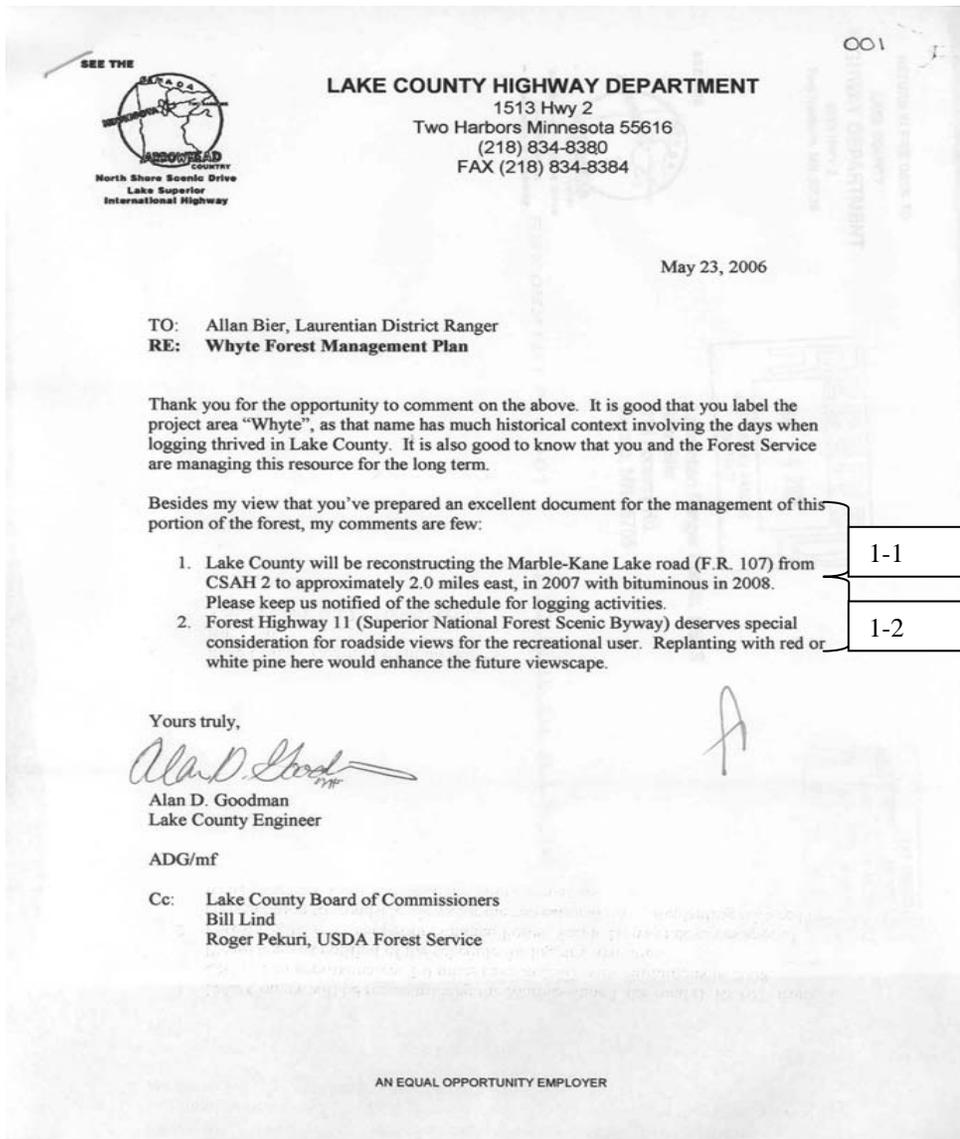


Scoping Comments and Agency Response

Twelve people submitted comments on the Whyte Forest Management Project Scoping Report. Table 1 contains the list of people who commented on the Scoping Report. Each letter was assigned a number based on the order it was received. Letters are displayed on the left half of the following pages, and the corresponding Forest Service responses are displayed on the right.

Table 1. List of Commenters		
Commenter	Comment Number	Page Number
Lake County Highway Dept	001	2
Al Ringer	002	3
Ron and Wanda Rau	003	4
Tom Gustin	004	6
Jones David	005	7
Art and Helen Wright	006	8
1854 Authority	007	9
Minnesota DNR, MN County Biological Survey, Lawson Gerdes	008	11
US EPA, Kenneth Westlake	009	16
Minnesota DNR, Craig Engwall	010	18
Michael LeBeau	011	24
David Jones	012	26



Response to 1-1: We will notify you of any timber sales that may occur in the Kane and Marble Lake areas.

Response to 1-2: We agree that Forest Highway 11 is a scenic road and proposed vegetation management activities will take this into account. Specific scenic quality objectives are incorporated in the silvicultural prescriptions. Team members visited the proposed harvest units along these roads to develop site specific activities to limit the impact of the harvest and to enhance future scenic quality.

00.2

Public Comment Sheet
Whyte Project

Laurentian Ranger District – Superior National Forest

COMMENTS WANTED BY: June 9, 2006

We invite you to comment. The interdisciplinary team will review all comments and incorporate them into the planning process. Comments must be received on or by June 9, 2006 to be most useful in developing this project. All comments will become part of the public record for this project.

Name: AL RINGER
Address: 1165 JACKLINE RD.
BENSON, MN 55602

May we call you if there is a need to clarify your comments? No Yes
Phone Number: 218-848-2475

I have the following comments about the Whyte Forest Management Project (attach additional pages if needed):

In the 48 page Scoping Report, I see lynx only mentioned in one sentence, and that in relation to lynx dens. Is any consideration given in current or future timber sales to lynx and snowshoe hare habitat? I know there has been lynx activity in the project boundary area.

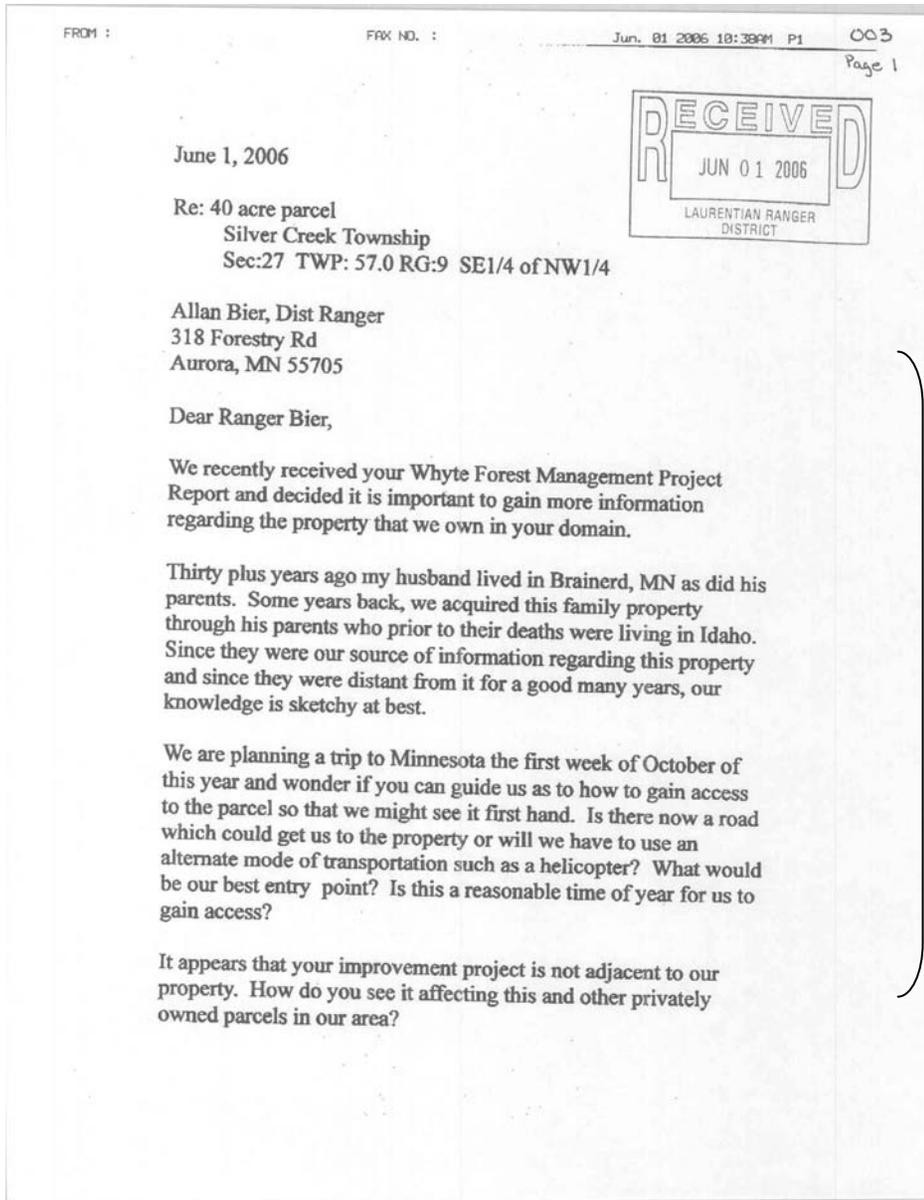
Thanks,
Alan R Ringer

2-1

If we do not hear from you, your name will remain on the Whyte Project mailing list and you will be mailed the environmental analysis and decision documents in the same format as you received the Scoping Report.
 Please drop my name from the Whyte Project mailing list

Return to: Laurentian District Ranger, Superior National Forest, 318 Forestry Road, Aurora, MN 55705, Attn: Whyte Project. Or fold, tape, and add a stamp to the back of this pre-addressed sheet and mail. You can also Fax your comments to (218) 229-8821 or email your comments to: comments-eastern-superior-laurentian@fs.fed.us.

Response to 2-1: Providing and/or enhancing habitat for all threatened, endangered, and sensitive species was considered throughout the development of the project. (See last paragraph on page 3 of the Scoping Report.) The management indicator habitats (MIH) and landscape ecosystem (LE) objectives were developed as part of the Superior National Forest Land and Resource Management Plan and these take into account the needs of all the desired native and non-native wildlife species 2004 Forest Plan Record of Decision, pp. 10, 11, and 12). The Forest Plan also provides specific objectives, standards, and guidelines for lynx (Forest Plan, pp. 2-29- 2-31). These were taken into account during the development of the Whyte Project. In addition, both the favorable and adverse effects of the project on lynx and their habitat (and other threatened and endangered species) will be analyzed and disclosed in the environmental analysis.



Response to 3-1: There would be no Forest Service management activity within two miles of the Rau's private land. There would not likely be any impact on their land as a result of FS activities.

We are not aware of the roads in this area that might provide access to the private parcel.

Early October is a beautiful time to visit Minnesota. The Lake County Land Department office in Two Harbors should have information to help you determine how best to access your private land.

Note: This letter was originally received by the Laurentian District Ranger via e-mail. He responded via e-mail referring the Rau's to the Lake County Land Department.

3-1

FROM :
FAX NO. :
Jun. 01 2006 10:39AM P2 003
Page 2

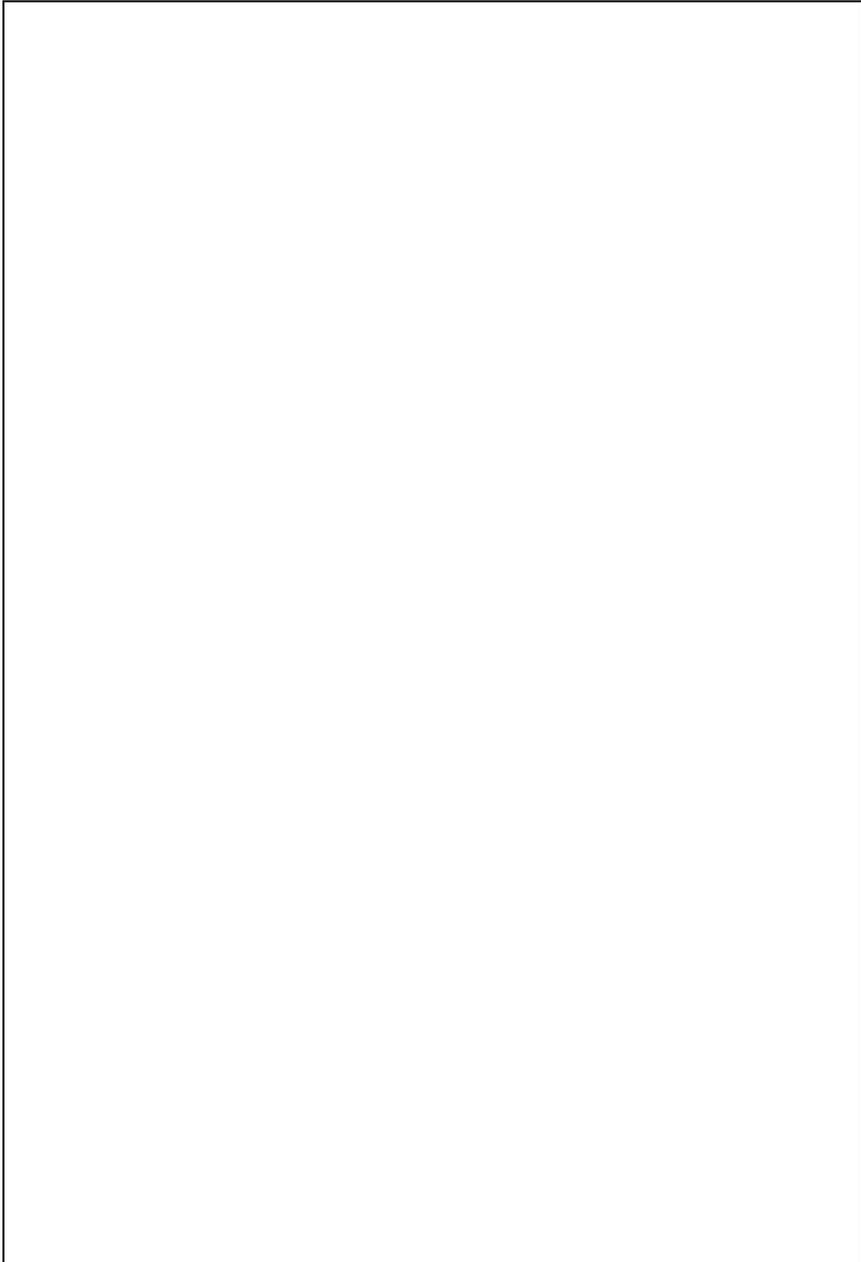
We were told that in recent years our property was logged off.
What is the status of vegetation on site at this time?

Has the Superior National Forest ever shown interest in acquisition
of this area?

We are looking forward to being in the area and seeing first hand
what our land looks like and hope we will be able to locate it. If
you have any suggestions for us, we are definitely all ears. We
appreciate any information you can give us regarding this land.

Warm regards,
Ron and Wanda Rau
31250 SW Unger Road
Cornelius, OR 97113
503-628-2656
fax: home phone # above
e mail: RGCCattle@Netscape.com

3-1



004

Public Comment Sheet
Whyte Project

Laurentian Ranger District – Superior National Forest

COMMENTS WANTED BY: June 9, 2006

We invite you to comment. The interdisciplinary team will review all comments and incorporate them into the planning process. Comments must be received on or by June 9, 2006 to be most useful in developing this project. All comments will become part of the public record for this project.

Name: Tom Gustin
Address: 500 Sherman Ave
Stevens Point, WI
54481

May we call you if there is a need to clarify your comments? No Yes
Phone Number: 715-343-0665

I have the following comments about the Whyte Forest Management Project (attach additional pages if needed):

The decommissioned roads. Will they ever be re-commissioned or will they be available during emergency times? Just interested in, if there is an alternative use not seen in the forth coming future.

Thank you for an excellent job gathering and compiling the information well done
Tom Gustin

4-1

If we do not hear from you, your name will remain on the Whyte Project mailing list and you will be mailed the environmental analysis and decision documents in the same format as you received the Scoping Report.
Please drop my name from the Whyte Project mailing list

Return to: Laurentian District Ranger, Superior National Forest, 318 Forestry Road, Aurora, MN 55705, Attn: Whyte Project. Or fold, tape, and add a stamp to the back of this pre-addressed sheet and mail. You can also Fax your comments to (218) 229-8821 or email your comments to: comments-eastern-superior-laurentian@fs.fed.us.

Response to 4-1: Roads to be decommissioned are those that the Superior National Forest does not expect to need for more than a ten year period. Locations of these roads are inventoried and if needed in the future, the same road corridor may be used, after completing environmental reviews. If access to remote land is needed in case of an emergency, access would be considered on a case-by-case basis.

005

Public Comment Sheet
Whyte Project

Laurentian Ranger District -- Superior National Forest

COMMENTS WANTED BY: June 9, 2006

We invite you to comment. The interdisciplinary team will review all comments and incorporate them into the planning process. Comments must be received on or by June 9, 2006 to be most useful in developing this project. All comments will become part of the public record for this project.

Name: DAVID JONES
Address: 838 BLAIR AVE.
ST PAUL MINN.
55104

May we call you if there is a need to clarify your comments? No Yes
Phone Number: 651 284-7107

I have the following comments about the Whyte Forest Management Project (attach additional pages if needed):

I have always endorsed sustained yield- multiple use theory of land management.

5-1

If we do not hear from you, your name will remain on the Whyte Project mailing list and you will be mailed the environmental analysis and decision documents in the same format as you received the Scoping Report.
 Please drop my name from the Whyte Project mailing list

Return to: Laurentian District Ranger, Superior National Forest, 318 Forestry Road, Aurora, MN 55705, Attn: Whyte Project. Or fold, tape, and add a stamp to the back of this pre-addressed sheet and mail. You can also Fax your comments to (218) 229-8821 or email your comments to: comments-eastern-superior-laurentian@fs.fed.us.

Response to 5-1: Comment noted.

006

Public Comment Sheet
Whyte Project

Laurentian Ranger District – Superior National Forest

COMMENTS WANTED BY: June 9, 2006

We invite you to comment. The interdisciplinary team will review all comments and incorporate them into the planning process. Comments must be received on or by June 9, 2006 to be most useful in developing this project. All comments will become part of the public record for this project.

Name: HELEN & ART WRIGHT
Address: 5027 OAKLEY STREET
DULUTH, MN 55804-1274

May we call you if there is a need to clarify your comments? No Yes
Phone Number: 218 525 3357

I have the following comments about the Whyte Forest Management Project (attach additional pages if needed):

*We are astounded @ the complexity + scope of the project.
We won't send in our 34 TST Rqd FAR from any place you
propose to do any work. We will try to keep up
with the program.*

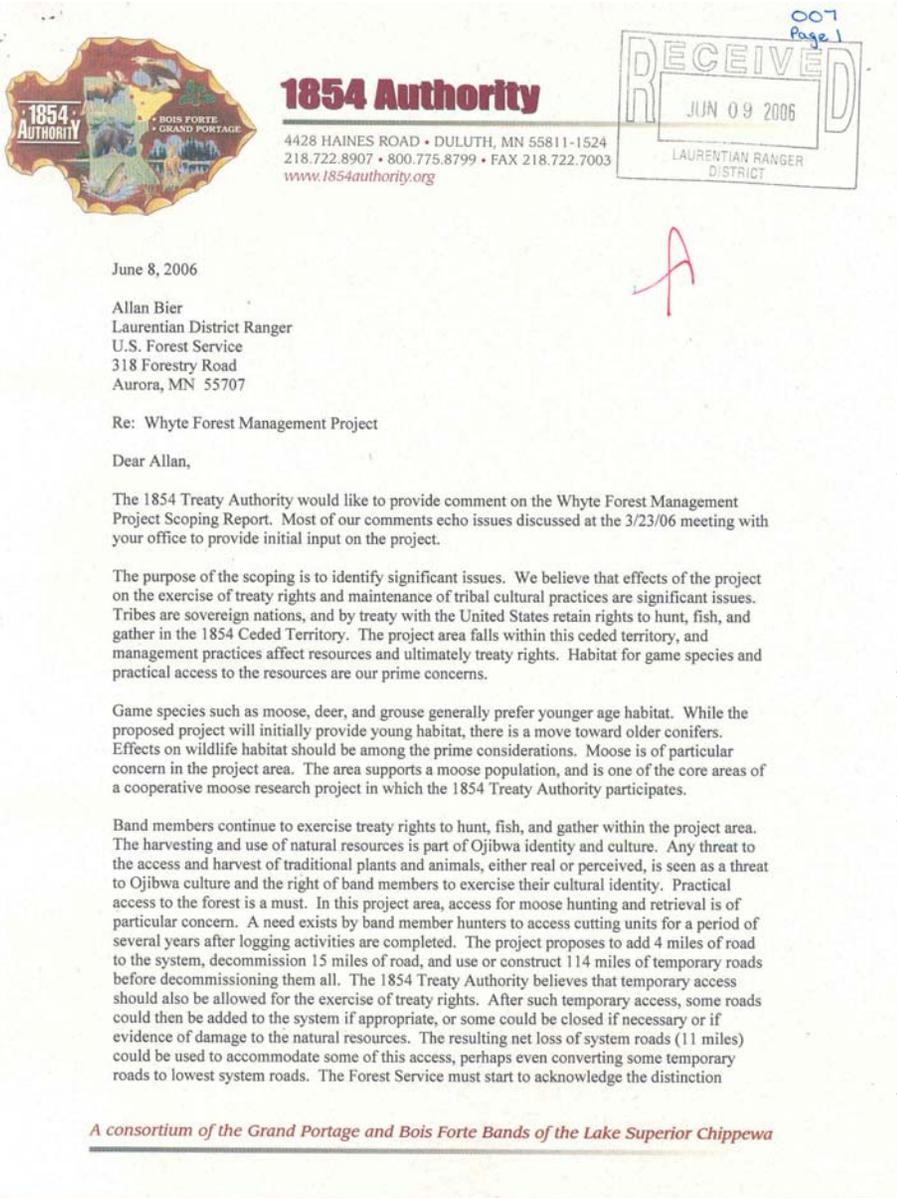
Helen Wright

If we do not hear from you, your name will remain on the Whyte Project mailing list and you will be mailed the environmental analysis and decision documents in the same format as you received the Scoping Report.
 Please drop my name from the Whyte Project mailing list

Return to: Laurentian District Ranger, Superior National Forest, 318 Forestry Road, Aurora, MN 55705, Attn: Whyte Project. Or fold, tape, and add a stamp to the back of this pre-addressed sheet and mail. You can also Fax your comments to (218) 229-8821 or email your comments to: comments-eastern-superior-laurentian@fs.fed.us.

Response to 6-1: Comment noted.

6-1



June 8, 2006

Allan Bier
 Laurentian District Ranger
 U.S. Forest Service
 318 Forestry Road
 Aurora, MN 55707

Re: Whyte Forest Management Project

Dear Allan,

The 1854 Treaty Authority would like to provide comment on the Whyte Forest Management Project Scoping Report. Most of our comments echo issues discussed at the 3/23/06 meeting with your office to provide initial input on the project.

The purpose of the scoping is to identify significant issues. We believe that effects of the project on the exercise of treaty rights and maintenance of tribal cultural practices are significant issues. Tribes are sovereign nations, and by treaty with the United States retain rights to hunt, fish, and gather in the 1854 Ceded Territory. The project area falls within this ceded territory, and management practices affect resources and ultimately treaty rights. Habitat for game species and practical access to the resources are our prime concerns.

Game species such as moose, deer, and grouse generally prefer younger age habitat. While the proposed project will initially provide young habitat, there is a move toward older conifers. Effects on wildlife habitat should be among the prime considerations. Moose is of particular concern in the project area. The area supports a moose population, and is one of the core areas of a cooperative moose research project in which the 1854 Treaty Authority participates.

Band members continue to exercise treaty rights to hunt, fish, and gather within the project area. The harvesting and use of natural resources is part of Ojibwa identity and culture. Any threat to the access and harvest of traditional plants and animals, either real or perceived, is seen as a threat to Ojibwa culture and the right of band members to exercise their cultural identity. Practical access to the forest is a must. In this project area, access for moose hunting and retrieval is of particular concern. A need exists by band member hunters to access cutting units for a period of several years after logging activities are completed. The project proposes to add 4 miles of road to the system, decommission 15 miles of road, and use or construct 114 miles of temporary roads before decommissioning them all. The 1854 Treaty Authority believes that temporary access should also be allowed for the exercise of treaty rights. After such temporary access, some roads could then be added to the system if appropriate, or some could be closed if necessary or if evidence of damage to the natural resources. The resulting net loss of system roads (11 miles) could be used to accommodate some of this access, perhaps even converting some temporary roads to lowest system roads. The Forest Service must start to acknowledge the distinction

A consortium of the Grand Portage and Bois Forte Bands of the Lake Superior Chippewa

7-1

7-2

7-3

Response to 7-1: Issues are defined as “A point of debate or disagreement with a proposed action based on some anticipated effect. Significant issues are those that have a large geographic distribution, duration or effect, or intensity of conflict generated.” (See How to Comment on the Whyte Scoping Report.) The exercise of treaty rights and maintenance of tribal cultural practices are not in themselves “significant issues” as described above. Whether an issue is significant or not is not related to the value of a particular resource. We recognize the sovereign status of the Tribes and based on this, we met with the Tribes early in the planning process to provide project information and to establish a more collaborative approach on this project with the Tribes. The notes of the March 17 and March 23 meetings are located in the project file. The effects of the project on cultural practices will be disclosed in the environmental analysis. The site specific comments included in the letter are addressed below.

Response to 7-2: Providing quality moose, deer, and grouse habitat is included in the overall objectives for the project. The landscape ecosystem and management indicator habitat objectives provided in the Forest Plan (pp. 2-55 through 2-78) were used to develop the proposed action. The effects to wildlife habitat are a prime consideration for providing young forest habitat in the project area.

Response to 7-3: Based on our meetings with 1854 Authority and the Tribes, we understand the desire for access includes motorized access and not just non-motorized access. The Forest Plan gives direction for temporary roads as follows: “New roads built for resource management... are not intended for public motorized use. Temporary roads will be decommissioned after their use is completed” (Forest Plan pg. 2-49, O-TS-3). Because temporary road use is already decided by the Forest Plan, it will not be considered further in this project. Some of the temporary roads would remain open for use (non-motorized use only) for several years after harvest to allow time for site preparation and regeneration needs.

The District Ranger directed the ID team to review the transportation system, including temporary and existing unauthorized roads, in the Stony Grade area and determine if any were suitable to be added to the system and remain open for an extended time after harvest. See Chapter 2 of the environmental analysis document and section on Alternatives Considered but not carried forward.

007
Page 2

between motorized recreation and access for hunting, fishing, and gathering treaty rights. It is unacceptable to say that this issue will be addressed in off-highway vehicle recreation planning at some point in the future. The Forest Service must consider treaty-right hunting activities as a use to be accommodated rather than a use to be curtailed.

Along with the need for access to harvest units outlined above, we are able to highlight a few specific concerns. The area along Stony Grade is one of the prime moose hunting areas utilized by band members. Access in this area is already limited, and effort should be made to maintain or provide additional access to any harvest units. We note that a section of trail parallel to the south end of Stony Grade is proposed to be decommissioned. This section of trail is part of a long-term winter track survey route run by the 1854 Treaty Authority. Yearly results are submitted to the MN Department of Natural Resources and used for wildlife population monitoring purposes. Finally, the Seven Beaver area is a unique area used for fishing and harvesting wild rice. While access to this lake does not appear to be part of the project analysis at this time, we would like to see some form of access to the area that helps to address trespassing issues.

The 1854 Treaty Authority supports avoiding impact to known or discovered heritage resources in the project area. We will be communicating with our constituents to determine if band members have any specific concerns within the project area.

Thank you.

Sincerely,



Darren Vogt
Environmental Biologist

cc: James Sanders, Superior National Forest Supervisor
Walt Okstad, Superior National Forest Heritage Program Manager

7-3

7-4

7-5

Response to 7-4: Access to Seven Beaver Lake is not being addressed in the Whyte Project. When the District develops a project to access Seven Beaver Lake, 1854 Authority and the Tribes will be consulted during project development.

Response to 7-5: Please notify us if you discover other heritage resources in the project area or have other concerns with the project.

008
Page 1



"Lawson Gerdes"
<Lawson.Gerdes@dnr.s
tate.mn.us>
06/09/2006 10:44 PM

To: <comments-eastern-superior-laurentian@fs.fed.us>
cc: "Carmen Converse" <Carmen.Converse@dnr.state.mn.us>
Subject: Comments-Whyte Forest Mgmt Project

Allan and the Whyte Project Planning team,

Thank you for considering the attached comments on the Whyte Forest Management Project-Scoping Report. Please feel free to contact me for clarification or additional information.

Lawson

Lawson Gerdes, Ecologist-Northern Coordinator
Minnesota County Biological Survey
MN Dept of Natural Resources
Division of Ecological Services
10566 Hwy 1
Isabella, MN 55607

Phone: 218-365-7132



lawson.gerdes@dnr.state.mn.us Whyte Review_060606.doc BioDivSigRank_Guidel_20030227.doc

See next pages for letter and response.

008
Page 2

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF ECOLOGICAL SERVICES
MINNESOTA COUNTY BIOLOGICAL SURVEY

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

9 June 2006

Dear Allan and the Whyte Project planning team,

Please consider the following comments on proposed actions in the Whyte Forest Management project as part of the Minnesota County Biological Survey's (MCBS) continuing efforts to provide information and technical assistance to the planning team during the Whyte project planning process.

As part of a statewide survey to identify areas of biodiversity significance, MCBS has conducted surveys within North Shore Highlands and Laurentian Uplands subsections. As a result of these Surveys, MCBS has identified 19 Sites of statewide biodiversity significance within the Whyte project area. Twelve of these Sites have final biodiversity significance ranks, with ranking of the remaining 7 Sites in progress. Table 1 summarizes the status of MCBS Sites within the Whyte project area. For your reference, a 1-page summary entitled *Guidelines for MCBS Statewide Biodiversity Significance Rank* is attached. Note also that native plant community mapping is available for all MCBS with final ranks of Outstanding or High. Please contact me if you would like more specific information about these Sites.

Table 1. Status of MCBS Sites within the Whyte project area.

MCBS Site Name	Site Number ¹	ECS Subsection	Statewide Biodiversity Significance Rank (Status) ²
Hockamin Creek North	201	NSH	Moderate (F)
Hockamin Creek	202	NSH	High (F)
Marble Whyte Spruce	209	NSH	Moderate (F)
Marble Beaver River	210	NSH	High (F)
Marble Lillian Lake	211	NSH	Moderate (F)
Marble Kit Creek	212	NSH	High (F)
Marble Legler Lake	214	NSH	Moderate (F)
Marble Split Rock River	215	NSH	Moderate (F)
Marble Lake Lookout	216	NSH	High (F)
Katherine Lake	221	NSH	Moderate (F)
Spur End Fen/Stony Forest	229	LU	High (P)
Headwaters		LU	Outstanding (P)
Toimi Creek Headlands		LU	Ranking in Progress
Trumpeter		LU	Ranking in Progress
East Greenwood		LU	Ranking in Progress
West Greenwood		LU	Ranking in Progress
Seven Beavers		LU	Ranking in Progress
Wet Foot Hills		LU	Ranking in Progress
Rainy Headlands		LU	Ranking in Progress

¹ If blank, Site number not yet assigned
² Status: F=Final, P=Preliminary

8-1

Response to 8-1: Thank you for providing the Biodiversity Significance Ranks for areas in the Whyte Project Area. The District Ranger determined that young versus mature-old patches will be a significant issue because it is a debate with the proposed action based on the anticipated effects on patches and fragmentation. The Team developed a specific alternative to address this. See Chapter 2.

Some of the suggested harvest prescription changes will be incorporated into the proposed action because it was the Team's intent to conduct individual and group selection thinning in the sugar maple stands. (See Project Record for details of the meeting with Lawson Gerdes and development of this alternative.) The definition of thinning in Attachment 1 page 2 states that "Thinning prescription could consist of uniform removal of trees throughout the stand, or variable thinning to create small gaps in the stand to encourage regeneration of desired species." In addition, the first point on page 5 of the Scoping Report states that the project would improve the quality of 2442 acres of maple dominated hardwoods through intermediate management including a combination of thinning and individual and group selection harvest. The planning team will clarify which stands are to be treated through individual and group selection harvest. This was clarified with commenter at the meeting held on July 14, 2006.

008
Page 3

Specific comments on proposed actions in the Whyte Forest Management project within MCBS Sites

Just as the project identified a need and opportunity to create some larger-sized patches of young forest by harvesting stands that are adjacent to existing young forest, including coordination with adjacent landowners (p.5), there is also a need and opportunity to increase the amount of interior forest habitat by retaining large, mature-old forest patches on SNF lands and in conjunction with mature-old patches on other ownerships. In addition to other stand specific comments, table 2 identifies some (but not all) of the opportunities within high ranked MCBS Sites, where deferral of proposed harvest units would avoid fragmentation of existing large, mature-old patches (on SNF and together with other ownerships).

Gap management (group selection) should be considered in northern hardwoods forests, especially where fragmentation is a concern and higher canopy closure is desirable. In large planning efforts such as this, gap management has the best chance to be an economically viable management technique. Also, variable density and variable retention harvests in even-aged types could be considered where there is a desire to reduce or minimize fragmentation or maintain connectivity.

In order to adequately address fragmentation, an analysis of how each alternative maintains or creates both large, young patches and large, mature-old patches on SNF administered lands, or in collaboration with adjacent landowners, would be desirable. A map displaying the location of large, young patches created by the project, as well as the large, mature-old patches maintained within the project area would be very helpful.

Table 2. Summary of comments on Whyte project proposed management units within MCBS Sites.

Unit #s	Comment	MCBS Site (ECS Subsection)
190-192	Consider deferring this planning period. Stands are portion of a larger patch of MHN45c (Sugar Maple-North Shore) in older growth stage. Maintain very large, old, upland patch identified by the SNF that is in the center of this MCBS Site.	Marble Beaver River (NSH)
137-140	Consider gap mgmt (group selection) harvest techniques vs. thinning.	Marble Beaver River (NSH)
250,258-261, 270	Consider variable density and variable retention thinning vs. clearcut.	Marble Kit Creek (NSH)
249,254,256, 266, 267, 276, 277	Consider gap mgmt (group selection) harvest techniques (vs. thinning). Stands are large patch of MHN45b (Red Oak-Sugar Maple-Basswood forest) in older growth stage. Avoid access through adjacent patches of MHN44 (Wet Mesic Boreal Hardwood Conifer forest).	Marble Kit Creek (NSH)
270	Consider high proportion canopy closure when implementing shelterwood.	Marble Kit Creek (NSH)
268, 269, 271-274	Consider deferring this planning period. Stands are part of a much larger patch of MHN45b (Red Oak-Sugar Maple-Basswood forest) in older growth stage. Large, old, upland patch identified by the SNF is also part of the larger MHN45b patch.	Marble Kit Creek (NSH)
169, 170	Consider deferring this planning period or variable density and variable retention thinning. Stands are in the sub-watershed basin of a rich fen complex that contains large populations of rare species.	Spur End Fen/Stony Forest (LU)
3-5	In addition to coordinating w/DNR (Hibbing Area), work with the Sand Lake Seven Beavers collaborative area to develop specific prescriptions and achieve large patch goals and objectives.	Headwaters (LU)

8-1

008
Page 4

31-32	Consider reserve trees and legacy patches that retain long-lived conifers and black spruce. Consider scattered planting of white pine. (Note: stands are close to southern units - Sand Lake Peatlands SNA.)	Headwaters (LU)
7	Consider deferring this planning period to maintain predominantly unfragmented rich fen/forested bog/upland complex.	Seven Beavers (LU)
33-40	Consider deferring this planning period to maintain predominantly unfragmented portion of large wetland/upland complex in low relief landform. Note: Unit 36 is immediately adjacent to SNA.	Wet Foot Hills (LU)
49, 61-69, 70 -76	Much of the upland vegetation on drumlins of mixed ownerships are fragmented in the project area. Consider deferring this planning period to avoid fragmentation of intact upland vegetation on these Drumlins. New system road through unit 62, no longer necessary?	Trumpeter (LU)

8-1

The scoping document indicates the actions that would take place if any TES species are located during planning layout or operations (Attachment 3-3), but does not specifically address how rare species currently documented within many stands proposed for management will be considered. It seems that known locations of rare species populations, and the habitat conditions they require, should be considered when stands are proposed for management to maintain the full range of protection and mitigation options.

Thank you for considering these comments about proposed management activities in the Whyte Forest Management project that are within MCBS Sites of statewide biodiversity significance. Please feel free to contact me to clarify any of the comments, or to provide technical assistance to incorporate information about MCBS Sites into the planning process.

Sincerely,

Lawson Gerdes

Lawson Gerdes

Ecologist, Northern Coordinator
Minnesota County Biological Survey
10566 Highway 1
Isabella, MN 55607

Phone: 218-365-7132
email: lawson.gerdes@dnr.state.mn.us

Attachment

8-2

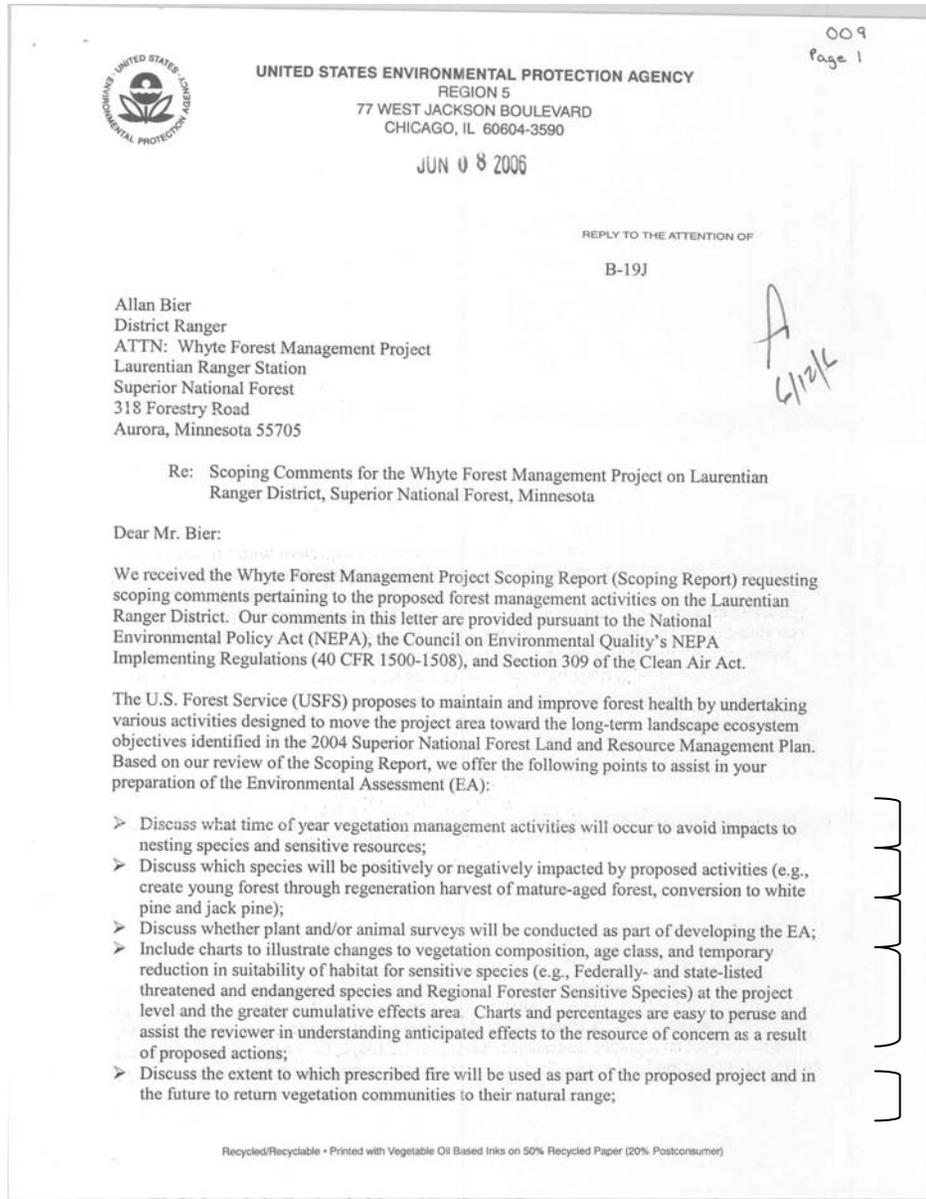
Response to 8-2: The Forest Plan contains direction to “Maintain, protect, or improve habitat for all sensitive species” (O-WL-18), using a coarse and/or fine filter approach. The Forest Plan also contains direction to “Avoid or minimize negative impacts to known occurrences of sensitive species” (G-WL-11). Rare plant surveys were conducted in the project area in 2005 and 2006. TES plants located during these surveys as well as previously known TES plant occurrences were considered during project design as well as the preliminary effects analysis. Several stands with TES plants were dropped during project design. For other TES plants, specific locations of rare plants are noted on unit cards with recommendations to retain a buffer around the plants or to drop a portion of the stand to protect the plants. This information will be added to the mitigations section of the analysis document.

GUIDELINES FOR MCBS STATEWIDE BIODIVERSITY SIGNIFICANCE RANK
 DRAFT Feb. 27, 2003 version
 MCBS sites are ranked according to the four levels outlined below. Sites ranked "Outstanding" or "High" are generally on the ecologically rich surrounding landscape, or relative significance for native biological diversity of surveyed areas to natural resource professionals, state and local government officials, and the public. Important factors in making sites include Element Occurrence, and (EO rank) for rare species and native plant community (npc) elements, the size of npc element occurrences, and the context within which the element(s) occur.
 Unlike rare species EO ranks, which factor in population size, EO ranks for npc's in Minnesota do not incorporate the size of the community occurrence. In sites ranked "Outstanding" or "High" on the basis of a npc occurrence, the npc must be of sufficient size to be of value to the community. Specific size criteria for what constitutes a large vs small for any given npc element are not incorporated into these guidelines because npc elements occur in different sizes depending on the community type and its location within the state. For example, a 20 acre mesic prairie in southeastern Minnesota may be considered to be highly significant, due to the near absence of that community in that region, but may be considered to be much less significant in northwestern Minnesota. The "viability of a given

<p>1. OUTSTANDING Sites containing the best occurrences of the rarest species, the most outstanding examples of the rarest native plant communities, and/or the largest, most intact functional landscapes present. Sites with one or more of A, B or C as follows: A. An area of C or higher rank native plant communities, except for special circumstances where plant communities are not present—e.g. but cave/musshel bed, containing: an A-B rank occurrence of a G1-G2 species; or one of the best occurrences of a S1-S2 species; or a concentration (4+) of excellent or good occurrences (A or B ranked) of co-occurring S1-S3 species, - or with at least 1 of which is a S1-S2 species, (e.g. special animal & special plant). B. One of the highest quality examples in an ECS subsection (based on EO rank, size and context) of the rarest (S1-S3) native plant community types; or a group of important native plant communities (S1-S3) that together are of sufficient size and quality to constitute one of the highest quality natural areas in an ECS subsection. C. One of the largest, least-fragmented, least-developed landscape areas in an ECS subsection that has the full spectrum of rank to priority species, and/or the highest potential for intact ecological functioning (e.g. fire, natural patch dynamics, natural water level fluctuations), and high potential for supporting regional-scale organisms.</p>	<p>2. HIGH Sites containing the "best of the rest," such as sites with very good quality occurrences of the rarest species, high quality examples of the rarest native plant communities, and/or important functional landscapes. Sites with one or more of A, B or C as follows: A. An area of native plant communities, except for special circumstances where plant communities are not present—e.g. but cave/musshel bed, containing: a BC-C rank occurrence of a G1-G2 species; or a BC rank occurrence of a S1-S2 species; or a concentration (4+) of A to B rank occurrences of co-occurring S3 species. B. A high quality example (with EO rank of B or higher, and also based on size and context), though not among the best in an ECS subsection, of one of the rarest (S1-S3) native plant community types. C. A little-fragmented, little-developed landscape area that has the full spectrum of rank to priority species, and/or the highest potential for intact ecological functioning, and high potential for supporting regional-scale organisms, but also fits one of the following descriptions: It is mostly composed of A-BC rank native plant communities but is not one of the largest landscape areas in the ECS subsection; or it is one of the largest landscape areas in the ECS subsection but has significant amounts of human-induced disturbance so that native plant communities are mostly less than BC rank.</p>	<p>3. MODERATE Sites containing significant occurrences of rare species, and/or moderately disturbed native plant communities and landscapes that have a strong potential for recovery. Sites with one or more of A, B or C as follows: A. An area of native plant communities, except for special circumstances where plant communities are not present—e.g. but cave/musshel bed, containing: A D rank occurrence of a G1-G2, or S1-S2 species; or a single A-B rank occurrence of a S3 species; or a concentration (4+) of co-occurring occurrences of BC-C rank S3 species. B. A good quality example (C rank or higher) of any native plant community type; or a CD rank occurrence of a S1-S2 community that is among the largest for the type within the ECS subsection. C. A little-developed landscape area that is not among the largest in an ECS subsection and is not mostly composed of A-BC rank communities, but has high potential for recovery of the full spectrum of matrix to small patch native plant communities, intact ecological functioning, and regional-scale organisms.</p>
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The attached information was included to help clarify why sites were ranked outstanding, high, or moderate.



Response to 9-1: The season of harvest is listed on the unit cards and was developed through an interdisciplinary process, taking into account wildlife, recreation, soils, wetlands, and other resource concerns. The unit cards, which are available on the internet and at the District office, contain this information.

Response to 9-2: The Forest Plan includes specific landscape ecosystem objectives and management indicator habitats. (See Forest Plan pp. 2-51 through 2-78.) These vegetation goals will also provide habitat for the desired wildlife species. The effects of this project in relation to meeting the landscape ecosystem objectives and management indicator habitats identified in the Forest Plan will be disclosed in the analysis.

Response to 9-3: Both plant and animal surveys were conducted for this project. Surveys were done for various threatened, endangered, and sensitive species, including goshawk, boreal owl, lynx, and other wildlife species. Information on specific surveys conducted, can be found in the project record. Please contact the Laurentian Ranger District.

Response to 9-4: Charts and tables will be used to display the pertinent and relevant effects related to the significant issues addressed in the analysis. Additional information will be available in the project record.

Response to 9-5: The fire regime condition class would be affected primarily through timber harvest and mechanical site preparation activities. Some burning may be done to prepare sites for regeneration and this is identified on the unit cards. Prescribed fire is proposed on 50 acres to restore the ecological effects of fire in an older red pine stand. At this time, no other prescribed fire is planned.

- 9-1
- 9-2
- 9-3
- 9-4
- L9-5

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- Discuss standards and guidelines that will be instituted to retain wild, scenic, and recreational river characterization;
- Discuss road placement and densities per square mile in terms of sensitive areas (e.g., riparian management zones and drainages);
- Describe measures to ensure decommissioned roads remain closed to traffic;
- Describe how budgetary shortfalls could impact this project, particularly underplanting, use of prescribed fire, and enforcement of road closures;
- Describe the boundary of the cumulative impacts analysis area, projects selected as part of the cumulative impacts analysis, and the boundary selection criteria; and
- We recommend the cumulative impacts analysis include non-U.S. Forest Service projects. Issues such as road access to private inholdings, timber management on state- or privately-owned lands, recreational activities on privately-owned land, and non-native invasive species presence/control measures on state- or privately-owned lands adjacent to the project area that could affect the viability of sensitive species are appropriate for inclusion in the cumulative impacts analysis.

9-6
9-7
9-8
9-9
9-10
9-11

Thank you for the opportunity to provide comments during the early stages of project development. We look forward to reviewing the associated EA. Should you have any questions, please do not hesitate to contact me or Kathleen Kowal of my staff at (312) 353-5206 or via email at kowal.kathleen@epa.gov.

Sincerely,



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

Response to 9-6: The Wild, Scenic, Recreational River Management Area provides direction on the appropriate management activities. (Forest Plan pp. 3-16 through 3-20) Team members visited these stands and incorporated this direction into the specific prescriptions for the proposed harvest units in this management area. The effects of management activities proposed in the Wild, Scenic, and Recreational River MA will be disclosed in the EA.

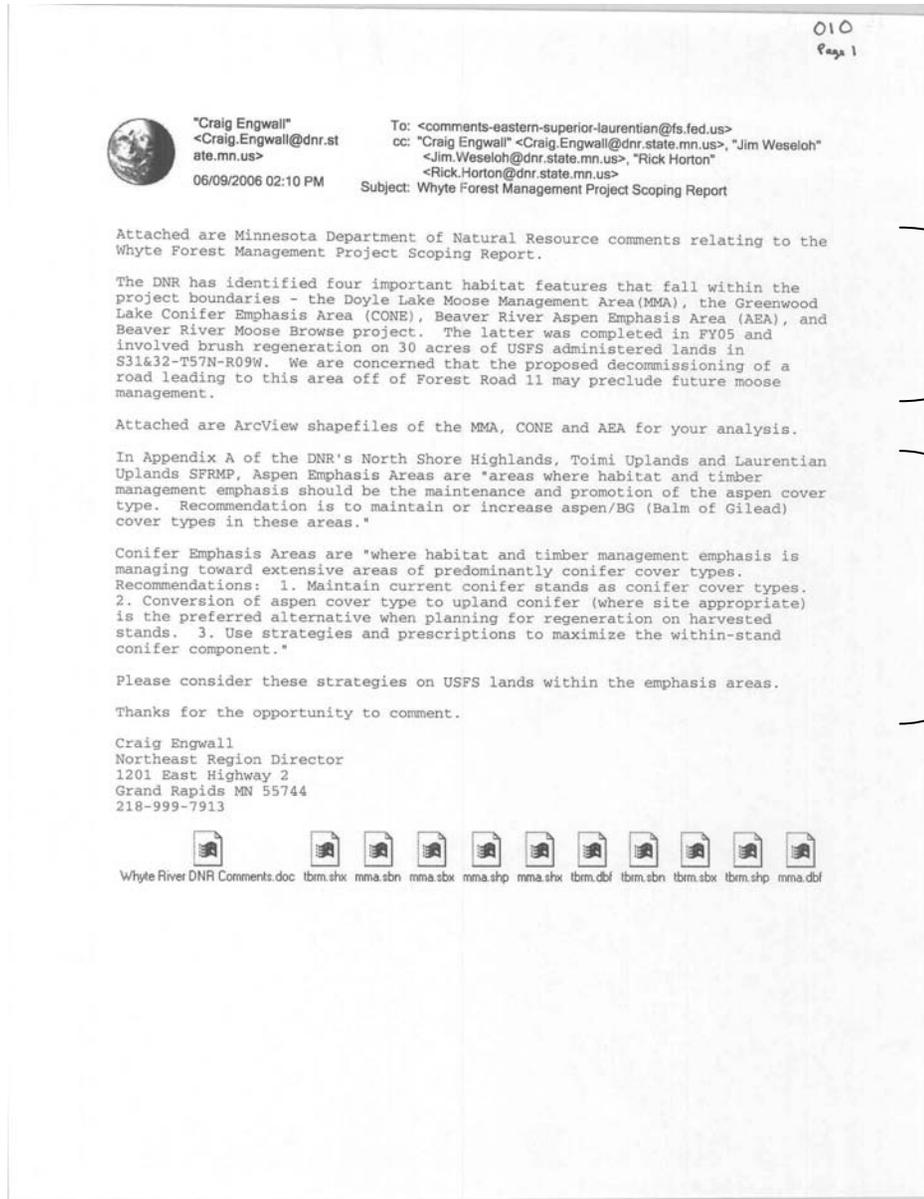
Response to 9-7: Roads are not proposed to be built in riparian areas. Where it is necessary to cross drainages, appropriate crossing devices, such as bridges or culverts would be used.

Response to 9-8: The Superior National Forest has developed methods to decommission roads and these and other yet-to-be-developed methods would be used to effectively decommission roads. The mitigation measures describe some of the activities that would be included when roads are decommissioned. The Forest Plan Revision, Final Environmental Impact Statement, Appendix F, provides specific direction on road decommissioning techniques that would be followed. In addition, monitoring is done to determine success of decommissioning and is documented in an annual monitoring report.

Response to 9-9: Budgetary shortfalls are speculative and therefore will not be used in the analysis. The project has been planned based on anticipated funding. If adequate funding is not available, implementation of some of the project may be delayed.

Response to 9-10: Each resource area will designate the appropriate boundary for direct, indirect, and cumulative effects. See analysis document.

Response to 9-11: The cumulative effects analysis will include the known activities occurring on other ownership in the project area. The list of activities that might contribute to cumulative effects will be included in the analysis document. Each resource specialist determines the appropriate spatial and temporal boundary for their resource area. This will be disclosed in the analysis document or project record.



10-1

10-2

Response to 10-1: We discussed the road on federal land proposed for decommissioning that is located in T57N, R9W, Sections 31 and 32. The site was accessed in the past by walking in and the site can still be accessed by foot. There are no plans for additional moose browse projects at this time. If access is needed in the future, the specific access needs would be addressed at that time.

Response to 10-2: District staff met with members of the DNR forestry to collaborate the development of the Whyte Project to the extent practical. No specific changes were identified in this part of the comment letter so no further changes will be made to the proposal.

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DNR Comments Whyte River Forest Management Project

Division of Fish and Wildlife

The Minnesota Department of Natural Resources (MDNR) Division of Fish and Wildlife appreciates the opportunity to provide input into the scoping for the Whyte Forest Management Project. We support the proposed action as it relates to forest regeneration and restoration of pine types. Please tier your efforts to the Department's North Shore Area Subsection Forest Management Plans for the Toimi Uplands, Laurentian Uplands and North Shore Highlands Subsections.

We commend the District for proposing active forest management and for moving the project area towards the goals set forth in the Forest Plan. The vegetation composition and age class distributions post-harvest look adequate in most LEs. After discussions at the open house, we realize there are few opportunities to regenerate birch and jack pine forests. Nonetheless, we urge the District to make every effort to maintain these forest types. In addition, we recommend some level of aspen/birch regeneration in the Mesic Red and White Pine LE to provide structural diversity.

In addition, please consider the following as you develop the alternatives:

Access

The Division of Forestry will require access to state lands for forest management purposes. The Division of Fish and Wildlife also needs to access wildlife openings, deer/moose wintering areas, impoundments, brushlands, and lakes and streams for management. It does not appear that proposed closures conflict with the Division's needs.

Management activity need should not be the sole determining factor in road decommissioning. We encourage the District to consider the public's needs for forest access for a wide array of recreational interests, including hunting, firewood collecting, fishing, berry picking, bough cutting, and wildlife watching.

Forest Management

We applaud the mitigation to maintain hardwood inclusions in conifer thinnings. We recommend that the District expand this mitigation to specify that these inclusions be regenerated if mature to over-mature. This would serve to provide structural and age-class diversity to older conifer stands.

The State must actively manage School Trust Lands (typically in sections 16 and 36) to provide funding for the educational system. Please take that into account when planning activities on surrounding federal lands and while considering access for the Division of Forestry.

10-3

10-4

10-5

10-6

10-7

Response to 10-3: Currently, 43 acres of aspen and 49 acres of paper birch are proposed to be harvested and converted to white pine. In addition, 76 acres of aspen are proposed to be aspen/spruce/fir forest are proposed to be regenerated to existing forest type.

Response to 10-4: District staff met with members of the DNR to discuss transportation needs in the Project Area and the proposal includes adding some roads to the managed system to ensure the DNR has adequate access to State lands. If additional access is needed, it would be addressed in a separate analysis.

Response to 10-5: This project does not address the recreational transportation needs in the area. If comments about specific are made, the recreational need for the roads would be considered. To date, there has been one comment from the public about a particular road closure. The road we proposed to decommission is needed for access to private land. We will coordinate the recreational access needs with the other major landowners in the project, including the State of Minnesota and Lake and St. Louis Counties when specific projects are taken on by the District.

Response to 10-6: Thank you for this suggestion. We agree this would provide structural and species diversity to the conifer thinnings. This will be addressed on a site-by-site basis on the unit cards.

Response to 10-7: Comment noted.

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We commend the District for considering historic disturbance regimes in forest planning. However, the application of these concepts cannot be arbitrary. If the intention is to mimic the effects of natural disturbances, thus creating habitats that animals evolved with, then the District should implement all reasonable aspects of RNV. For example:

- Research shows that one of the primary differences between forests regenerated by logging and forests regenerated by wildfire is the number of standing live trees versus snags (Schulte, L.A. and G.J. Niemi. 1998. Bird communities of early successional burned and logged forest. *J. Wildl. Manage.* 62(4): 1418-1429). Stand-replacing fires rarely left small trees, and trees not adapted to fire, scattered throughout the disturbance area. These trees may provide some bird perches and help with visual aspects of timber management, but they are not of significant ecological importance, and if left in too great a density may hinder forest regeneration. Their shade can inhibit aspen suckering and/or cool jack pine serotinous cones, thus preventing reseeding. Therefore, fire or other disturbance dependent forests should be managed in a manner that replicates the effects of wildfires and windstorms to the fullest extent possible. The majority of leave trees should be larger diameter fire-adapted species and as much as possible should be clumped to mimic fire behavior. We recommend the District not apply mitigations that specify reserving small unmerchantable trees (unless clumped) and trees not designated for harvest in every case. Most small trees and brush should be felled and left in place.
- Mixed aspen and jack pine stands play an important role in providing diverse communities that are important for a variety of wildlife species. However, not all regenerating aspen and jack pine stands should be planted or seeded with other species in order to diversify them. Stand-replacing fires naturally create large uniform stands of pioneer trees with little tree diversity. Early successional stands naturally diversify as they age.
- Broad-brush riparian (MH10) guidelines that favor older, late-successional trees create an unnatural condition along water bodies. Stand-replacing wildfires and windstorms did not always respect small streams and rivers. Fires frequently burned to the windward shore of lakes. Old forests were often located in the "fire shadow" of lakes, on the southern and eastern shores. The Forest Plan provides flexibility to create habitat for species that are adapted to brush and young forests with moist soils, allowing timber harvesting in the near bank zone for, "Creating or improving habitat for riparian dependent species". We encourage the Forest Service to consider this in sale design when opportunities arise to provide young forests for moose, beaver and woodcock in the near bank zone without negatively affecting water quality.
- Some tree species, including birch, jack pine and white pine, naturally regenerate best after heavy disturbance. On appropriate soils, summer harvests with conventional logging equipment that scarifies the soil and reduces competing brush will benefit these species. Where appropriate, we recommend that the District not apply frozen ground soils mitigations to stands that are slated for natural regeneration to these types.

Wildlife Management

Moose are a cultural icon in northern Minnesota, and a featured species in the project area. Besides the once-in-a-lifetime chance for residents to hunt them, many (if not most) visitors to northern Minnesota consider seeing a moose the highlight of their experience. We feel that some of the practices proposed in the scenic quality mitigations are counterproductive in meeting public desires regarding moose. We recommend that the District perform some level of aspen

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10-8

Response to 10-8: Monitoring completed on some recent harvest areas showed that some harvest units being clearcut do retain high amounts of red maple and balsam fir and this may affect the desired aspen regeneration. Therefore, we will modify the mitigation about retaining unmerchantable-sized trees in stands proposed to be clearcut. The leave trees would be better identified, would include at least some of the largest-sized trees on the site, and may be clumped to better reflect fire-disturbance patterns.

Response to 10-9: Comment noted. The majority of aspen and jack pine stands proposed for clearcut harvest would not be planted or seeded with other species. Some planting of pine may occur along riparian or scenic areas.

10-10

Response to 10-10: Opportunities to create young forest in the riparian areas will be considered on appropriate sites and would be noted on unit cards.

10-11

Response to 10-11: The season of harvest is developed through interdisciplinary review including resource specialists in recreation, wildlife, wetlands, soil, and transportation. Generally, if units can be logged during the summer without causing adverse impacts to other resources, this is noted on the unit cards. Many prescriptions include site preparation to obtain the necessary disturbance to regenerate some species.

10-12

Response to 10-12: We recognize the importance of creating moose habitat and creating situations where people are more likely to see moose. There are several clearcut harvests proposed that are adjacent to Lake County 2 and Forest Highway 11. We do include mitigations to limit the effect of the harvest on visual quality but still meet vegetation, wildlife, and recreation objectives. Harvest may occur up to the edge of the road but the length of harvest along the road would be limited and legacy patches or reserve trees would be retained within the seen portion of the harvest to limit the size of the harvest that can be seen from the road.

We are not aware of any 10-20 year old stands that include older-aged visual buffers along roads.

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regeneration harvest in high moose activity areas along Concern Level 1 travelways in order to provide moose viewing opportunities.

- o Burn lowland alder and willow brush along rivers and lakes.
- o Regenerate large blocks (41-250 acres) of aspen in known moose activity areas for foraging.
- o Revisit 10-20 year old harvest units along the major roads (e.g., Lake County 2, Forest Highway 11) and harvest old visual buffer strips.
- o Mechanically treat brush in riparian areas and uplands throughout the project area to regenerate it.
- o Be aware of the Moose Management Area in T58N, R8&9W.

Moose in northeastern Minnesota are on the southern edge of their range, where excess heat may be stressing them and affecting their survival. It is important to maintain blocks of riparian conifer and mixed hardwood/conifer (ash/black spruce or aspen/conifer) thermal cover across the landscape and as legacy patches within harvest units so that moose can remain cool in summer and during warm winters.

The scoping document discusses burning debris piles and lopping/scattering slash near boundaries and scenic areas, but does not specify leaving slash piles for wildlife value. Bear, lynx, wolves and small mammals occasionally den in and under slash piles and windrows. We recommend that the District specify leaving some level of slash in piles near landing sites that have little scenic importance. In addition, this project is within the procurement zone for the Laurentian Energy biomass project. The District may wish to offer biomass in the form of slash chipping operations, for that project.

Seven Beavers Collaborative/Inventoried Roadless Area/CRNA

We are pleased to see that the District has collaborated with the DNR Division of Forestry, Lake and St. Louis Counties and The Nature Conservancy in planning activities in the Seven Beaver area. The Division of Fish and Wildlife hopes to be more proactive in this area in the future.

Fish Management

The majority of the streams and rivers in the project area are trout streams or tributaries of them. We recommend that the District protect the integrity of trout streams through the use of recommended riparian management zones and filter strips. Adequate access for management and recreational use must be maintained.

Rick Horton
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10-16

Response to 10-13: Blocks of conifer and mixed hardwood/conifer would be maintained in riparian areas and as legacy patches in many of the harvest units.

Response to 10-14: The scenic quality mitigations state that the Forest Service would dispose of slash piles where appropriate and units where slash and other woody debris is to be piled, would be located out of sight of main travelways. We will clarify that some debris piles would remain.

Biomass is being considered on other Forest Service projects on a trial basis. This project is not being considered for biomass production at this time.

Response to 10-15: Comment noted. The collaboration with the DNR, State, and Counties was very beneficial.

Response to 10-16: Trout streams would be protected through the use of riparian management zones and filter strips. Vegetation management is planned in several units as noted in Table 15 of the Scoping Report.

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Division of Lands and Minerals

There has been past mineral exploration on state lands in at least 12 of the 16 townships involved in this plan. One township, T59N-R12W, is adjacent to known reserves of copper and nickel and a likely future permit-to-mine area.

10-17

The state will continue to seek access to state-owned mineral rights for exploration purposes in this management plan area, which has moderate to high mineral potential.

Dennis Martin, Manager
Mineral Potential Section
Division of Lands and Minerals
Minnesota Department of Natural Resources
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Division of Forestry

The Division of Forestry supports the proposed USFS Vegetation Treatments within the Whyte Forest Management Project Area. The DNR is currently working on Subsection Forest Resource Management Planning (SFRMP) for state lands that includes all of the area included in the Whyte Project Area and there should be opportunities for DNR and USFS to coordinate some forest management activities and timber sale access needs that would be beneficial to both agencies.

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Response to 10-17: Comment noted.

Response to 10-18: Comment noted. We also appreciate the coordination and collaboration that has occurred to date.

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Division of Waters

"Based on brief review of this scoping report, the activities planned primarily involve vegetation management. MN DNR Waters Division recommends that Superior National Forest staff and DNR continue to coordinate projects that involve alteration of classified public waters, streams, lakes, and wetlands. DNR Waters recommends that the function and importance of the shore impact zone of lakes, streams, and wetlands be considered and be reflected in the plan, design, and implementation of projects."

Amy J. Loiselle,
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7979 Hwy 37
Eveleth, MN 55734
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10-19

Response to 10-19: Comment noted.

Ms. Duffy,

I own land in the SW 1/4 of Section 31, Township 57, Range 9. Another person and I own that entire quarter section and are in the process of dividing or consolidating our shares. I will either end up owning all four parcels involved or will own the SW 1/4 and the S 1/2 of the SE 1/4 of that quarter section.

I'm writing now because I am in the early planning stages of a small scale timber harvesting scheme for my property. Our property is very similar to the land involved in proposed vegetation treatment unit number 137 which adjoins my SW 1/4. My plan for my project on my property is to create a value added, extremely low impact ongoing harvest which will yield a small but steady supply of certified sustainably harvested hardwood lumber and firewood that I can market through my existing business which focuses on sustainable building and energy issues. The project on my property will be a pilot and if successful I hope to turn it into something bigger. I know the property and area very well. I have a small cabin on the SW 1/4 where I lived and worked for around 10 years between 1978 and 1989. I operated a 1000 tap maple sugar business there for part of that time. I have done a very small amount of lumber production there both on my land and via a couple of small "Ranger Sales" that used to be available on Forest land. Most of my current planning is aided by research that I have been doing over the last several years.

In my planning process over the last couple of years I have often considered approaching the Forest Service about a small timber sale on the maple stand which is covered by your unit 137 project. The main ridge that runs E/W across my SW 1/4 continues on into unit 137. It would be a logical extension of my efforts if it were possible to gain access to that Forest timber. I am, of course, not sure if my plans are compatible with your plan for that unit but I figured that it would not hurt to ask if there might be an opportunity to implement my project on a slightly larger scale while also accomplishing the Forest Plan

Response to 11-1: Please note that we do not intend to clearcut any sugar maple stands at this time. Management actions are designed to improve the quality of the stand and maintain the best quality sugar maple trees and create conditions suitable for young maple to grow up.

Landowner was invited to meet with the planning team to discuss proposed management plans.

objectives. I am concerned at what I see happening on some state and county maple lands in terms of clearcutting for pulp, destroying the canopy and totally converting the ecosystem type in the process. I feel that our maple resources are undervalued and can provide a sustainable supply of high quality value added lumber product and firewood but only if managed very carefully. This is what I hope to verify in my project.

I would love to discuss my plans with you in more detail if you are interested and of course learn more about your concept for the management of the land adjacent to mine. It is a unique area and a very robust stand although the terrain makes soil protection planning very important.

Please let me know if there is any interest on your part in discussing this concept in any form. I am open to other concepts that may advance the goals of my sustainable forest products endeavors. Thank you for your time.

Michael LeBeau
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