

Governor's Roadless Commission



Idaho Roadless
Rule

James L. Caswell, Chair (208-365-7420)

jcaswell@a.com

Dale R. Harris, Vice-Chair (406-240-2809)

dharris@bigsky.net

Idaho Panhandle NF, Supervisors Office
Coeur d'Alene, Idaho
November 6-7, 2014

NOTES

November 6, 2014

Welcome and Introductions

Attendees (Commissioners): Jim Caswell, Chair; Dale Harris, Vice-Chair, Scott Stouder, Dave McGraw, Brad Gilbert, Patty Perry, Dan Dinning, Bill Higgins, Alex Irby

Attendees: Dave Schmid, R1 Deputy Regional Forester; Faye Krueger, R1 Regional Forester; Nora Rasure, R4 Regional Forester; Sam Gaugush, National Roadless Coordinator; Sam Eaton, Governor's Office of Species Conservation; Anne Davy, Regional Roadless Coordinator;

Visitors: Sid Smith, Northern Idaho Director for US Senator Risch; Tera King, Northwest Management; Carolyn Rhoder, Senator Crapo's Office; Sandy Podsaid, Shoshone County Resource Coordinator; Brad Smith, Idaho Conservation League

General Commission Business

After review and consideration, this Commission will meet twice per year.

In reporting on the Chair's visit with Senator Risch, we briefed the Senator as to what's going on and what projects we are working on and general catch up. This is his project and he remains involved and engaged state wide. In a particular debate, Roadless was prominently discussed and is still very much on the front burner for him.

We're into the process where we are reviewing multiple projects, which may seem like all we do. It gets us into the discussion of whether the Idaho Roadless Rule is implemented correctly and it seems people are pretty well in line with how things should move forward. It remains vitally important. When Senator Risch speaks to Washington, DC or Congressional leaders, they don't remember any of this.

We're down to the grunt work, but it's important that we continue to see this through and make it work – make the partnership between the Agency and the Commission functional.

If there are issues we cannot resolve or issues we don't understand, the Senator is willing to come and meet with us.

Executive Order 2014-5

Governor Otter signed the Order May 2014

This Executive Order is for four years, which is the maximum time a statute can be in effect. Initially, it defaults to four years if there is no term defined within the Order.

Idaho Roadless Commission Membership

Mr. Cope will not be running for County Commissioner in Lemhi County. Fortunately, we were able to move Mr. Cope into the “nationally or regionally recognized wildlife or sportsmen’s interest group”.

We have additional interest from the Idaho Association of Counties. Mr. Dogg has expressed interest in being involved with the Idaho Roadless Commission. We’ve also had interest from County Commissioner Steve Hadley out of Bannock County, who couldn’t be here today due to logistics.

We’d like to thank Mr. Dinning and Mr. Cope for helping with the effort. We have good representation from across the State and across industry and interest.

Comments and Questions:

- *By this EO are we all reappointed?* Technically, we should get a letter. It’s a massive workload for the Governor’s Office to issue appointment letters for all positions across the state.
- *Should appointments be staggered?* You’re appointed until you leave.

Operating Protocols

We, as a Commission, approved the Operating Protocols on June 12, 2012.

You may ask another member to speak on your behalf at a meeting, but we do not have alternates. This means you cannot go outside the Idaho Roadless Commission to find a representative. The Commission is accommodating and will seek to ensure all members are heard. We’ve discouraged conference calls during meetings, and that works for us. We have used VTC, but prefer not to as it is difficult.

Memorandum of Understanding (MOU)

The MOU expires December 31, 2014.

Why do we have an MOU?

- In part, it was a cooperating Agency Agreement for the NEPA process.
- It provides for training and mutual cooperation to work together.

- Please review tonight and bring comments back tomorrow.
 - Contacts need to be updated in G

Is there a deadline to submit comments? It will not take a long time to renew. Grants and Agreements in the Forest Service will need to be signed, for two Regions.

Challenge Cost Share Agreement

This defines all relationships, financially, between the State and Forest Service. There is a significant match at 50/50, and these travel vouchers and in-kind forms are very important. This is a five year agreement that just expired, and against all odds, it was extended for 5 years, with annual reauthorization. The balance is approximately \$70,000, and we started with \$120,000.

In Kind Match

Every meeting we analyze who is here and we estimate the time for travel and meeting time, and then send this list off so they know the time we spent. The Per Diem is very easy to do either by hand or electronically, but you must turn in lodging receipts.

Training Component

It is recommended that the Commission consider another training session for new Commissioners, the Forest Service, and any interested parties. There has been a lot of turnover in both the Commission and the Forest Service; therefore, another round of on-Forest training would be useful, as well as developing a webinar for on-demand viewing. Recommend the training include updates and changes and schedule during a leadership team meeting.

A hallmark of promulgating this Rule was the relationship between the State and federal government. It survived litigation, which promotes collaboration and working with the agency.

When a Forest has a fair amount of activity, they are more in tune than one who doesn't.

the Rule is restrictive *and* permissive. We can speak to the permissive portion when dealing with smaller forests that don't do this very often.

Rangers need to understand that if they have agreement from the Commission, they have an ally. We understand that Forests are now citing in their public documents that their project has been brought before the Commission.

Action Item: Re-initiate training program both on the road and in a webinar (Anne Davy)

From start to finish, how long did it take to promulgate the Rule? I was the Forest Service Team Leader for the ID Team for getting the Roadless Rule completed. It was approximately 15 months, which is a bit fast. There were weekly calls occurring at one point. Joan Dickerson was instrumental in the NEPA portion and was equally as much of an architect for the NEPA side. I spent a lot of time working with Tribes.

Did you consult with other agencies in WDC? No, mostly with BLM and Fish & Wildlife Services. T&E was a very sensitive subject.

PROJECT UPDATES, NEW PROJECTS and FOREST PLAN REVISION

Sawtooth National Forest

Carol Brown, Environmental Coordinator; Michelle Erdie, Fuels and IDT Leader; Ian Rickert, Forest Fire Planner

BSM Barite Exploration Drilling Project (Update)

Last spring we finalized the EA and were ready to move forward with a decision. The owner of the mining project needs to submit a revised plan to accommodate his transportation plan, as previous access was blocked by a landowner.

- *Is this under the 1872 Mining Law?* Yes. The Commission has no jurisdiction, not at a technical level. the Rule accommodates the Mining Law and valid existing rights. We have an agreement and continue to honor that agreement, and every project gets brought forward so we understand what's going on around that state. We use that to track what is occurring.
- *Is there any indication when that amended proposal will come forward?* He has not contacted us yet. He is reviewing his options and trying to work something out with the landowner.

Redfish 210 Fuels Reduction Project (New Project)

- *Is this entirely in the Community Protection Zone (CPZ)?* It is my understanding it is entirely within the CPZ. Correction, it is entirely within or immediately adjacent to the CPZ.
- *The map actually reflects very little being in the roadless?* It looks like the Buckthorn community area has some, but the red line is barely touching it.
- *Are there homes west of the road?* Homes are not on the west side, they are on the east side. Blue is State land.
- *Are the homes within the big red area?* They are on the State land and under a lease.
- *Would not the CPZ extend beyond? Is the circle a 1.5 mile?* According to the scale they appear about a mile across.
- *What happens to the material?* Most will be slash-piled and burned. This is small dog hair stands of lodge pole pine.
- *I know the area, but the map is confusing and there are a lot of homes and cabins in the area?* Yes, and staff lives on site and there are campgrounds and their hosts. It's like a small city during the summer months.
- *The circle on the north edge of the lake seems like it should be bigger.* I'm with you on that, and all of Redfish Lake would have been in the circle.
- *The CPZ areas are pre-determined areas where there is management discretion.* Most CPZs are on federal land and I've never seen one on State land.
- *I would agree with you, the CPZ should be larger in the sense that it surrounds the entire complex into the north end of the lake include all the campgrounds and facilities.*

- *The area is dying or dead already, and has any work been completed around these areas and to what degree?*
 - There have been major wildfires in this area, and it may already be done.
 - Unless there is a new fuel accommodation.
 - They are showing the whole area for thinning treatment, so that would infer it has not burned. If there are structures closer to that, the CPZ should have been larger.
 - The way we are structured to submit requests to Roadless dictate how this looks. A lot of treatments extend south of what you see. The goal is to make Road 210 a defensible line against forest fire.
- *What is your schedule here?* To completed the analysis during the winter and start projects next summer.
- *Is there any road construction proposed?* No.
- *What triggered the IRC request?* Trimming trees and fuel reduction.
- *Under the Rule for backcountry/restoration, we could discuss risk, but the point is outside the CPZ (which I question), you should be in compliance with the Rule.*
- *Will there be equipment used or by hand?* By hand and chainsaw.
- *A CE or EA?* We will use new Farm Bill authority for CE, as the project meets the requirements. There has been a collaborative effort relative to this project.
 - The Collaborative looked at breaking the valley into zones to deal with fuel related to beetle kill. There has been a significant amount of work performed in the area. You are not seeing the maintenance performed in the past. Farm Bill authority gives us the opportunity to review the Zone B (by Collaborative) to where Petit Lake area is and will proceed with other projects in future. Redfish Lake needs more work, as well as maintenance on previous work. The Collaborative wanted action along the 210 Road in a comprehensive way to tie into previous treatments, opening patch cuts, and create a break in vegetation enabling firefighters to have better approach techniques.

Does this project meet the intent of the Rule? Yes

Please get back to our Coordinator about looking at the CPZ boundary relative to the complex on the ground. I think you have more discretion than what is depicted on the map.

Caribou-Targhee National Forest

Garth Smeltzer, Forest Supervisor; Tracy Hines, District Ranger; Jay Pentz; Doug Herzog, Forest Planner; Deb Flowers, Assistant Fire Management Officer – Fuels; Tracy Hollingshead, Teton Basin District Ranger; Diane Wheeler, Geologist

Bilk Creek Placer Mining Operation (Update)

The activity is under the 1872 Mining Law. No comments or questions.

Does this meet the intent of the Rule? Yes

Smokey Canyon Mine Panel G Modification (Update)

- *There is a half mile of new road construction?* Areas outlined in pink are from 2008, and the new disturbance is outlined in green, so the road construction was in 2008 and there is no new construction.
- *This is all general forest?* Correct.
- *Since it's within General Forest theme and Phosphate KPLA, it should be within the purview of the Rule.*
- *What is the timing?* Mid December ROD, followed by BLM, with implementation to occur in February 2015.

Does this meet the intent of the Rule? Yes

Dairy Syncline Land Exchange (Update)

Nothing has really changed? Correct, the change is the schedule. Draft EIS in 2015.

Does this meet the intent of the Rule? Yes

Husky Mine (Update)

- Errors in mapping have been corrected to show Schmid Peak accommodating those changes.
- Draft EIS in April 2017 and final EIS in March 2018.
- *Is this a boundary adjustment?* Just to adjust the themes within the Roadless Area.
- *You are proposing a theme change?* Yes, Backcountry/Restoration and General Forest about 3 acres to Forest Plan Special Area.
- *This would require going through the modification process.* That is exactly what is anticipated.
- *Is this Husky 1 or Husky 2?* This should be Husky 1, North Dry Ridge.
- *We have a Dry Ridge?* Perhaps you don't have this one. We can provide that after this briefing.
- *We don't have the Dry Ridge Briefing Paper.* It will be available for tomorrow's meeting. (The Husky 1 North Dry Ridge Phosphate Mine and Reclamation Plan briefing paper and map were sent to all the Commissioners on Saturday, November 8. afd)

Does this meet the intent of the Rule? Yes

Dry Ridge Exploration (Update)

- *What is the estimated lineal distance of new road construction?* Approximately 8 miles with a 13 foot width.

- *The area is within the KPLA? Correct*
 - *Known Phosphate Lease area*
 - *¼ mile boundaries with the intent of phosphate industry, who agreed to let go of other Roadless Areas so that we would be more permissive of those that remained.*
 - *The boundary was extended when the original leases were staked the technology wasn't effective. It's not an exact science from the surface, so we allowed a buffer for expansion.*

Is this in compliance of the Rule? Yes

Gibson Jack Trailhead Relocation (Update)

- The project and rule modification are considered a connected action under NEPA. It gets complicated, as the Chief has the decision authority for the modification and the local line officer has the decision authority for the trailhead. The modification package is with Office of Regulatory Management Services, which they are reviewing.
- *What about the grant money and the deadline to spent it?* The funds need to be spent and accounted for by May 2016. Grant monies are from Idaho Parks & Recreation.
- *Are you looking at options for the grant money if you run out of time?* It's tight, but they will explore discussion with IDPR and seek an extension.
- *This is a good project. It creates more roadless area. The modification issue will be discussed tomorrow morning.*
- *Is there anything that can be done to expedite the process?* We will talk tomorrow.

Rainey Creek Vegetation Restoration Project (New)

- *Does Idaho Fish & Game Support this?* Yes, we did a joint-collaboration process and put the project to the public in partnership with them.
- *I've spent a lot of time in this particular area and it's a good job.* That's the discussion we had with the community. Rainey Creek will hopefully just be the start.
- *Over the past few years, TU has spent a lot of time and money working with private landowners. Have you spoken with Matt Woodard, as he did all the work with private landowners?* Yes, he was a member of the collaborative group. This map doesn't show the work outside the Roadless. We would treat riparian areas by hand and would not perform any burning. That was the proposal from the group.

Does this meet the intent of the Rule? Yes

It would help if we could see the overall picture, so we can see how the project fits in the larger picture.

Payette National Forest

Patricia Anderson Soucek, Planning Staff Officer; Sue Dixon, Forest Environmental Coordinator; Anthony Botello, Krassel District Ranger; Jim Egnew, Forest Geologist

Big Creek Recreation and Access Management (Update)

- *When we discussed this project in May 2014, was there concern about putting a road on the system that currently is not on the system. Is there language in the Rule?*
 - 294.26 (a) speaks to motorized travel. Nothing in the Rule affects existing roads in Idaho. Future decisions will be made by future Travel Management Plans. We believe this project meets this section.
- *Wasn't there a new Rule for road management? Did we reference that?* No.
- *Please look at page 61462, the Rule definitions distinguish between Forest Roads (on the system) versus roads that are linear and not on the ground. Travel Management decisions are not affected by the Rule.*
- *Some of these roads are in roadless areas, is that what the agency wants in the long run as opposed to a boundary modification?*
 - *We talked about that and have chosen this method, rather than modification.*
- *This is a Travel Management Plan decision.*
- *Which Commissioners were involved?* Valley County and Gordon Crookshank.
- *What portion of this project should we be concerned with?* This is courtesy information. We've been asked to provide briefings on any activities within Roadless Areas, even if the Commission doesn't have jurisdiction (e.g. Travel Management decisions). We still want the Commission to know about them.
- *The application of an unauthorized section of road into the Payette Forest, that's the question. Yes, we will talk more about this.*

Golden Meadows (Revisit)

- *This is a project associated with 1872 Mining Law.*

Golden Hand EIS (New)

- *This is a project associated with 1872 Mining Law.*
- *You referred to Wilderness?* The claims are in the Frank Church Wilderness.
- *The corrective action and the change in Big Creek – did you change the theme?* We went through the correction process in 2010. Big Creek wasn't eligible for Wild & Scenic Rivers and it was initially listed as a Special Area. Now it is listed as General Forest.

- *If the FS changes that, do we have to perform a modification to the Rule to change the theme? To the Forest Plan, if there is a Special Management Area and the Forest Plan changes it to Recommended Wilderness – does that require modification to our Rule?*
- *On the map, I'm not seeing these Roadless Areas outlined, so I gather the Project Area that these different Roadless Areas have pieces in your project area?* Yes, the map on page 2 is a little confusing. The project area is a 300 ft. buffer area around the road to access the mining area.
- *How long is this road?* The switchback may impinge on the Roadless Area.
- *It adds up to a lot of acres.*

Salmon Challis National Forest

Karryl Krieger, Land Management Planner; Julie Hopkins, Mineral Program Manager

Upper North Fork (Update)

This has been before the Commission several times. We were working with Fish & Wildlife and National Marine Fisheries and we've gone through the Draft Conservation Measures and came to the agreements needed for those. We are now waiting for the Biological Opinion and when that's received we'll sign the Record of Decision.

How many acres? This is the first temporary road construction in an Idaho Roadless Area.

Thompson Creek Mine Land Exchange (Update)

Are they shut down now? Not fully.

East Boulder Placer Mining Exploration Project (Update)

- *It's an 1872 Mining Law project in General Forest and is consistent with the Roadless Rule.*
- *How did the bridges work?* They worked well. They put a plywood deck on and the dead trees that were used for support were pulled away and used for firewood. Contact Julie Hopkins for more information.

General Commission Discussion

Community Protection Zones

- **That had to be within a CPZ?** Yes. I'm interested in how much timber harvest was conducted there. This is outside the mandate of the Commission, but if you explore whether the Rule is working (mechanical operations in Roadless), this is a good example.

- **Are you looking at acres or mbf?** Acres. See Summary Table, p. 8 (600 acres).
- There is a very good handout on CPZs and how they are treated. The document on How to Designate a CPZ can be confusing where it appears that all CPZs have been pre-designated.
- **You performed analysis?** The Counties identified CPZs and they were all over the board and we couldn't use them. That generated the CPZ document and the structure of how to designate. But, the communities are within HFRA and there is a process to put Communities into HFRA.
- One of the maps seemed to indicate a precise circular polygon and to me Communities are more of a free-form polygon that encompasses the entire community.

Public Comment:

- A concern is the unclassified road being added to the inventory.
- Larry Yergler, Shoshone County Commissioner – Simmons Creek Area – my request is to use as much stand replacement as possible, as we are the home of Great Burn and we have huge forests of lodge pole pine that is now 100 years old. There is also an untapped market for pellets in China and South Korea and other categories so all that potential utilization of that timber as it starts to die would help the economy of our county.

November 7, 2014

Welcome and Introductions

Attendees (Commissioners): Jim Caswell, Chair; Dale Harris, Vice-Chair, Scott Stouder, Dave McGraw, Brad Gilbert, Patty Perry, Dan Dinning, Bill Higgins, Alex Irby

Attendees: Dave Schmid, R1 Deputy Regional Forester; Faye Krueger, R1 Regional Forester; Nora Rasure, R4 Regional Forester; Sam Gaugush, National Roadless Coordinator; Sam Eaton, Governor's Office of Species Conservation; Anne Davy, Regional Roadless Coordinator;

Visitors: Sid Smith, Northern Idaho Director for US Senator Risch; Tera King, Northwest Management; Carolyn Rhoder, Senator Crapo's Office; Sandy Podsaid, Shoshone County Resource Coordinator; Brad Smith, Idaho Conservation League; Phil Hough, Friends of Scotchman Peaks Wilderness;

Rulemaking and Modifications

There is some frustration surrounding rulemaking and modifications process, which is understandable. The FS wants to be partners with Idaho and we're committed to being partners and making the process more efficient. How can we help? How can we make this better?

In learning about the issues, our understanding is that we've sent something back to Washington, D.C. where there is a process for rulemaking and that's where it's been sitting. Does this need to go through the standard process, or is there a way to ensure public involvement and still achieve the outcome? We can push harder on the existing process, but it involves the Office of Management and Budget and the whole bureaucracy to ensure that we do things in a fair and accessible way.

Alternatively, we can meet the Rule and have the Chief make the decision. We want to approach this as an alternative way. We need to frame this discussion, visit with the Chief, and see if there is an alternative to going through rulemaking and still meet the intent of the Rule. There are opportunities to partner with the Forest Service to work on this.

When the IRR was created, it couldn't anticipate every situation. Can this fit under the Chief's authority? We think there's an opportunity.

- *What was the expectation when the Rule was promulgated?* In the Draft Rule, we tried to define "significant" and "non-significant." You can't anticipate all eventualities and there was controversy about that. If it was just a correction, there was no chance for the public to comment. It was recommended that all changes have public comment – 30 days for corrections and 45 days for modifications. We worked on how to change the wording and the idea came up for 45 days for modifications. The reason for that was to allow the Chief to determine, after getting all the public comments, if rulemaking was necessary based on "significance."

- In the preamble of the Rule, “Adjustments will comply with applicable administrative and environmental analysis requirements” which makes it questionable as to what the intent is.
- I don’t want to take this out of context. The public should be involved and we should be transparent. We don’t want to slide things through. We’re fine exploring the options.
- The Office of General Council in Washington, D.C. is aware of the issue. OGC advises us, they don’t decide for us. There is a gray area here. In some instances, there would be more risk than others. When there is broad support for the project, there *may* be less risk.
- The two modifications we’ve done took a lot of time. There’s an impact to the Forest Service and it is frustrating.
- When RACNAC discussed significance, they concluded it would be “NEPA significance” and that would be the standard. They recommended a comment period. During the public comment period for the EIS, the department decision was to drop significance and use 30 & 45 days for comments and allow the Chief to decide if rulemaking was required or not. There should be an ability to write a letter that helps to define the criteria around the idea.
- We’re saying, we agree – we can try that approach.
- Significance in NEPA and significance in rulemaking is different. We want to ensure that we don’t get tripped up regarding “significance” when you’re using different processes.
- We need to lay out our rationale. We need to do this in partnership.
- If the Commission can describe the gray area, that would be helpful.
 - The FS can perform a similar analysis and then bring the two into a conversation.
 - Stage it. We have to do a 45 day review, that’s what’s clear to me. Then we look at the next phase to see what we do.
 - The State recognizes rulemaking is difficult due to time, when you take the draft Rule out of the agency; it goes through every chair in the Washington Office to see what impact the Rule change would have on every resource. That takes a lot of time.
- So is the intent to allow the Chief to make the determination? And the comment process would be in the Federal Register? Yes to both.
- If it’s a significant project that has a lot of risk, we could go through the full blown rulemaking process. Everything we’ve done so far has gone through the Rulemaking process, which takes a couple years. None of those were site-specific, on-the-ground projects that were waiting for a decision.
- We’re an Advisory Committee. Do we have the latitude to provide advice on projects that come before us, especially with timeline issues, where we could point out that there’s a deadline or that it needs to be done in a timely manner?
- 294.27 Modifications – it talks about the Chief having the discretion based on needs. It doesn’t say, “...and then you start rulemaking....” That’s the gray area. It’s not funding dependent and that shouldn’t be the driver. The catalyst is the public need.
- Is OGC advising you otherwise? Are they saying we need to do full blown rulemaking?
 - I wouldn’t characterize it that way. But in the end, this is the Chief’s determination and there are different sub-staffs within the FS which report to the Chief and have their own

role to play. This is the first time there is a modification that's really been driven by a project. We are learning as we go, so we can be better.

- The idea that the Rule allows for modifications, there needs to be an analysis and ensure there isn't concern or worry by the public and if there isn't, then we can move forward.
- So is it FS thinking that we need to go through the full blown rulemaking process? Is it written?
 - The FEIS informs the Rule, but it's definitely a gray area. It's a question of what is the right tool for the job. Perhaps there is a more appropriate tool for the project.
 - Does the EIS need to be supplemented?
 - That would be a fairly simple thing to do to clarify the language. The word significance should have been in there and it's not.
 - We would only supplement the EIS if we had a decision or adjustment.
 - No, not change the Rule.
- This clearly needs to go to the Chief. He will direct us as to what to do.
- Can we, in our letter, assume this language is going to allow this? Let them know it's a resource issue with great concern and where immediacy could be critical. Ask the Chief to apply the language and champion the letter through. Can we assume success instead of failure?
- One other thing to highlight, if there are projects that wade into these waters, the development of training there are best practices that can be implemented. Bring to the Commission as soon as possible; batch the changes together, etc.

Next Steps: Commission to draft a letter, garner comments, and work with the Region to obtain an acceptable document.

Concurrently, the project will move forward. We don't want to surprise the Chief, but he needs to be informed the letter is coming. We're not moving forward with changing rules, we're just drafting something. The conversation will come together.

Action Item: Create a Forest Service Briefing Paper on this issue

There was a lot of debate in crafting the Rule around this issue from the standpoint of "what is the best protection for decisions"? At what level? Initially, we thought the Regional Forester. But we went to the Chief, top of the agency, the best protection on decisions being made. We recognize Rules need rulemaking, but we wanted an efficient manner.

PROJECT UPDATES, NEW PROJECTS and FOREST PLAN REVISION

Idaho Panhandle National Forest

Dan Scaife, Acting District Ranger; Kevin Knauth, District Ranger; Erick Walker, District Ranger; Shanda Dekome, Ecosystem Staff Officer

Forest Plan Revision (Update)

The Final Record of Decision has been released and we've gone through the objection process. On April 29, Jim Pena was the Reviewing Officer and he came to Coeur d'Alene for an objection meeting. At that time there were over 200 points, but the 4 discussed were management indicator species, recommended wilderness, and two others.

- *Were there any objections to the IRR?* Alternative B Modified (draft decision) is in compliance with the Rule.
- *Boundary County made the comment there was another classification that would also meet the intended rule rather than recommended wilderness.* It wasn't in conflict with the Rule.
- *Grandmother Mountain and motorized use: the areas recommended for wilderness in the draft decision says not to have alternative uses. At the same time, there are numbers and analysis performed on the recommended wilderness.*

Deer Creek Project (New)

- *KVRI, is this a consensus recommendation?* We aren't through the complete analysis, it is multi-faceted.
- *Any activity outside the IRR?* Yes
- *New road development?* We haven't determined that, although there is the potential to improve some roads. We are not exploring constructing new roads. There are other challenges, as it is in a Grizzly Bear Management area, so any roads could be problematic.
- *Part of this roadless area is in Montana?* Yes, it will take coordination among forests and other agencies. We'll be looking for cooperation.
- *We are ahead of the Commission on this.* Don't feel like you need to apologize, this is great that it's coming.
- *Looks like there's an existing road next the boundary where you have a prescribed burn?* Yes, down towards the bottom and that is probably likely due to the roadless designation.
- *Is there other treatment available? I'm skeptical about burning in a closed canopy.* We have more work to do and some of the same concerns came up. This may not be the best place to used Rx burn.
- *KVRI will continue to be involved, but the Collaborative has not made any recommendations to the Forest yet.*
- *Cut trees will be left on site?* That is in reference to white bark pine where they are not so big or numerous.
- *Please think through where you can do harvest if it's appropriate and factor that in, but I am confused about the boundary as shown?* Yes, this map only shows the portion in Idaho.
 - *It would be clearer if you could include the entire project area.*

- *The larger vicinity map just previous to the detail map shows the entire area.*
- *You are optimistic about the WBP. Do you really have a blister rust resistant species?* Yes. At a restoration symposium recently, they are doing out-planting testing where they are exposing them to rust and they will be monitored. They have established a seed orchard already.
- *What's the name of KVRI CFLR Project and are there multiple IRA's?* Our area is the boundary of the Bonner Ranger District. There are several wilderness areas, bear management areas, fish, wolverines and more.
- *Is it all backcountry/restoration?* Yes
- *How large is the Buckhorn Ridge IRA?* 9,558 total, 6,700 of those acres are in Idaho. Planting takes in 3,000 acres of those 6,700 acres.

Does the project meet the intent of the Rule? Yes

Big Creek Trail Reroute Project (New)

- *What is the schedule?* The Decision Memo is due this winter.
- *Does this loop the trail?* No, it puts it on a more reasonable grade. The other road will be decommissioned.
- *You spoke to historical points; will this trail contribute to those?* I don't know exactly, but I doubt it will eliminate any opportunities. *Please investigate historical opportunities.*
- *Was this a Scoping Comment request?* It will occur under a CE.
- *Is it funded yet?* Yes, out of our recreation budget.
- *You are hoping to begin next summer?* Yes
- *It does not allow motorized use now?* Correct, we're trying to preclude that.

Marble Creek Trail Reroute Project (New)

Is this the same process as Deer Creek? Yes, mostly small diameter tree cutting.

Treasured Landscapes Prescribed Burning and WBP Restoration (New)

Treasured Landscapes is an initiative to restore lands across the nation. This is the only location in Idaho and Region 1 where we have a partnership with the National Forest Foundation. The goal is to accelerate restoration.

- *I appreciate both projects! Having the proper window for burning is very important. I like the idea that you are taking care of weeds. So many times when we burn, we encourage weeds.* We are a part of the Idaho? Montana Airshed Management group and work with numerous entities and must get approval before putting fire on the ground for health issue purposes. This has been in place with all Rx activity. Doesn't mean we don't have smoke issues. Weed management is part of this project. Above and beyond our efforts, we trained our weed warrior

group and we treat areas to limit expansion. Given they are remote areas, along trails are more difficult. But, we have a monitor/treatment system in place. We are using manual, biological and chemical means to approach. We are working on an EIS to treat weeds.

- *Do you have one NEPA document to cover all four?* For all described, it is one planning effort for WBP and under a CE.
- *How will you fund the weed part?* 1-1 match between USFS & NFF. Not every project is 1-1. They have been successful in bringing grant money to empower our group, especially using licensed applicators.
- The real benefit of this project is the partnership and the citizen stewardship. This is a very place-based project. It doubles our money and enhances people's involvement with their National Forest. It's a good project.
- Are there only 10 Treasured Landscapes in the nation? There are 14, but this is the only one in Idaho.
- *Does the district have annual targets for White Bark Pine?* We have sensitive species
- *Tentative sunset date is 2018 and we will most likely burn multiple seasons.* We've expanded our capacity. Our partners will be on passed the burning.

Treasured Landscapes Recreation Project (New)

- *Is this proposed wilderness?* No. Access points are heavily brushed in and have a restoration occur naturally.
- *Great presentation*

Does this meet the intent of the Rule? Yes

Nez Perce-Clearwater National Forest

Norma Staaf, Forest Environmental Coordinator; Joe Hudson, Moose Creek District Ranger; Mike Ward, CFLRP Coordinator; Lois Hill, IDT Leader; Terry Nevius, Red River District Ranger; Rachel Young, IDT Leader; Seth Cole, Acting Lochsa District Ranger; Molly Puchlerz, North Idaho Lands Zone, Special Uses; Anne Conner, Hydrologist/Aquatic Restoration; Carol Hennessey, Forest Recreation Program Manager

Orogrande Fuels Project (New)

- *Who will be the new project leader?* We are hiring two new team leaders and should have someone by December 1. We've been in good contact with the community. We hoped to have the EA out for comment by the time the current team leader retires.
- *This project is the second, in addition to the North Fork Project, where we will construct temporary roads inside backcountry/restoration.*
- *What is the implementation schedule?* FY 2016. *Why?* FY 2015 is too fast. Timber has it on their schedule and thinning along the roads will occur right after the decision, but it bumps up

against the 4th quarter too much. The area has been evacuated twice now and the residents are pushing for the project completion.

- *This is really frustrating, why has it taken so long?* We tried to have an Enterprise Team complete the NEPA to reduce Forest specialist time. Also, it's not been the highest Forest priority. People had other priorities, so the review process has taken a lot of time. We always needed watershed restoration with the project, but it's hard to get anyone to say it's restoration we can do. Now we're to a point where we will need restoration to get this across the finish line.
- *As you escort projects through the pipeline, do you have an advocate for the project?* Yes, we have proponents on it. The Nez Perce is a tough place for someone who doesn't work here to write a document.
- *If you had to do it again, would you use an Enterprise Team?* Probably not. I'm on my third team leader with the Enterprise Team.
- *The project area is in a CPZ, so it's one of the most permissible.* Yes, that part has been well defined the whole way.
- *As you know, there are a lot of CBC members here on this Commission and one of our recent enjoyments are Robo Elk to proceed because of pressure, so from my point of view, the quicker we proceed the better.*
- *From the Community's perspective, the next fire could burn them out.* The Regional Forester offered to assist the process.

Forest Plan Revision (Update)

- *Are you planning to make any theme changes, modification, or boundary changes?* We may or may not. The public has not indicated an interest. Once the ROD is signed, we will have a better idea if boundary modifications will be needed; it's too early in the process right now.
- *Can you implement the Plan without changing the Rule, or does the Rule change come first?* It may be able to be done concurrently. The Rule trumps the Forest Plan, so it can be concurrent. You bring up the point of delegation and who can sign what. The Forest Supervisor signs the plan and then who signs the Rule modification?
- *If you go back to the letter of 2012, it was agreed that if the situation arose, you would not analyze any alternatives that didn't meet the intent of the Rule. But if we had to implement the plan, but you couldn't implement the portion until rulemaking was complete.*
- *The Forest Supervisor made it very clear during the Collaborative process that the Idaho Roadless Rule was off the table for discussion.* During scoping, it was revealed that a couple areas near Gospel Hump that some have interest in adding to the Rule and we may look at that through alternatives.
- *I would ask that you drag that letter back out and read it as it is very comprehensive and well done.*

- *Please remind us of the schedule and IDT leader?* The new IDT leader has been selected, but is not here yet. We are two months out at this point. The draft will come out in the spring and a draft published by September 2015. There will be points of collaboration along the way.
- *In the letter to the Panhandle about this process, the Commission specifically addressed the issue of recommended wilderness meeting the intent of the Rule, and I would like this Commission to know that Primitive is also the other category that meets the intent of the Rule, not just Recommended Wilderness.* Be aware there is a “Primitive” category in the Forest Plan, but we are using the Primitive language and are being careful with clarity.
- *Could you explain the comment about the Gospel Hump?* There is an IRA called “Adjacent to the Gospel Hump” and then there are areas adjacent that fit the roadless character. There are proponents who are still in favor of seeing those designated roadless. There is also another piece in Rapid River that has interest.

Clear Creek Restoration (Update)

- *There has never been a question of this project meeting the intent of the Rule.*
- *On informative basis, what are the lessons learned in dealing with the regulatory agencies?* We are starting another project and we’ve learned a lot. We’ve already put it into a Level 1 status and are starting earlier. The biggest lesson learned is that changes in personnel mean starting over on relationships.
- *Do you get in the field with these folks?* The Tribe was taken out and the Roadless Commission was taken out (Lolo Insect & Disease).
- *Who are the players?* NOAA Fisheries, National Marine Fisheries, and we consult with the Nez Perce Tribe who has requested formal consultation. The formal consultation will occur in the next two months.

Lolo Insect & Disease (Update)

- *Has the location of the units inside El Dorado Creek changed?* I don’t believe so.
- *You mentioned helicopters, but wasn’t the area we visited flat?* It was part of the analysis for alternatives to temporary road construction.
- *This will use mechanical treatment in roadless specifically for the benefit of the community. Although I’m not a fan of helicopters, I did recommend that you analyze the alternative as we are supposed to maintain the characteristic of the roadless area. If we can use the ground-based system and conform to the Rule, let’s do that.* That’s right, it’s to be considered and analyzed, but this looks to be a ground based operation.
- *Where are we in the decision process?* We’ve scoped to the public, but for our specialists, this project is behind Clear Creek in terms of priority. Our specialists are just now available for analysis and there should be a DEIS shortly. This will be a large, sensitive project with a lot of public interest. Consultation has been started.

- *I don't know that helicopter logging is really viable for this project, but it was felt that if we didn't recommend it be analyzed, you could possibly be litigated on the issue.*
- *Within the CBC, there was a discussion for a NEPA strategy to analyze just a portion. If it's connected, you cannot pull out a project just for NEPA purposes.*
- *It's important to move this forward, as it's a groundbreaking project from the standpoint of the need. The area is a ground-based system; it's flatter than this table. I don't know how you can reach over the edge, but there is a lot of water at the bottom of the drainage and it is fairly steep. It will be an analysis challenge for you because you will have to show it's going to make a difference under the Rule and under the Guidelines. Using a helicopter would push it to be marginal on economic feasibility. From an economics standpoint, it's preferred to not use a helicopter. The district is currently reviewing applications for the district ranger and the silviculturist – two critical positions.*
- *What about the new silviculturist? Very soon. We are close to finishing the hiring process.*
- *It would be good to show that we can maintain the roadless character and use ecological treatments other than helicopter. Using that system as an alternative, we ensure that we don't end up with "No Action." If we see the precedent that we must use helicopter for everything, it will be very frustrating. Structure the project to comply with the Rule utilizing ground based systems for economics and flexibility to comply with the Rule across the State. It's important for the Commission to understand the different effects. When you get the analysis done, it would be good to come back and share the results. It's critical to this group to understand.*
- *Our collaborative consensus was to "do the right thing" regardless of fear of litigation and not to be dictated by fear – do the ecologically right thing.*
- *You will be setting the precedent for the analysis.*
- *Out of the 78,000 acres, what is the treatment area? 4,000-5,000 treatment acres.*
- *What happened to the other acres? They were eliminated because they were in other projects.*

Lowell WUI (New)

- *This is a roadless area? Part of the project is.*
- *What road is that? Coolwater Ridge Road.*
- *Besides general forest, this falls into the most permissive part of the Rule. It should be as easy as possible for the agency to perform the analysis and go forward. As far as I'm concerned, there are more important projects to visit.*
- *It's important to be careful and light on the ground with the road so at the end of the day you can roll it up. Same with Orogrande. Including, how do you make this switchback?*
- *I'm looking at the Farm Bill CE. Is this part of the Governor's designated area that needs treatment? Yes, everything outside the Wilderness is a potential project area, but we didn't consider this one. The Johnson Bar Fire burned over the Middle Fork vegetation and we lost over 50% of the project and we cancelled it. We still have half the project area, not burned, that we will repackage as a Farm Bill CE.*

- You can go where removal of vegetation is not prohibited. You can use the Farm Bill CE. The idea is everything you just tee-d up, collaboration, under 3,000 acres, temporary roads – this meets all the criteria.
- We would happily entertain that! Procedurally, how do we back out of the EA? Be honest and say you have new authority. This is not a prohibited practice and you have collaborative support. Be open and transparent and place the project into a CE.
- When we started this process, we weren't as far along in the Farm Bill. We saw this as being a focused and sharp EA with HFRA, where we don't need alternatives. From a time standpoint, it was six of one and half dozen of the other.
- *Your savings would be during the objection process. That's the big savings.* With the Farm Bill being so new and being in uncharted territory, it seems that the chance for litigation would be high.
- *We recommend that you continue to work with your Regional Forester to use the CE process.*

Fish Creek Weir (New)

This is something not part of the Rule, really. It's already in place and handled under the Forest Plan. You are good to go, from our perspective.

Road 111 (New)

- *What did the County respond with?* We have scoped this and they did not respond.
- *What County?* Idaho
- *The Nez Perce Tribe is a partner in the process?* Yes, they would be the funding entity.
- *Why was this road constructed?* In the early 1970s, they talked about the White Sands Project and the road densities were huge, on the order of 20 miles per square mile. This road was going to be the collector road for the system. That project was still going on in 1987 when I got the Forest, but it never came to fruition. Now it's an IRA and butts up to the Selway Bitterroot.
- *This road also accesses 1,200 acres of private forest land?* The part we want to decommission is on Forest Service land. The portion that comes from Highway 12 to Crime Saddle will be maintained.
- *Is it open to motorized traffic and what is the condition of it?* It is open and drivable. There is a lot of erosion, but no culvert failures. It's called "The Dead End" road. It's all landslide-prone and sits on a very steep slope.
- *Is this a cherry stem road or is it in roadless?* It is in Roadless. Nothing comes off it and there are no junctions.
- *Is the purple primitive or back country?* It's in Backcountry/restoration.
- *This project will contribute to roadless characteristics?* Yes, we would re-contour and remove the road. It would come out to the first ridge point.
- *Are there trails for access in this area?* None of them come off of this piece.

- *This road is a threat to the creek.*
- *There is no way to make a case for a community effect (in this particular area) because of its location. There is nothing to indicate a threat to anything due to it being an IRA; therefore, the only way to do anything in this area is to argue stand composition. Significant risk isn't going to work. There is nothing to connect to in the community sense. The road just doesn't serve an ecological need.*
- *What is the condition of the forest adjacent to this road that might trigger a future treatment need?* Nearly all burned in the 2012 fire. It was a nice mosaic burn that has some healthy stuff that didn't burn. Parts down the road burned hot and we did maintenance on those areas.
- *What does the Rule state about road obliteration?* The Forest Plan doesn't preclude them from managing their road system; the Rule is silent on this issue. You can maintain roads, but it is silent on decommissioning.
- *The road follows the boundary of the IRA. What lies south of the road? And do outfitters and guides use the road?* The Selway Bitterroot Wilderness is to the south and you would have to cross Colt Killed Creek. Outfitters and guides do not use the road.
- *What is the schedule?* Decommission in 2016.
- *We need to perform some research on the Rule.*
- It starts at the section boundary. It's roadless below and very steep above. If you were going to harvest anywhere near there, you would use the upper road, as it's more stable. The 360 road.
- The tie to the Rule is that we will be using mechanized equipment to perform the project.
- *When you build a road, there are certain restrictions, so should there be some level of analysis with this Rule when we decommission one?* Since it's in roadless, and not a cherry stem, then how do you drive on it?
- *Can they utilize mechanized equipment?* The Rule is silent on decommissioning in an IRA.
- *This project is driven by resource concerns for the watershed.* When the project was identified, we weren't aware it was in roadless. We were looking at fisheries and watershed impact.
- *How long is funding available?*
- They will continue with their NEPA while you are discussing.
- If we are going to weigh in, we need to do so in the next 2 months.

Discussion Tabled

Comments from Commission:

- Thank you to Anne for the good materials and a lot of work.
- I was very impressed with the Forests and even more so with the Regional Forester. Thank you.

Comments from Public:

- In general, the Forest has 2.5 times the fuel loads that the 1910 fires had and the IRAs contribute to that. Large areas of the national forest contribute to 2/3 of the water in the west and if we are losing some of that water due to over-forested areas, we need to be concerned. There is an insatiable pellet market right now begging for pellet fuel, and we have a dying lodge pole pine throughout all this area. We need economic abilities in our communities. It seems we have to do a better job of protecting from catastrophic fire, economics and jobs, and to keep our communities from declining and hydrologic ally to produce more water. Overall, we need to try and move in the best direction possible.
 - Do we have the infrastructure to support an aggressive pellet mill industry? The market is there and if we don't capture it, some other country will.
- I'd like to thank the Forest Service for their efforts on Treasured Landscapes projects. Thank you to the Commission for the important work you do.

MEETING ADJOURNED