposed for conversion to Jack Pine (Code 1) are listed as being in the MBASF LE. Given the prescription, MCEA presumes that these two stands are in fact inclusions of Jack Pine/Black Spruce LE too small to be mapped as such, and were mapped as MBASF as an artifact of the spatial scale at which the Northern Superior Uplands was mapped by NRRI and University of Minnesota researchers. If that is in fact the case, then the conversion of these two stands has a positive effect on the Jack Pine/Black Spruce LE, shown in the output appended below (*see* output table named "WhyteMBASF-presumed JPBS-17and11-1").

8-12

There are eight stands totaling 131 acres in which aspen (Codes 91 or 95) is being clearcut and regenerated to aspen (either 91 or 95). If instead those stands were converted to jack pine, the negative RNV effects on jack pine that are produced by re-initiating anthropogenic aspen stands would be avoided (*see* output table named "WhyteJPBS-91and95 CC back to 91 and 95"), and the preferable effects of being able to restore older classes of jack pine to the landscape would be achieved (*see* output table named "WhyteJPBS-91and95-1 urged"). Note that PlanEval does show indicate some beneficial effects on Jack Pine/Black Spruce VGSs 8, 9, and 10, due to reduction in the acres of anthropogenic aspen stands that otherwise are expected to succeed into over-represented pole-mature fir-spruce-cedar (VGS 10). The benefits of reducing an over-represented commodity, however, are easily negated by and less important than the strongly negative RNV effects associated with underrepresented jack pine VGSs (VGSs 2, 3, 4, 5, and 6) and multi-aged fir-spruce-cedar (VGS 7).

COMMENT: MCEA supports the proposed conversion of aspen stands to long-lived conifers, and urges that more such harvest units in the Project be identified for such conversion.
MCEA strongly supports the Project's proposed conversion of some 613 acres currently in aspen, paper birch and aspen-spruce-fir to white pine (Code 3), with the exception of 30-acre Unit Number 49, which is dropped in Alternative 3. Unit Number 49 (Stand ID 09090100163004) should be replaced, if possible, with a harvest unit that is currently proposed for clearcutting and automatic regeneration back to an aspen-dominated stand, and which could be modified to

8-13

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Response to 8-12: The two stands proposed for conversion to jack pine are in the Mesic Birch Aspen LE. The objectives for MBA LE include an objective to increase the amount of jack pine. See Table 3.8.1. There is also a need to increase the amount of jack pine in the Jack Pine Black Spruce LE. However, there were limited opportunities to convert aspen stands to jack pine in this Project Area because of the small acreage and no suitable sites. There is very little jack pine within any of the stands and the soils are not well-suited for jack pine and therefore not ecologically appropriate for jack pine. The purpose and need included increasing the amount of white pine and jack pine on suitable sites. Two stands were identified that contain jack pine and are not part of a large mature patch and these two units are proposed to be converted to jack pine. Other jack pine in the project area is part of a mature patch and therefore was not considered for regeneration harvest at this time.

Response to 8-13: Comment noted. Please see the purpose and need for the Whyte Project on page 1-2 of the Preliminary Effects Analysis. The purpose and need is to create young aspen and birch forest and to increase the amount of white pine to move the project area toward the forest-wide vegetation age class and management indicator habitat objectives. Please see Forest Plan Landscape Ecosystem Objectives on pages 2-55 to 2-78.

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convert the stand to white pine. The RNV-related benefits to the landscape are substantial, particularly in the multi-aged conifer and multi-aged white pine VGSs (*see* output tables "WhyteMBASF 91and92andUB-3 WPconversion," and "WhyteMRWP-91and92-3 WPconversion"). Two stands totaling 48 acres and proposed for conversion to white pine are categorized as being in the Jack Pine/Black Spruce LE. For purposes of analysis, MCEA assumed that these sites are smaller inclusions of Mesic Red and White Pine (MRWP). One stand (18 acres) categorized as being in the Sugar Maple LE and was not analyzed. The majority of stands (17 totaling 425 acres) are categorized as being in MBASF LE, and are analyzed as such, but some might in fact be better characterized as small inclusions of MRWP.

For all the above reasons, MCEA urges selection of Alternative 3.

This completes MCEA's comments on the Project. Thank you again, very much, for the opportunity to comment. I look forward to hearing from you regarding these comments.

8-14

Sincerely,

Matt Norton

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Response to 8-14: Comment noted.

9a

Sierra Club North Star Chapter
2327 E. Franklin Avenue
Minneapolis, Minnesota 55406
612-659-9124

March 15, 2007

Allan Bier, District Ranger
318 Forestry Road
Aurora, MN 55705

Re: Whyte Forest Management Project EA

Dear Mr. Bier:

The North Star Chapter of the Sierra Club submits these comments in response to your Environmental Assessment (EA) for the Whyte Project. Please include these comments as part of the Forest Service's official record for this project.

As you know the Sierra Club is a non-profit environmental organization with over 24,000 members in Minnesota. We participate in the administrative process to provide substantive comments on identified project areas as well as encourage the Forest Service to better achieve long-term wildlife and habitat protection and sustained recreational opportunities. 9-1

The Sierra Club believes that the Whyte project could have several significant negative effects on the environment, therefore it would be worthwhile for the agency to prepare an EIS so that the direct, indirect and cumulative effects, mitigation efforts, and effects of past, present, and reasonably foreseeable future action could be analyzed more carefully. 9-2

Response to 9-1: Comment noted.

Response to 9-2: Forest Service Handbook 1909.15 – Environmental Policy and Procedures Handbook, in Chapter 40, Section 41 states *"Prepare environmental assessments to document the results of environmental analyses and to disclose the environmental consequences for proposed actions that are not categorically excluded from documentation and for which the need for an environmental impact statement has not been determined."* The purpose of an EA is to briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.

The decision maker will carefully consider the analysis included in the Whyte Environmental Assessment, including the comments received on the Preliminary Effects Analysis, all of the resource reports, and project file documentation prior to deciding if an environmental impact statement is needed or to issue a finding of no significant impact. The Environmental Assessment does consider the direct, indirect, and cumulative effects of past, present, and reasonably foreseeable future actions on all relevant resources. This analysis is disclosed in Chapter 3.

9b

I. Species Diversity

The Forest Plan's designation of only four Management Indicator Species (MIS) is inadequate and in violation of the National Forest Management Act (NFMA). Without an adequate number and range of MIS designated in the Forest Plan, managing for species diversity within specific projects, such as the Whyte project, cannot be achieved.

NFMA explicitly requires the Forest Service to "provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives." 16 U.S.C. § 1604(g)(3)(B). To satisfy this statutory mandate, the NFMA regulations set forth a specific and mandatory process by which the Forest Service must monitor the population trends of indicator species to ensure that the aggregate effects of its management activities do not adversely impact species diversity within a national forest. See 36 C.F.R. § 219 (1982). The Forest Supervisor must "obtain and keep current inventory data appropriate for planning and managing" resources within the area covered by forest plan. 36 C.F.R. § 219.26.

The population trends of indicator species over time serve as a measure of the Forest Service's success or failure in managing the national forest for species diversity condition. Without population trend data for an adequately diverse and representative group of indicator species, the Forest Service's ability to evaluate and manage the Whyte Project's impacts on species diversity using the methodology codified in the NFMA regulations is nonexistent.

9-3

To help ensure the diversity of ecological communities is maintained, each national forest is required to "maintain viable populations of existing native and desired non-native vertebrate species in the planning area." 36 C.F.R. § 219.19. These regulations define a "viable population" as "one which has the estimated numbers and distribution of reproductive individuals to insure its continued existence is well distributed in the planning area," and specify that "habitat must be provided to support, at least, a minimum number of reproductive individuals and that habitat must be well distributed so that those individuals can interact with others in the planning area." Id. This "viability" regulation establishes a clear mandate that the National Forests must be managed to preserve existing wildlife species.

To implement this "viability" mandate, the 1982 NFMA regulations provide that certain species will be selected as MIS to be used as a "bellwether" for "the other species that have the same special habitat needs or population characteristics." *Inland Empire Pub. Lands Council v. United States Forest Serv.*, 88 F.3d 754, 762 (9th Cir. 1996); see 36 C.F.R. § 219.19(a)(1). MIS "allow the Service to thoroughly evaluate the effects of [proposed management activity alternatives] on fish and wildlife populations by using a 'class representative,' without having to evaluate each species individually." *Inland Empire Pub. Lands Council v. United States Forest Serv.*, 88 F.3d 754, 762 (9th Cir. 1996).

Relying on only four MIS is not sufficient to meet NFMA requirements and is not adequate to evaluate how all the other species in the area will be affected. The EA fails to show how these four MIS are acting as "bellwether" for all the other species in the project area.

Response to 9-3: The concern that the Forest Plan designates too few MIS was a point in the appeal of the 2004 Superior National Forest Plan and Final EIS. The Forest Service Chief's decision on the Forest Plan Revision ROD appeal included the following: "[t]he MIS program for the Superior NF monitors a suite of species sufficient to comply with NFMA regulations, demonstrated that it has an adequate framework in place to conduct the required monitoring, and uses habitat as an appropriate adjunct to species monitoring" (p. 54-55 of the Chief's Appeal Decision, on the internet at http://www.fs.fed.us/emc/applit/includes/woappdec/sup_final.pdf).

The NFMA regulations have no requirement to select MIS for each listed category or habitat type, and only require the reasons for selecting MIS be given (36 CFR 219.19(a) (1)). The process followed for the selection of MIS is well-documented and based on the five categories listed in the regulations, and the reasons for each selection are clearly stated in the Forest Plan Revision planning record. The four MIS selected are considered best to represent key habitat types that experience the majority of management on the Superior.

The Forest Plan Revision record demonstrates that the Forest considered a greater number of MIS (approximately 400 species) (3.13.4.2 # 10471: (doc 1) *02.09.12_ MIS MIH Proposal and Evaluation.xls*). However, based upon scientific information, the Forest Service concluded, that indicator habitats better reflected the broad spectrum of major wildlife management issues and challenges than individual species. In concert with the four MIS chosen by the Forest, indicator habitats allow the Forest a practical and efficient way to assess the effects of management on wildlife habitat and address the thousands of species that occur on the Forest. (See USDA Forest Service, Management Indicator Species and Management Indicator Habitats, February 2, 2007.

Management indicator species are monitored during forest plan implementation in order to assess the effects of management activities on their populations and the populations of other species with similar habitat needs that they may represent. Because of scientific limitations of using individual species to indicate effects on many other species (Landres et al. 1988; Forest Plan Revision Final EIS Vol. 2, Appendix B; Niemi et al. 1997; USDA Committee of Scientists 1999), the Forest Plan uses a limited number

(four) of management indicator species. Management indicator habitats are greater in number than MIS because it was determined that habitats better reflect the broad spectrum of major wildlife management issues and challenges than individual species (Forest Plan Revision EIS, Vol. 2, Appendix B, Wildlife "Identification of wildlife management indicator species and habitats", pages B-25 to B-29). Management indicator habitats represent the major biological communities on the National Forests that are most affected by management. In other words, they provide a "coarse filter"

Response to 9-3, cont.:
that represents the array of native ecosystems and their associated species - with emphasis on those that would be most affected by management.

Some species may fall through this coarse filter because of their specialized habitat requirements, because of their high public concern, or because of concern for their continued viability on the planning area. Therefore, the Forest Plan Revision EIS analyzed additional species as "fine filter" indicators that, although not designated as "management indicator species", allowed us to address important wildlife impacts or issues not adequately addressed programmatically by "management indicator species and habitats". Forest Plan Revision EIS Indicators #15 (lynx), #18 (107 sensitive species, 85 of which occur on the Superior NF) and #21-23 (woodcock, deer, and ruffed grouse) were analyzed during Forest Plan Revision because they allow evaluation of individual species of high public concern because of their social, economic, ecological importance.

An important component of this approach is monitoring (see Forest Plan Chapter 4). Population trends of management indicator species are monitored and relationships to habitat changes determined. This monitoring is done in cooperation with State fish and wildlife agencies, to the extent practicable, especially for eagle, wolf, and goshawk (information in the Wildlife Section of the 2005 Superior National Forest Monitoring and Evaluation Report).

Because MIH, together with MIS, provide the basis for addressing requirements to maintain viability in the planning area of all native and desired non-native species, MIHs and some associated species are also monitored. MIHs are monitored to address the degree to which the plans implement MIH objectives. Associated species are monitored to validate assumptions and predictions about population and habitat links.

The 2005 Monitoring and Evaluation (M&E) Report does not include a lot of habitat-population analysis in the first year of implementation because making the correlations, testing the hypothesis is a monitoring and evaluation item to be conducted by at least the fifth year of plan implementation when greater changes to the landscape will have occurred. Nevertheless, there are habitat and population data found in Wildlife Section for 21 terrestrial and six aquatic animal sensitive species, numerous sensitive plant species, all four MIS, all three threatened and endangered species, and nine MIHs.

The analysis on the relationship of MIHs to the range of natural variability (Forest Plan Revision Final EIS ,Chapter 3.3.1, 3.3.2, and 3.3.3 *Environmental Consequences*) was used by the biologist to make a determination about viability of species: this includes conclusions for each MIH and its associated species that documents in some form "…Assuming a direct correlation between habitat availability and species populations, conditions in *MIH X* would result in population levels…" above, below or within the range of natural variability. For those MIH and associated species that fall outside the range of natural variability a conclusion is made about whether or not there is adequate representation of the range of natural variability to maintain viability. Analysis of Modified Alternative E concludes that viability would be maintained.

The Whyte Project proposes to implement the Forest Plan and follows the direction established in the Plan. In addition to the management indicator species, the Whyte Project also discloses the effects of the project on all of the threatened, endangered, and Regional Forester's sensitive species, game species and management indicator habitats. See Sections 3.3, 3.4, 3.5, 3.6, and 3.7 of the EA.

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The Forest Service is obligated by the plain language of the NFMA regulations to acquire and analyze hard population data for its selected management indicator species. Under this clear language, it may not rely solely on habitat trend data as a substitute for population data or to extrapolate population trends. The Forest Service has failed to obtain the necessary data to ensure the diversity of plant and animal communities and the viability of threatened, endangered, sensitive, viability, and MIS in the 2004 Revised Plan and instead principally relies on habitat indicators to assess population viability. This approach is in direct violation of NFMA and its implementing regulations. Habitat may not be used as a proxy for MIS population data. To comply with 36 C.F.R. §219.19, "[h]abitat trend data may not be used as a proxy for population inventories." Forest Guardians, et al. v. United States Forest Serv., 180 F. Supp. 2d 1273, 1281 (D.N.M. 2001). The Forest Service must compile quantitative population data for MIS, not just manage habitat for a hypothetical population. The Land Council v. Powell, 379 F.3d 738 (9th Cir. 2004); Utah Envtl. Congress v. Bosworth, 372 F.3d 1219 (10th Cir. 2004); Sierra Club v. Martin, 168 F.3d 1 (11th Cir. 1999).

9-3, cont.

The approach presented in the Revised Plan is primarily to monitor acreage of managed habitat, termed "habitat elements." This strategy attempts to predict viability and to satisfy viability requirements without ever collecting actual population data. Under this approach, in fact, MIS are unnecessary because the focus is on counting the number of acres of managed habitat. However, monitoring simply the number of "managed" acres of a particular forest type does not satisfy the regulatory requirement for maintaining viable populations of native and desired non-native species.

Anther concern involved the discussion of sensitive species. The EA states that: "the proposed activities may impact individuals of heather vole, northern goshawk, boreal owl, black-throated blue warbler, bay-breasted warbler, Connecticut warbler, three-toed woodpecker, great gray owl, wood turtle, northern brook lamprey, creek heelsplitter, black sandshell, tiger beetle, Mancinus alpine butterfly, red-disked alpine butterfly, jutta artic butterfly, Quebec emerald dragon fly . . . pointed moonwort, common moonwort, Michigan moonwort, pale moonwort, ternate grapefern, least moonwort, swamp beggar-ticks, floating marsh-marigold, Katahdin sedge, linear-leaved sundew, neat spike rush, moor rush, Vasey's rush, auricled twayblade, fall dropseed muhly, American shoregrass, dwarf water lily, club-spur orchid, northern bur-reed, awlwort, lance-leaved violet, *Cladonia wainoi*, large-leaved sandwort, Appalachian fir clubmoss, *Arctoparmelia centrifuga*, *Arctoparmelia subcentrifuga*, small shinleaf, cloudberry, fairy slipper, ram's head ladyslipper, *Caloplaca parvula, Certraria aurescens, Menegazzia terebrata, Ramalina thrausta, Sticta fuliginosa, Usnea longissima, Pseudocyphellaria crocata, Frullania selwyniana,* triangle grapefern, goblin fern, New England sedge, Canada yew, barren strawberry, Canada ricegrass, and *Peltigera venos* but none of the impacts are not likely to cause a trend toward federal listing or loss of viability." The Sierra Club would like to see a better explanation of what activities could impact these species, how proposed management activities could impact these species, and how and why the agency has concluded that these impacts will not cause a trend toward federal listing or loss of viability.

9-4

Response to 9-4: Section 3.4 of the EA summarizes the findings documented in the Whyte Project Biological Evaluation. The Biological Evaluation is available on the internet at www.fs.fed.us/r9/suprior and upon request from the Laurentian District office. The BE includes information on the potential habitat available in the project area; existing condition information, including populations and trends, information on the project area surveys, habitat needs and limiting factors, and habitat trends; direct and indirect effects; cumulative effects; the determination; and mitigations. Some additional information has been added to Chapter 3 of the EA. Complete information on the effects of the project on sensitive species is available in the Biological Evaluation.

Response to 9-5: Sierra Club's support of plans to restore pine within the Cloquet River (no restoration will occur within the St. Louis River corridor) is noted.

The unit cards for each unit contain details on the proposed management activities. The mitigations in Appendix C contain specific direction to lessen impacts to soil and wetlands although there may be minor short-term effects to soil and wetlands resulting from the road decommissioning. This includes minor erosion and impacts to vegetation. After decommissioning activities, negative effects to soil, water, wetlands, and vegetation would diminish. Appendix D is the monitoring plan and shows that both temporary and unauthorized roads would be monitored. The "Effects Disclosure for Soils and Wetlands" contains additional information on the effects the Project would have on soils and wetlands. The following points are documented in that report:

●Standards and guidelines for watershed health are listed in the Forest Plan, pages 2-13 through 2-18. The standards and guidelines, G-WS-8 through G-WS-15 and S-WS- 11 through S-WS-13 are specific to soils and wetlands. All of the standards and guidelines would be met in this project.
●The design and mitigations for the project are adequate to limit adverse effects. The Forest Service has developed detailed inventories and associated interpretations of soils through our ecological classification units on National Forest System (NFS) land. This site-specific information has enabled the refinement or tailoring of management direction to help ensure the productive capacities of sites on NFS land are not reduced due to forest

9d

II. Wild and Scenic Rivers

The Sierra Club supports the plan to restore pine to the areas within the Cloquet and St. Louis Rivers as well as decommissioning the unauthorized road in unit 117. Site specific mitigation measures should be discussed to determine how the agency will ensure that no harm to soil and water will occur from these site activities. 9-5

III. Seven Beavers and Phantom Lake Roadless Areas

The Whyte Project is proposing two management activities within the Seven Beaver Inventoried Roadless Area. The Sierra Club supports the first activity; to restore white pine along Seven Beaver Lake, accessing the area by boat so that no roads need to be built. The Sierra Club strongly opposes the harvest of 33 acres within Unit 20. Four months of harvesting activities and road building is not appropriate for a roadless area. The Sierra Club supports the agency's decision to defer vegetation management and to continue with road decommissioning in the Phantom Lake Roadless Area. 9-6

IV. Roads

The Sierra Club supports the plan to decommission unauthorized and temporary roads. The Sierra Club urges the Forest Service to set a timetable for temporary road decommissioning instead of just stating that temporary roads will be decommissioned following the completion of management activities. The Sierra Club is concerned that temporary roads that are not immediately decommissioned have the potential to stay open for up to ten years which could lead to numerous undesired effects. 9-7

V. Timber Harvesting

The Sierra Club supports maintaining and enhancing existing large patches of mature forest. These areas are often habitat for threatened, endangered, and sensitive species, and management indicator species, and should be protected. Large scale logging and clearcutting leads to a loss of biodiversity and many undesired environmental harms. The Sierra Club prefers restoration of forest areas over commercial logging interests and clearcutting. 9-8

Sincerely,

Annah Gardner
Sierra Club North Star Chapter

Response to 9-5 cont.:
management. The use of unit cards detailing information where mitigations are needed provides site level information.

●Stocking surveys have been conducted on past timber sales in the area documenting successful regeneration. See Appendix F for a summary of past, on-going, and future vegetation management projects in the area. In 2005, vegetation surveys in previously treated timber sales were conducted across the Forest to assess how vegetation has responded to managed treatments over the years. Attributes documented included regeneration success (planted and natural regeneration) and vegetation frequency and cover. In 2005, 4,184 acres were certified as adequately stocked. This meets the NFMA obligation to adequately restock harvested areas within 5 years of final harvest. (Fiscal Year 2005 Monitoring & Evaluation Report Summaries, E. Timber).
●Effectiveness monitoring accomplished on skid trails and landings in 2003 and 2004 that compare activities between the blow down treatments from the 1999 wind storm and regular treatment activities. One result was less compaction on regular treatment activities.
Fire monitoring results suggest good retention of organic matter. Watershed improvement projects have been successful in minimizing soil erosion and re-establishing vegetation. (Fiscal Year 2005 Monitoring & Evaluation Report Summaries, C.3 Soils).
●Site-level monitoring of timber and forest management guidelines by MnDNR and the Minnesota Forest Resource Council in cooperation with the Superior National Forest has continued yearly. The most recent 2006 visits which included federal lands on the Laurentian Ranger District monitored visual, cultural resources, slopes, water quality, roads and skid trails and general site conditions. Some of the results included minimal to no rutting, intact filter strips, and re-vegetation of landings (Voluntary Site-level Guidelines for Sustaining Minnesota Forest Resources Summary of On-site Monitoring, 2006). Scotford & Nichols Associates, 817 NW 6th Ave., Grand Rapids, MN 55744.

Response to 9-5 cont.:
●The district conducted road decommissioning reviews last fall and accomplished 45 temporary road and 15 unauthorized road decommissioning projects. (See Road Decommissioning Review, November 21, 2006, in the Whyte Project Record.) These and planned road decommissioning projects would continue to be monitored.

Response to 9-6: Sierra Club support of restoration of white pine in Unit 19 along Seven Beaver Lake and opposition to harvest of unit 20 in the Seven Beavers Forest Plan Inventoried Roadless Area is noted.

The Forest Plan considers the Seven Beaver area as an inventoried Roadless area during the Forest Plan Revision process. The Regional Forester decided *"I have determined that the 30 areas (over 60,000 acres) on the Superior that met the criteria for roadless inventory did not add significantly to wilderness opportunities. Although they had the character of being essentially roadless, they did not have attributes that would justify my recommendation for wilderness study by Congress."* The Seven Beavers area was allocated to the Riparian Emphasis and Candidate Research Natural Area Management Areas. The proposed actions in the two units are both located in the Riparian Emphasis MA and are designed to meet Landscape Ecosystem objectives. The EA discloses that management in Unit 20 would mimic stand replacement disturbance and would create a larger-sized block of young forest by conducting similar management on National Forest land as what was conducted on adjacent ownership. Harvest of this unit was developed collaboratively with the Nature Conservancy to eliminate straight edges based on property ownership boundaries and instead follow the ecological boundaries of the stand. The unit can be accessed via a temporary road so no system roads would be constructed. See EA, Section 3.10 for additional information on the effects of conducting management activities in this area.

Response to 9-7: Mitigation measures listed in Appendix C-9 and C-10 provide specific direction for managing temporary roads. This direction is included in timber sale contracts. Direction includes signing roads when first constructed to notify the public the roads are not open for public use. And contracts require timber sale purchasers to install temporary road closures when the road is not needed between harvest activities or if a delay in harvest activities occurs. Temporary roads would be decommissioned after their intended purpose has been achieved.

Response to 9-8: Comments supporting maintaining and enhancing large patches of mature forest is noted. The project was designed to maintain the existing patches greater than 300 acres because these provide better interior habitat than do smaller-sized patches. The effects of the project on threatened, endangered, and sensitive species, and management indicator species, is disclosed in the EA, BE, and BA.

10

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 2 6 2007

REPLY TO THE ATTENTION OF:
B-19J

Dwayne Thornburgh
Acting District Ranger
Laurentian Ranger District
Superior National Forest
318 Forestry Road
Aurora, Minnesota 55705

Re: **Preliminary Effects Analysis for the Whyte Forest Management Project, Laurentian Ranger District, Superior National Forest (SNF)**

Dear Mr. Thornburgh:

The U.S. Environmental Protection Agency (U.S. EPA) has reviewed the U.S. Forest Service's (USFS) Preliminary Effects Analysis (PEA) for the afore-mentioned management project. Our review and comments are pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act.

The objective of the Whyte Project, as stated in the PEA, is to maintain and improve forest health by moving the vegetative component toward the Landscape Ecosystem (LE) objectives described in the 2004 Superior National Forest Land and Resource Management Plan. Currently the vegetative component in the Whyte Project Area does not meet the desired condition for age class, species composition, management indicator habitats, or within stand species diversity in the respective landscape ecosystems. The difference between the existing and desired conditions was used to develop the project's purpose and need.

10-1

Timber harvest is one of the primary methods proposed for managing LEs as well as influencing the fire regime condition class on federal land. While timber harvest is effective at reducing hazardous fuels, it may be less effective at retaining habitat necessary for the suite of species dependent on historic disturbance patterns. We encourage the SNF's management team to incorporate prescribed fire into long-term management for appropriate LEs on the SNF.

Thank you for the opportunity to provide comments on this project. Please send us any future NEPA correspondence regarding this project. Should you have any questions concerning the comments contained in this letter, please contact Kathleen Kowal of my staff at (312) 353-5206.

Sincerely,

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Science, Ecosystems and Communities

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Response to 10-1: Thank you for your suggestion to incorporate fire into the Forest's long-term management plans to provide habitat for the species that depend on historical disturbance patterns. The Forest Plan does include objectives for emulating historical disturbance pattern to the extent practical. We will continue to consider burning as an option for meeting the Forest Plan objectives.