



United States  
Department of Agriculture

# Response to Comments on the Proposed Land Management Planning Directives



Forest  
Service

Ecosystem  
Management Coordination

January  
2015

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

# Contents

Introduction.....	1
Comments and Responses.....	1
Summary of General Comments .....	1
Decision making Process.....	2
Fiscal Capability .....	2
Interdisciplinary Team .....	2
Early Adopters .....	2
Legal Considerations .....	3
Valid Existing Rights.....	3
Alaska .....	3
Best Available Scientific Information and Data Quality Act.....	3
Laws, Regulations, and Policy.....	4
Best Management Practices .....	4
Distinctive Roles and Contributions .....	4
Plan Approval.....	5
Assessments – General Comments.....	5
Information Gaps .....	5
Assessment Clarification .....	5
Scale of Assessments .....	6
Assessing Socio-Economic Issues .....	6
Assessing Ecosystems, Ecosystem Services and Climate .....	7
Natural Range of Variation and Climate Change .....	7
Air Quality and Soils .....	7
Watersheds, Water Resources and Riparian Areas .....	7
System Drivers and Stressors.....	8
Climate Change and Stressors.....	8
Climate Change and Adaptive Management.....	8
Species of Conservation Concern .....	9
Grouping of Species.....	11
Federally Listed Threatened and Endangered Species.....	11
Focal Species .....	12
Water and Fish Habitat .....	12
Ecological Integrity.....	12
Key Ecosystem Characteristics.....	14
Natural Range of Variation .....	14
Carbon Stocks .....	15
Ecosystem Services.....	16
Economics and Recreation.....	17
Vegetation Mapping.....	18
Range .....	18
Timber.....	19
Timber Suitability .....	20
Energy and Minerals .....	20
Oil and Gas .....	21
Recreation .....	21
Recreation Opportunity Spectrum (ROS).....	22
Aviation .....	22
Utility Facilities and Corridors .....	23

Adjacent Lands .....	23
Forest Planning – General Comments .....	23
Plan Components .....	23
Plan Amendments and Revisions.....	25
Desired Conditions.....	26
Objectives .....	26
Standards.....	27
Guidelines .....	28
Suitability.....	28
Goals .....	30
Designated Areas .....	30
Distinctive Roles and Contributions .....	31
Project Consistency Requirements.....	31
Optional Plan Content.....	31
Restoration of Ecological Sustainability.....	31
Air Quality .....	32
Forest Planning – Multiple Use Management .....	32
Forest Planning – Considerations of State, Local and Other Governments .....	33
Forest Planning – Transportation .....	34
Access .....	34
Roads and Trails .....	34
Roads and Minerals Exploration.....	35
Fiscal Capability .....	35
Roads and Timber Harvest.....	35
Roads Analysis.....	36
Forest Planning – Timeline.....	37
Forest Planning – Water Resources Management.....	37
Priority Watersheds and Watershed-scale Refugia.....	37
Riparian Management Zones .....	38
Water Supply .....	39
Water Quality and Water Resources.....	39
Forest Planning – Fire Management.....	39
Fire-adapted Ecosystems .....	39
Role of Fire .....	39
Forest Planning – Species Protection .....	40
Viability Analysis .....	40
Viable Populations .....	42
Federally Listed Threatened and Endangered Species.....	43
Species Examples.....	44
Forest Planning – Sustainability and the Balance of Social, Economic, and Ecological Sustainability	44
Forest Planning – Recreation.....	45
Trails .....	45
Recreation .....	45
Fiscal Capability .....	46
Motorized Recreation and Travel Management.....	47
Forest Planning – Grazing .....	47
Economic Considerations.....	48
Cost-benefit Analysis.....	48
Grazing.....	48
Monitoring.....	48
Substantive Changes to the Monitoring Program .....	57

Adaptive Management .....	57
Resource Extraction .....	58
Minerals .....	58
Geologic Hazards .....	58
Oil and Gas Leasing .....	59
Mineral and Energy Suitability .....	59
Mineral and Energy Effects .....	59
Recommended Wilderness .....	60
Lands and Open Space .....	60
Sustainability .....	60
Other Resources .....	61
Best Available Scientific Information .....	61
General Comments .....	61
Biennial Monitoring Reports .....	63
New Information .....	63
Science Reviews .....	64
Public Involvement and Participation .....	64
Comment Period .....	65
Federal Advisory Committee Act (FACA) .....	65
Public Input .....	66
Objections .....	66
Timber Management .....	67
General Comments .....	67
National Forest Management Act .....	68
Suitability for Timber Production .....	69
Timber Volume Calculations .....	70
Timber Management Intensities .....	72
Timber Management Practices .....	72
Timber Stocking .....	73
Timber Restocking .....	73
Clearcutting .....	73
Timber Salvage .....	74
Two-aged Stands .....	75
Opening Sizes .....	75
Departure Harvest Schedules .....	75
Forest Health .....	76
Fiscal Capability .....	76
Impacts of Timber Harvest on Adjacent Lands .....	77
Wilderness, Roadless and Designated Areas .....	77
Designated Areas .....	77
Inventoried Roadless Areas .....	85
Wild Horse and Burro Territories .....	86
National Scenic and Historic Trails .....	86
Wild and Scenic Rivers .....	87
General Comments .....	87



# Introduction

On February 27, 2013, the Forest Service made proposed land management planning directives available for public review and comment. (78 FR 13316).

This document summarizes comments received on the proposed Land Management Planning Directives, responds to comments, and describes changes made in the final directives in response to comments. Each comment received consideration in the development of the final directives. The comments and responses are organized by category.

The Forest Service also received recommendations regarding the proposed Land Management Planning Directives from a Federal Advisory Committee, charged in part with reviewing the proposed Directives. A summary of responses to the recommendation of the Committee are provided separately at [www.fs.usda.gov/planningrule](http://www.fs.usda.gov/planningrule).

## Comments and Responses

### Summary of General Comments

The Forest Service received a number of comments advocating for or against the proposed directives, most relating to a specific section of the handbook.

Supportive comments were received about the importance the proposed directives place on collaboration, climate change, adaptive management, extended objection periods, and the recognition of the socioeconomic impacts to local communities. Numerous comments were supportive of the proposed revised chapter 70, Wilderness Evaluation, stating that it would provide greater transparency and accountability than the current wilderness evaluation chapter by better adhering to the original language in the Wilderness Act because it would ensure a more consistent wilderness inventory and evaluation of lands with wilderness character. Comments were also received that proposed chapter 80, Wild and Scenic River Evaluation, would provide a clear and inclusive process for evaluating wild and scenic rivers. Another commenter appreciated the Forest Service's inclusion of a "key ecosystem characteristics" or indicators-based approach that will allow for the development and use of locally developed indicators of landscape condition and sustainability in forest planning.

Many respondents stated that the proposed Land Management Planning Handbook was too long, complex, and redundant. They also said that the proposed directives would impose an unnecessary burden that would add time and complexity to an already slow and gridlocked analysis. Many also felt that the language would leave the Forest Service vulnerable to litigation because it was either too broad or too prescriptive. Another felt that the process did not contain needed accountability measures that the commenter believed previous planning directives contained.

Many comments were suggestions, to provide references, make clarifications, and correct grammar. All of these suggestions were considered and many were adopted in the final directives.

## Decision making Process

### **Fiscal Capability**

***Comment:** Many respondents felt that the Forest Service should remove the requirement for fiscal capacity or modify its wording. One stated that the fiscal capability requirement should not be taken into account in the development of desired conditions, but only the progress towards those desired conditions. Some did not want specific activities to be short changed due to a unit's fiscal capability. Others felt that the requirement was unrealistic because budgets were too unpredictable.*

***Response:** The Planning Rule requires that the Responsible Official ensure that the planning process, plan components, and other plan content are within the fiscal capability of the unit (36 CFR 219.1(g)). The directives cannot change that Rule requirement, and they emphasize the need for fiscal responsibility because plan desired conditions must be achievable. It is understood that future budgets cannot be accurately predicted, but it is reasonable to develop plans based on an assumption of relatively stable budgets and then amend the plan as fiscal capacity changes over time.*

The final directive modified FSH 1909.12, chapter 20, section 22.12 to clarify fiscal capability. Objectives must be attainable within the fiscal capability of the unit, determined through a trend analysis of the recent past budget obligations for the unit (3 to 5 years). Such analysis can recognize external resources, such as resources related to partnerships. However, other plan content (such as potential management approaches, see FSH 1909.12, chapter 20, section 22.4) may identify how the Responsible Official could respond to additional resources or other efficiencies that would facilitate attaining desired conditions.

### **Interdisciplinary Team**

***Comment:** The Forest Service should define and develop criteria for the establishment of an "ID Team" and an interdisciplinary process.*

***Response:** The guidance for interdisciplinary teams is found in the FSH 1909.15 – National Environmental Policy Act Handbook, chapter 10 – Environmental Analysis, section 12.2. That section provides that the disciplines and skills of the interdisciplinary team are appropriate to the scope of the action, the issues and potential effects identified, and applicable laws and regulations.*

### **Early Adopters**

***Comment:** The Forest Service should clarify that the directives aren't mandatory until the final directives are approved. It should also clarify how the directives affect early adopters, and provide a timeframe for requiring planning processes to follow the 2012 Rule.*

***Response:** By definition, proposed directives are not mandatory*

The 2012 Planning Rule and the final Planning Directives include a transition provision that allows national forests and grasslands that began their plan revision using the 1982 procedures either to continue and complete revision using 1982 Planning Rule procedures or to use the new rule. (See FSM 1920.12, FSM 1922, and 36 CFR 219.17(b)(3)). The Forest Supervisor is responsible for determining the best approach, notifying the public if any changes are made to the process and minimizing any disruptions to ongoing planning efforts.



## Legal Considerations

### Valid Existing Rights

*Comment:* The Forest Service should protect and assess valid existing rights in the planning directives.

*Response:* Valid existing rights are established by law. Furthermore, whether there are valid existing rights is fact-specific and cannot be assessed as a general matter by broad planning directives. In addition, the final planning directives clarify direction about valid existing rights in FSH 1909.12 chapter 20, section 22.1, paragraph 2h, section 23.23i, section 23.23m, and in section 24. Plan components must not interfere with statutory or valid existing rights. Statutory or valid existing rights must be honored, and if plan components conflict with statutory or valid existing rights a plan amendment is not needed to allow development or use of the right.

### Alaska

*Comment:* A respondent suggested that the Forest Service should cover resources in Alaska such as riparian resources under a supplementary Alaska Region FSM and FSH that is specific to Alaskan conditions.

*Response:* The purpose of the final directives is to set forth national guidance across the National Forest System. Under Forest Service regulations at 36 CFR 200.4, Regional Foresters may supplement Servicewide direction. Currently the Alaska Region has several supplements to directives, available online at <http://www.fs.fed.us/im/directives/>. Supplements may be more restrictive than parent material, but cannot expand the authorities or relax restrictions unless approved in writing by the next higher official. It is up to the Alaska Regional Forester to decide whether there are issues specific to planning for the Tongass or Chugach National Forests that should be dealt with in a supplement to the national planning directives.

### Best Available Scientific Information and Data Quality Act

*Comment:* One respondent felt the Forest Service's use of BASI (best available scientific information) exceeds the USDA policies for the Information Quality Act. However, another respondent felt that the proposed planning directive does not meet the USDA policies for the Information Quality Act and its requirement that agencies ensure third party data is developed from reliable sources and methods.

*Response:* The Planning Rule describes the best available scientific information as the scientific information that is most accurate, reliable, and relevant to the issues being considered (36 CFR 219.3). Furthermore, the planning rule requires documentation for the determination of the best available scientific information used in the planning process. The Data Quality Act (also known as the Information Quality Act) applies to a broader range of information disseminated or used by USDA agencies.

FSH 1909.12, zero code, section 07.14 references and summarizes USDA policies for data quality. The Agency clarified the wording of the proposed directive (FSH 1909.12, ch. 40, sec. 42.16) to summarize the obligation of the Forest Service to strive to ensure and maximize the quality, objectivity, and integrity of information disseminated to the public. This obligation applies to the dissemination of information in the planning process.

The section also repeats basic USDA Data information quality policies for transparency and documentation to ensure that information used to influence policy meets a basic standard of quality in terms of objectivity, utility, and integrity.

Conduct of the planning process consistent with the referenced Data Quality Guidelines would meet the requirements of the Data Quality Act. The final directive requirements for documentation may exceed the requirements of the Data Quality Act; but are necessary to meet the requirements of the planning rule.

### **Laws, Regulations, and Policy**

*Comment:* Several commenters would like the directives to better reference other laws, regulation, policy and executive orders that ensure compliance with the National Environmental Policy Act, National Forest Management Act, Presidential Executive Order 13443, Healthy Forests Restoration Act.

*Response:* The directives reference existing law, regulation, or policy to provide context. In order to reduce redundancy, the final directives have such references only where critical for understanding. The 2012 Planning Rule requires compliance with all laws governing the Forest Service. (36 CFR 219.1(f)). See also the Preamble to the Rule, at 77 FR 21184(April 9, 2012) for further information. If a law regulation, policy, or executive order applies, whether or not it is specifically mentioned does not matter.

### **Best Management Practices**

*Comment:* Forest Service best management practices (BMPs) should provide for variation in BMPs among regions and states and incorporate existing state BMPs and existing rights.

*Response:* Chapter 20, section 23.12c provides guidance for carrying out the national requirements for best management practices. The National Core BMPs are written in broad, non-prescriptive terms, focusing on “what to do,” not “how to do it.” Applicable State, tribal, and local BMP programs; USDA Forest Service regional guidance; and unit land management plans are expected to provide the criteria for site-specific BMP prescriptions. This approach recognizes the importance of existing state and tribal BMPs and provides for the integration of the national program with those existing BMPs. The National Core BMP Technical Guide is available online at <http://www.fs.fed.us/biology/resources/pubs/watershed/index.html>.

A comment period for proposed directives for national best management practices (BMPS) for water quality protection on National Forest System (NFS) Lands began on May 6, 2014, and the extended public comment period closed August 21, 2014 (79 FR 42500, July 22, 2014). The proposed directive may be found at <http://www.fs.fed.us/biology/watershed/index.html>.

### **Distinctive Roles and Contributions**

*Comment:* It is essential that guidance clarify the importance of looking at regional, national, and global contexts, in addition to local situations, when determining a National Forest’s “special niche.”

*Response:* The Agency agrees; see FSH 1909.12, chapter 20, section 22.32. “A plan reflects the unit’s expected distinctive roles and contributions to the local area, region, and Nation, and the roles for which the plan area is best suited” (36 CFR 219.2(b)). The final directive requires the Interdisciplinary team to consider whether the roles and contributions are important and relevant at the local, regional, and/or national level.

## Plan Approval

**Comment:** *The Forest Service should allow plan approval at the local, Forest Supervisor level without burdensome oversight.*

**Response:** The directives reflect the Planning Rule provision that the Supervisor for the administrative unit is responsible for developing, amending, or revising plans unless the Regional Forester, the Chief, the Under Secretary of Natural Resources and Environment, or the Secretary chooses to act as the Responsible Official. FSM 1921.04d; 36 CFR 219.2(b)(3). The Rule, however, requires that the Chief establish an oversight process, 36 CFR 219.2(b)(5). Therefore, in the directives, the Agency is requiring the Regional Office staff and Washington Office staff to provide oversight of the planning process at FSM 1920, section 1921.13 and 1921.14. In the final directives, the Agency retains the proposed directive wording about oversight.

## Assessments – General Comments

### Information Gaps

**Comment:** *Several respondents felt that the Forest Service should acknowledge the need for new studies or public involvement to gain resource information. Some respondents felt the Forest Service should address how information gaps will be filled during the planning and monitoring process. One respondent felt that information needed for factual assessments of surface and ground water should be gathered even if it takes years to acquire.*

*A respondent felt that under the 2012 Planning Rule, the Forest Service is required to analyze resources it has not previously examined such as carbon stocks and ecosystem services (36 CFR 219.6(b)(4) and (7)). The respondent felt that new information will likely have to be developed to assess these resources on most units where there is little existing information.*

**Response:** Everyone has an essential desire to investigate and learn. Public involvement during the assessment is important for the Agency to learn about existing information. The final directives follow the Rule, which explicitly says that assessments are to use existing information (36 CFR 219.6(a)(1)). The preamble to the final Rule discusses this at 77 FR 21201. This is a difficult task in itself. The purpose of plan revision is to improve the plan because it is out of date. The interdisciplinary team must complete the assessment in less than a year so that the plan is revised within 3 to 4 years. The Agency believes that beginning a new study for the assessment is not appropriate because delaying the process to do a new study would continue management under an out of date plan. The directives that guide the assessment process call for identifying and documenting information gaps, particularly those that may be filled in through inventories, plan monitoring program, or research. There will always be information gaps. Instead of waiting for new studies and delaying the planning process, the directives rely on the adaptive management framework of assessing, revising, amending, and monitoring to deal with uncertainty. However, assessments are not the only source of information for developing a plan, so the responsible official is not precluded after the assessment to obtain further information if necessary. The Research and Development staff of the Forest Service is assisting management units with carbon assessments.

### Assessment Clarification

**Comment:** *The Forest Service should clarify the purpose of assessments in forest plans, define terms better, limit it more, provide more clarity, and include more information and examples.*

**Response:** Throughout the final FSH 1909.12, chapter 10, the guidance for assessments has been clarified to define terms, add links to sources of information, and reduce redundancy. The purpose of the assessment is to give the Responsible Official information so they can determine the need to change the plan. Therefore, the assessment properly determines the status and trend of ecosystem integrity, species at risk, and other aspects of social and economic conditions, and multiple use.

### **Scale of Assessments**

**Comment:** *The Agency should clarify appropriate scale for assessment. The Forest Service should revise the planning directives' discussion of ecosystems selection and scale selection, and clarify that both of these selections occur at the same time.*

**Response:** The Agency clarified the scale for the assessment in two sections of the final FSH 1909.12, chapter 10 (sec. 11.1 and sec. 12.12). The Agency agrees these two steps may occur at the same time and that the process is often iterative. However, the final directive is written in a linear fashion for clarity.

### **Assessing Socio-Economic Issues**

**Comment:** *Several respondents felt the Forest Service should expand its treatment of socioeconomic issues in the planning directives.*

**Response:** The sections about socioeconomic and cultural issues have been substantially reorganized to provide greater emphasis and clarity about how Forest Service planning should assess and consider these issues in the planning process. The final directives emphasize identifying the major contributions of plan area to the area(s) of influence and the broader landscape with consideration of the social, cultural, and economic conditions that management of the plan area is likely to affect. Analysis of the specific effects of the plan occurs in the environmental analysis document.

**Comment:** *The socioeconomic assessment should use appropriate data sources. The National Visitor Use Monitoring Program should be considered as a source of assessing national forests' economic impacts on communities. Data related to economic impacts of fishing, hunting and wildlife use from state agencies and other outdoor industry association should be required for consideration. IMPLAN (IMPact analysis for PLANning), however, should not be considered a source for assessing current economic conditions.*

**Response:** All of these sources of information including IMPLAN may be useful in linking how management of the plan area may influence broader economies and assessing current economic conditions. The National Visitor Use Monitoring Program is a source for estimating the amount and type of recreation that may be occurring in a specific plan area. Data about economic impacts of fishing, hunting and other wildlife use also provides perspective about the economic impacts of these activities. IMPLAN offers data for regional economic models and computer software used to analyze the economic data. IMPLAN and programs derived from IMPLAN are uniquely able to quantitatively identify the relationship between certain activities in the plan area, such as recreation, fishing, and hunting and expenditures that affect the economy outside of the plan area. One of the programs derived from the IMPLAN data is FEAST, which is a Microsoft Excel workbook developed by the Agency, which handles calculation and reporting tasks based on data derived from IMPLAN.

**Comment:** *Chapter 10 doesn't acknowledge that the sphere of influence of a forest can be quite vast. The local community has one set of needs. When you consider the larger user community that counts on the values of National Forest lands, there could be many different types of needs.*

*It is possible that individuals living outside of the immediate area are placing the greatest influence on the plan area. Those urban individuals are going to have great influence on the plan area, but they might be missed by the context analysis because of the proposed analysis requirements. The context analysis should include an analysis of neighboring communities that significantly influence the plan area.*

**Response:** Section 13.21 states that the Responsible Official may identify areas of influence that are different from the primary area of influence (areas where management of the plan area substantially affects social, cultural and economic conditions).

The assessment should also recognize how the management of the plan area influences more distant interests even if the social, cultural or economic conditions in those more distant areas are not substantially affected. Section 13.24 has been added to chapter 10 so that assessments recognize influences that management of the plan area may have on interests in the broader landscape beyond the area of influence.

## Assessing Ecosystems, Ecosystem Services and Climate

### Natural Range of Variation and Climate Change

**Comment:** *A respondent felt it is important to recognize the potential impacts of climate change and how the predicted changes to rainfall and temperature could impact the concept of natural range of variation (NRV) going forward.*

**Response:** The final directive requires the interdisciplinary team to assess both climate change and the natural range of variation to evaluate the status of ecological integrity (FSH 1909.12, ch. 10, sec. 12.14 and sec. 12.3) and when developing plan components for ecological integrity (FSH 1909.12, ch. 20, sec. 23.11).

### Air Quality and Soils

**Comment:** *The Forest Service should expand the information provided in air resource assessment, revise the soils assessment to define the term "relevant," include other agency policy and guidance, and discuss soil characteristics, stressors, and geologic resources.*

**Response:** These topics were discussed in the proposed directive, the final directive clarified planning guidance in FSH 1909.12 for soils and air quality. If relevant to assessment, other Agency guidance is cited. The term "relevant" is now defined in FSH 1909.12, chapter 10, section 11, paragraph 1. Direction for energy, mineral resources, and geologic hazards are found in FSH 1909.12, chapter 10, section 13.5. Direction about stressors are found in FSH 1909.12, chapter 10, section 12.32.

### Watersheds, Water Resources and Riparian Areas

**Comment:** *The Forest Service should revise the planning directives' discussion of water resource assessment and explain the relationship between ecosystems and watersheds. The Forest Service should assess species composition and functional attributes of riparian areas.*

**Response:** FSH 1909.12, chapter 10, sections 12.1-12.14c gives guidance for assessing composition, structure, function, and connectivity of the entire plan area, including riparian areas. Chapter 10 sections 12.1 through 12.55 give guidance for assessing ecological topics. While these sections cover topics individually, Responsible Officials integrate these topics together in the assessment report. The assessment of ecological integrity for ecosystems would assess watersheds and riparian areas because ecosystems include these elements.

### **System Drivers and Stressors**

**Comment:** *Some respondents felt that the Forest Service should clarify the relationship between stressors, drivers, and ecosystem processes and distinguish between natural and land use-based stressors. Another respondent felt the Forest Service should eliminate the discussion of system drivers and adaptability to change*

**Response:** The 2012 Planning Rule requires assessment of system drivers, stressors, and adaptability to change. The final directive clarified the guidance for assessing climate change and added consideration of stressors associated with management of natural resources. The proposed directive and the final directive are consistent with the planning rule. The 2012 Planning Rule defined system drivers as disturbance regimes, dominant ecological processes, and stressors. Examples of system drivers include wildland fire, invasive species, and climate change (36 CFR 219.6(b)(3)). In essence, system drivers are any factor that directly or indirectly causes a change in an ecosystem. The interdisciplinary team also considers ecosystem processes such as stressors and system drivers when evaluating ecosystem integrity as required by FSH 1909.12, chapter 10, sections 12.1 through 12.14d.

### **Climate Change and Stressors**

**Comment:** *The Forest Service should delete the reference to climate change within the stressors discussion of the planning directives.*

**Response:** The 2012 Planning Rule requires the assessment of stressors. The influence of climate change (changes in amount and timing of precipitation, temperature and so on) is stressing ecosystems on National Forest System land.

### **Climate Change and Adaptive Management**

**Comment:** *Respondents suggested the Agency include climate change throughout directives; explicitly address uncertainties regarding climate change with adaptive management and monitoring programs; factor climate change into assessments of ecosystem integrity; and provide specific guidance on how to include the influence of climate change into plan components. The Forest Service should address the effects of climate change on timber resources and forestland.*

**Response:** The 2012 Planning Rule set up an adaptive management and monitoring framework (36 CFR 219.5 and 219.12). FSH 1909.12, zero code, section 06 discusses adaptive management. FSH 1909.12, chapter 30, section 32.13e discusses monitoring of climate change and other stressors. Climate change permeates the directives because climate change is a system driver and the influence of climate change is a stressor; therefore, all the many references to system drivers and stressors in directives include climate change. Direction to take climate change into account is explicitly given in FSH 1909.12 in reference to carbon stocks (ch. 10, sec. 12.4), integrity (ch. 10, sec. 12.14c and ch. 20, 23.11b), monitoring (ch. 30, sec. 32.13e), soil (ch. 20, sec. 23.12b), species of conservation concern (ch. 10, sec. 12.52d; ch. 20, sec. 23.13c), status of species at risk (ch. 10, sec. 12.55), stressors (ch. 10, sec. 12.3), and water (ch. 10, sec. 12.23).

FSH 1909.12, chapter 20, section 23.11 requires consideration of the effects of a changing climate when designing plan components for ecological integrity. The Agency limits specific direction about climate change to FSH 1909.12, chapters 10, 20, and 30 because those chapters are where Agency employees expect to find direction about climate change for land management planning. The Agency added the definitions of adaptation and resilience in the FSH 1909.12, zero code chapter and added references to information about climate change and vulnerability assessments to FSH 1909.12, chapter 10, section 12.32. The directives do not specify one way to address climate change in the assessment or in plan components because significant differences in circumstances across the National Forest System could make specific national standards unworkable or not reflective of the best available scientific information for a given plan area.

### **Species of Conservation Concern**

***Comment:** The Forest Service should not include delisted species as potential species of conservation concern. The Forest Service should require that regional sensitive species and species with status ranks of G/T 1-2 be included as potential species of conservation concern in the planning directives.*

***Response:** In the final directive, there is no automatic classification of species of conservation concern for delisted species or any species group. The final directives define the criteria for species of conservation concern as: (1) the species is native to the plan area, and known to occur in the plan area based on best available scientific information; and (2) the best available scientific information demonstrates substantial concern about the species' capability to persist over the long term in the plan area (FSH 1909.12, ch. 10, sec. 12.52c). The interdisciplinary team must analyze species with status ranks of G/T1 or G/T2 on the NatureServe ranking system and species that are federally delisted within the past 5 years to determine if they meet the criteria for species of conservation concern. The final directives do not require "sensitive species" to be analyzed. If persistence is a concern for any species such as a State threatened or endangered species, that species would be considered based on the categories for consideration in FSH 1909.12, chapter 10, section 12.52.*

***Comment:** The Forest Service should involve state and Federal agencies in determining species of conservation concern and assessing species viability.*

***Response:** In the final directives, both the Responsible Official and the Regional Forester are required to leverage expertise of the public, including local, State, Tribal, and other Federal natural resource agencies, when identifying species of conservation concern (FSH 1909.12, ch. 10, sec. 12.52; ch. 20, sec. 21.22).*

***Comment:** A respondent felt that the presence of at-risk species, identified by the Forest Service at its discretion, could negatively affect any construction project. The respondent added that if the Forest Service uses these species to control changes in project proposals, an economic tradeoff needs to be a part of the analysis.*

***Response:** The identification of at-risk species is based on scientific information. The set of at-risk species for assessment purposes are:*

1. Federally recognized threatened, endangered, proposed, and candidate species.
2. Species of conservation concern.

US Fish and Wildlife or NOAA fisheries identify federally recognized threatened, endangered, proposed, and candidate species under the authority of The Endangered Species Act. The identification is not a matter of Forest Service discretion.

The regional forester identifies species of conservation concern based on the best available scientific information, so identification of them is also not a matter of discretion.

In plan analysis, there will not be trade-offs to consider as part of identifying the species at risk; the species will not vary from alternative to alternative in the Plan EIS.

Project analysis is not the focus of these directives, but it should be understood that the only obligation the directives (and 2012 Planning Rule) impose on projects is that they be consistent with the plan components, including those concerning species at risk.

***Comment:** The Forest Service should improve examples of circumstances affecting species that are outside of Agency authority in the planning directives.*

***Response:** The Agency clarified the examples listed in chapter 20, section 23.13c, paragraph 3. The final directives makes clear in the examples that “outside the Agency authority” means the habitat or the ecological conditions necessary for the long-term survival of the example species are outside the unit and therefore the unit does not control the ecological conditions necessary for maintaining viable populations.*

***Comment:** The Forest Service should clarify that determination of the final species of conservation concern list is done by the regional forester and provide justification for any species excluded from the list.*

***Response:** The Forest Supervisor is responsible for identifying the potential species of conservation concern. The Agency clarified the responsibility of the Regional Forester to identify the species. The directives follow the Planning Rule in requiring justification for identifying a species as a species of conservation concern, and not for determining that a species is not a species of conservation concern. If the regional forester does not identify a species as a species of conservation concern and a person submits a comment about that during a formal comment period, then the Forest Service may explain why the species does not meet the criteria.*

Direction about species of conservation concern is now found in chapter 10 and chapter 20 of FSH 1909.12 as follows: Responsibilities for species of conservation concern during the assessment are found in chapter 10, section 12.52a. Requirements for developing the list of potential species of conservation concern are found in chapter 10, section 12.52b. Criteria for identifying a species of conservation concern are found in chapter 10, section 12.52c. FSH 1909.12, chapter 10, section 12.52d identifies species to consider when identifying species of conservation concern. Guidance regarding the regional forester’s identification of the species of conservation concern is found in chapter 20, section 21.22a. Guidance on evaluating new information on species of conservation concern is found in chapter 20, section 21.22b.

***Comment:** Due to limited data availability, the Forest Service should not constrain species of conservation concern identification by the date of the occurrence records.*

***Response:** In the final directive, the Agency eliminated the reference to the date of occurrence records and changed the criteria for occurrence to the following: the species is native to the plan area, and known to occur in the plan area.*



**Comment:** *The Forest Service should distinguish between potential and final Species of Conservation Concern in the planning directives.*

**Response:** In the final directive, the criteria for “potential species of conservation concern” and “species of conservation concern” are identical. There is no reason the criteria to be different. The Responsible Official (usually the supervisor of the administrative unit) is responsible for identifying “potential species of conservation concern” in the assessment under the Planning Rule requirements at 36 CFR 219.6(b). The Regional Forester is responsible for identifying “species of conservation concern” to be considered when developing, revising, or amending the plan.

**Comment:** *The Forest Service should identify potential species and the ecological conditions they require early in the assessment process. The proposed directives should emphasize that assessment of potential species of conservation concern is to be completed rapidly based on currently available, useful, important, accessible information.*

**Response:** Identifying the potential species of conservation concern early in the process would be helpful. However, the final directive states it is the responsibility of the Responsible Official to complete the assessment in 1 year. Beyond the 1-year requirement for the entire assessment, there are no requirements to expedite the species assessment requirements. The Agency agrees the process should be based on currently available information. If there is insufficient scientific information available to conclude there is a substantial concern about a species capability to persist in the plan area over the long term that species cannot be identified as a potential species of conservation concern.

### **Grouping of Species**

**Comment:** *The Forest Service should provide additional guidance on grouping species in the assessment phase in section 12.54 and explain how this is different from using one of these species to be an indicator for the others.*

**Response:** The Agency clarified in section 12.54 of the final directives that the groupings should be made based on considering the ecological conditions necessary to maintain or, in the case of federally listed threatened or endangered species, recover each group member. This optional analysis technique of “grouping” does not use any species as an indicator. The interdisciplinary team may use the grouping of species that share ecological conditions for important life history characteristics or events, if it is useful to do so. Grouping species is not a requirement.

### **Federally Listed Threatened and Endangered Species**

**Comment:** *The Forest Service should evaluate critical habitat for threatened and endangered species in forest plan assessments.*

**Response:** Critical habitat is those areas designated as critical by the Secretary of the Interior or Commerce, for the survival and recovery of listed species (50 CFR Parts 17 and 226). Because use of the term has legal implications, the Forest Service limits its use to when referring to only those habitats officially determined as critical by the Secretary. The planning directives require the identification of threatened and endangered species and evaluation of plan area ecological conditions for these species in the assessment (ch. 10, sec. 12.5). Examples of ecological conditions include the abundance and distribution of aquatic and terrestrial habitats, connectivity, roads and other structural developments, human uses, and invasive species both inside and outside of critical habitat. Federal critical habitat designated by the Secretary of the Interior is

also assessed as an administratively designated area as described in FSH 1909.12, chapter 10, section 14.

### **Focal Species**

***Comment:** The Forest Service should assess and plan for focal species by incorporating the concept into the assessment and planning stages of the directives.*

***Response:*** The directives clarify that when you are selecting key ecological characteristics, the interdisciplinary team be guided by whether the characteristic is useful in monitoring and the directives give monitoring of focal species as an example (FSH 1909.12, ch. 10, sec. 12.13). Under the planning rule, there is no obligation to make specific plan direction for focal species - their only role in the whole planning process is to be monitored. Focal species are part of planning because the identification of monitoring questions and indicators occur during the planning process. The Agency selects focal species because they are believed to be indicative of elements of ecological integrity and responsive to ecological conditions. Unless a focal species is an at-risk species there is no specific obligation to include plan direction for them, but they, like all other species, are intended to benefit for the plan direction required in 36 CFR 219.8 and 219.9 for diversity and ecological integrity.

### **Water and Fish Habitat**

***Comment:** The Forest Service should assess important habitat for aquatic species, particularly spawning and rearing habitat for native fish, and consider assessments completed by the State fish and wildlife agency and other entities.*

***Response:*** The Agency modified chapter 10, section 12.23 to require consideration of essential spawning, rearing, and other fish habitat for native fish assemblages designated by U.S. Fish and Wildlife Service, and State, or tribal fish and wildlife agencies. See also the 2012 Planning Rule requirement to consider relevant existing information in governmental assessments (FSH 1909.12, ch. 10, sec. 11.2; 36 CFR 219.6(a), and the final directives at Chapter 40.

### **Ecological Integrity**

***Comment:** The Forest Service should provide more detail on the concept of ecological integrity.*

***Response:*** The term ecological integrity is defined in FSH 1909.12, zero code. The Agency clarified the guidance about ecological integrity in FSH 1909.12, chapter 10, section 12.1 and in chapter 20, section 23.1. In FSH 1909.12, chapter 10, section 12.1 the directive requires identifying whether comparisons between conditions that sustain ecological integrity are different from existing conditions and what the projected future ecosystem conditions would be to determine the existing and projected status in regards to ecological integrity.

The Agency uses the natural range of variation to assess ecosystem integrity. However, one must read the requirement of ecological integrity in the context of the whole Rule. The whole Rule includes the requirements that the plan decision must be within Forest Service authority, the inherent capability of the plan area, and the fiscal capability of the unit (36 CFR 219.1(g)). The whole Rule also includes the requirements for social and economic sustainability, ecosystem services, multiple uses, and consideration of the influence of a changing climate. The purpose of assessing ecosystem integrity is to learn whether ecosystems are functioning normally and are uncompromised.

In FSH 1909.12, chapter 20, section 23.1 the directives set forth requirements to provide for ecological integrity, ecosystem services, and multiple uses in an integrated manner. The Agency vision is for ecosystems in the plan area to have ecological integrity and adaptive capacity. However, not every acre must meet the definition of ecological integrity because some specific areas may not have such capability. Likewise, a set of desired conditions for a specific area might not include ecological integrity because other concerns, such as public safety, would be more important in that area. The plan area may have overall ecological integrity even when parts of the plan area is occupied by roads, buildings or other uses.

Although ecological integrity is defined in part in terms of the natural range of variation, the directives account for possible changes in species composition under the effects of climate change and other stressors.

FSH 1909.12, chapter 20, section 23.11a gives guidance on the use of information about the natural range of variation in developing plan components. The final directive lists examples of situations where it is not appropriate to design plan components to restore past conditions for specific areas within an ecosystem. It allows the Agency to design plan components to provide ecological conditions to sustain functional ecosystems based on a future viewpoint. Functional ecosystems are those that sustain critical ecological functions over time to provide ecosystem services.

***Comment:** The Forest Service should reconsider whether coarse-filter approaches are sufficient for an assessment of ecosystem integrity and should consider other aspects of ecosystems besides integrity, such as species viability.*

***Response:*** From the current scientific information (77 FR 21212) the Agency has learned that a functioning ecosystem is what keeps species in the ecosystems and that the Agency considers viability when we have evidence that persistence of a species is a matter of substantial concern (species of conservation concern; FSH 1909.12, ch. 10, sec. 12.5). Furthermore, even under the 1982 planning rule we never assessed the viability of every species. The final directives give direction to consider specific aspects of ecosystems including, air, soil, water, riparian areas, system drivers, stressors, carbon, and identifying and assessing species at-risk. The assessment of ecosystems is complex. Therefore, FSH 1909.12, chapter 10 organizes the assessment into five items: the status of ecosystem integrity and its trend is assessed in section 12.1; air, soil, and water resources are assessed in section 12.2; system drivers, stressors, and climate change are assessed in section 12.3; carbon stocks are assessed in section 12.4; and the status of at-risk species is assessed in section 12.5. Viability is an aspect of status of species. There is no requirement that the interdisciplinary team must finish one section before starting another section. They may work on all aspects of the assessment at the same time. Furthermore, chapter 10, section 11 recognizes that the process is often iterative because repetition of the procedures allows the interdisciplinary team to use what they learn in one part of the assessment to improve other parts of the assessment until they obtain a clear assessment.

***Comment:** The Forest Service should provide a conceptual model, such as the Open Standards for Practice of Conservation, to explain ecological connections between plan components and ecological conditions.*

***Response:*** The Open Standards for Practice of Conservation (OSPC) is a good example of a conceptual model to monitor and measure conservation success of projects. The OSPC is available at <http://cmp-openstandards.org/>. OSPC is an example of the “plan–do–check–adjust” iterative management method used in business for the control and continuous improvement of

processes. Several administrative units have used OSPC in planning including several units in region 8. The planning rule, at 36 CFR 219.5, provides the Agency conceptual model for land management planning. The framework consists of a three-part cycle: (1) assessment, (2) revision/amendment, and (3) monitoring. For ecological conditions, during the assessment phase the interdisciplinary team identifies key ecosystem characteristics and species at risk and potential species of conservation concern and evaluates the status of relevant ecological conditions and trends. In the revision or amendment phase, the interdisciplinary team develops desired conditions, objectives, suitability, standards, and guidelines for the ecological conditions of key ecosystem characteristics. During the monitoring phase, the status of a select set of key ecosystem characteristics are tracked as required by 36 CFR 219.12(a)(5)(ii).

### **Key Ecosystem Characteristics**

*Comment: The Forest Service should provide more guidance on selecting key ecosystem characteristics.*

*Response:* The final directives at chapter 20, section 12.13 clarifies the guidance for selecting key ecosystem characteristics, by adding a criterion that key ecosystem characteristics should be useful for monitoring trends.

### **Natural Range of Variation**

*Comment: Respondents had many comments about the natural range of variation and the following statements summarize them: The Forest Service should acknowledge the limits of "natural range of variation" and clarify what alternative key ecosystem factors would be used when information on natural range of variation is insufficient. The Forest Service should clarify that natural disturbance regimes and desired future conditions may not be the same. The Forest Service should revise the natural range of variation discussion to consider reference conditions. The directives should discuss reference conditions and reference areas and make them part of plan components. The directives should require areas not grazed by livestock be established as reference areas on National Forest System land. The Forest Service should incorporate more sources of information on the natural range of variation in the planning directives. The Forest Service should determine where current conditions are outside the natural range of variation and where restoration activity would be beneficial. The final directives should clarify the reference period for natural range of variation. The Forest Service cannot give exceptions to restoration of ecological integrity within the natural range of variation. The Forest Service should further explain and expand their exceptions to providing forest plans that contribute to natural range of variation conditions. The Forest Service should clarify whether forest plans must be within the natural range of variation or, if not, how plans will achieve ecological integrity.*

*Response:* The Agency revised the discussion of the natural range of variation in the final FSH 1909.12, chapters 10 and 20 and changed the definition of the natural range of variation in response to the comments about the natural range of variation. The natural range of variation (NRV) is part of the definition of ecological integrity (36 CFR 219.19; FSH 1909.12 zero code, sec. 05). Chapter 10, sections 12.14 through 12.14b provides guidance for evaluating the natural range of variation information in the assessment. Chapter 20, sections 23.11 and 23.11a give guidance for writing plan components and considering the natural range of variation conditions when doing so.

For the assessment, the identification of the natural range of variation gives insight into the temporal dynamic and key characteristics of ecological systems and establishes an ecological reference model for assessing the integrity of ecosystems. In plan development, the

interdisciplinary team may design the desired ecological conditions using information such as natural range of variation conditions or an alternative ecological reference model if the natural range of variation is not an appropriate approach.

The natural range of variation does not define a desired condition. The interdisciplinary team may use an alternative ecological reference model instead of the natural range of variation for the assessment when information about the past is missing. The directives require the documentation of the status of the ecosystem integrity and trend by comparing the existing condition with natural range of variation or other ecological reference model. The Agency removed the discussion that was in the proposed directives about reference period from FSH 1909.12, chapter 10, section 12.14a because it is too complicated for an Agency directive and other sources explain it. For understanding the reference period and for more detail about the natural range of variation, the final directive gives a cross-reference to the: Weins, J.A., G.D. Hayward, H.D. Safford, and C.M. Giffen. 2012. Historical environmental variation in conservation and natural resource management. Wiley-Blackwell. Chichester, West Sussex, UK. 337 p.

The final directives do not require the establishment of “reference areas” not grazed by livestock. The Planning Rule does not require such areas, and the Forest Service decided that such mandatory “reference areas” would remove flexibility for plans to reflect different and unique circumstances across the National Forest System, including the best available scientific information, public input, and information about changing conditions at the unit level.

### **Carbon Stocks**

***Comment:** Some respondents suggested the Forest Service should modify or remove the language discussing identification of carbon stocks and the influence of activities on carbon stocks from the planning directives (FSH 1909.12, ch. 10, sec. 12.4). Other respondents felt that the Forest Service should provide more detail on how to assess baseline carbon stocks for forest planning efforts. Another respondent felt that the Forest Service should provide a protection standard that recognizes the importance of carbon-dense ecosystems.*

***Response:** The 2012 Planning Rule requires the Forest Service to make a baseline assessment of carbon stocks (36 CFR 219.6(b)(4). In the final directive, at FSH 1909.12, chapter 10, section 12.4 the Agency clarified the direction for assessing carbon stocks and added a cross-reference to an Agency web site that describes analytical tools for analyzing carbon (FSH 1909.12, chapter 10, section 12.4.)*

Carbon stocks are the amount of carbon stored in the ecosystem, in living biomass, soil, dead wood, and litter. The purpose of the baseline carbon stock assessment is to assess issues associated with climate change related to the role of vegetation management at the plan level in sequestering and storing carbon. The purpose includes learning where the carbon is stored, how the storage is changing, and how management might influence the storage. This requirement ensures that information about baseline carbon stocks is identified and evaluated before plan revision or development.

The Research and Development staff of the Forest Service is assisting management units with carbon assessments. The assessment of carbon stocks is linked to the Forest Service Climate Change Roadmap and Scorecard. The roadmap describes the Agency's strategy to deal with climate change. The scorecard is an annual reporting mechanism to check the progress of each

National Forest System unit to achieve strategic goals established by the U.S. Department of Agriculture.

The Agency retained the definitions of carbon pool and carbon stocks in the FSH 1909.12 zero code chapter of the 2013 proposed directives. For the plan revision assessment, the final directive does not require the interdisciplinary teams to analyze carbon in fossil fuel resources, lakes or rivers, emissions from agency operations, or public use of National Forest System lands because these pools are not related to vegetation management at the plan level. The Agency did not add a carbon protection standard because significant differences in circumstances across the National Forest System could make specific national standards unworkable or not reflective of the best available scientific information for a given plan area. While carbon storage is an ecosystem service identified in the rule, a separate carbon standard is not required so as to allow individual forest units to evaluate the range of ecosystem services and other goals. .

### **Ecosystem Services**

***Comment:** The Forest Service should define and describe a broader array of ecosystem service benefits and include their assessment in more areas than just the social, cultural, and economic section, so as not to overlook assessment of services such as climate regulation.*

***Response:*** The Planning Rule definition of ecosystem services begins with the general statement that ecosystem services are benefits people obtain from ecosystems. FSH 1909.12, chapter 10, section 13.12 gives direction about assessing ecosystem services. Ecosystem service direction is placed with the direction about socio-economic and multiple use sections of the directives because ecosystem services are covered in the social and-economic sustainability section (36 CFR 219.8(b) and the multiple use section (36 CFR 219.10) of the planning rule. FSH 1909.12, chapter 10, section 13.12 also cross references other sections of chapter 10 that provide guidance on assessing specific ecosystem services.

Since the set of ecosystem services, climate regulation, provided by any particular plan area is potentially vast, the guidance about ecosystem services (FSH 1909.12, chapter 10, section 13.12) focuses on a set of key ecosystem services initially identified during the assessment. These key ecosystem services are defined in FSH 1909.12 zero code section 5.0 as ecosystem services provided by the plan area that are important in the broader landscape outside the plan area, and that are likely to be influenced by the land management plan. Public participation during the assessment is expected to help identify these key ecosystem services. The plan is expected to have plan components providing for these key ecosystem services. The environmental documentation for the plan will likely describe the environmental effects of the plan on these key ecosystem services.

The concept of key ecosystem services provides for a clearer focus on what is needed to address the most important ecosystem services in the planning process while simultaneously avoiding excessive attention to ecosystem services that may be of little importance or may not be affected by the plan.

While the planning effort may focus on a specific set of key ecosystem services, there are multiple additional requirements of the Planning Rule that may contribute to provision of ecosystem services, even if the ecosystem service is not identified as “key”. These include Rule sections on Sustainability (§ 219.8), Diversity of Plant and Animal Communities (§ 219.9) and Multiple Use (§ 219.10).

**Comment:** *The Forest Service should reorganize the ecosystem assessment section to make multiple use and other individual uses subsets of ecosystem services, to avoid duplicate counting of the same values, and should integrate the ecological terminology used throughout the directives.*

**Response:** The Planning Rule describes ecosystem services and multiple uses together in the same sections (36 CFR 219.6(b), 219.8(b), 219.10, and 219.10(a)). The Planning Rule also defines ecosystem services as “benefits people obtain from ecosystems” (36 CFR 219.19). The directive acknowledges that there is overlap between the two concepts.

Thus the directives are organized similar to the Planning Rule as multiple use and ecosystem services are presented in introductory sections of FSH 1909.12 (chapter 10 sections 13.11 and 13.12 and chapter 20 sections 23.21a and 23.21b). Specific considerations about multiple uses and ecosystem services are often described in individual sections of FSH 1909.12, chapters 10 and 20. The final directives at FSH 1909.12, chapter 10, section 13.12, exhibit 01 display cross-references to many ecological sections of the directives where guidance related to ecosystem services may be found.

The ecological terminology such as “ecosystem integrity”, “species of conservation concern”, and others derive specifically to meet the requirements of sections 219.8(a) and 219.9 of the planning rule. The directives are organized to meet requirements of the rule rather than as a framework for ecosystem services. The overlap between ecosystem services and ecological parts of the rule is addressed through the cross referencing previously described.

**Comment:** *The Forest Service should make the assessment of ecosystem services more robust by using as many quantitative measures as is feasible, such as willingness to pay and break-even analysis, and by ensuring baseline ecosystem services evaluations have been conducted.*

**Response:** Because of the difficult nature of quantifying and valuing nonmarket goods and services, the Department (USDA) decided not to require those calculations as a part of the Planning Rule (see 2012 Planning Rule preamble for further information) (77 FR 21187-21188) (April 9, 2012).

The Rule requires plan components to provide for ecosystem services, which includes consideration of market and nonmarket benefits. Under National Environmental Policy Act requirements, plan revision EISs, or plan amendment environmental documentation, will include effects analyses for significant issues and will likely discuss the comparative benefits and tradeoffs associated with key market and nonmarket ecosystem services associated with significant issues.

## **Economics and Recreation**

**Comment:** *The Forest Service should place more focus on the economic value of recreation in the recreation assessment.*

**Response:** The directive has been modified to clearly recognize recreation as a major contribution of national forests to social, cultural, and economic conditions. The assessment of the contribution of recreational experiences and tourism opportunities can include identifying and evaluating available information related to the economic value of recreation. The assessment section on recreation makes clear that the Responsible Official should evaluate how recreation contributes to social, economic, and ecological sustainability.

## Vegetation Mapping

**Comment:** *The Forest Service should share classification systems for vegetation mapping with adjacent landowners. If classification systems can be in sync with each other it can be very valuable for information sharing, system level modeling, shared decision making, system level fire management and restoration action, and other goals of collaboration.*

**Response:** The final directive at FSH 1909.12, chapter 10, section 12.11 says the interdisciplinary team should use existing Forest Service tools for identifying and classifying ecosystems. These tools are required so that information can be shared across administrative boundaries. The tools are available to the public. FSH 1909.12, chapter 10, section 11.21 requires the Responsible Official to reach out and engage the public (including adjacent landowners to develop a common understanding of the topics across the landscape. The engagement could include the sharing of classification systems.

## Range

**Comment:** *The Forest Service should use best available scientific information (BASI) to fully assess and analyze the wide range, and types, of impacts livestock have on ecosystems and wildlife, rather than simply assessing the level of grazing impacts. Consider also the direct and cumulative effect that other resource uses may have on the ability of permittees to use their grazing allotments productively.*

**Response:** Best available scientific information is expected to be used throughout the planning process, including when evaluating livestock grazing. Chapter 10 has been modified to include identification and evaluation of information about the impacts of grazing on ecological integrity and species diversity. Similarly, this information is expected to be considered in the development of plan components. When grazing occurs in a plan area, the environmental document supporting the plan decision is expected to disclose the effects of grazing on other resources and the effects of other resource uses on grazing.

**Comment:** *The assessment of range should include a detailed evaluation of range condition at the grazing allotment and watershed scale as well as potential impacts on other ecosystem services such as forage for wildlife, groundwater recharge, soil formation and so on.*

**Response:** The assessment identifies and evaluates available information. To the extent that there is available information regarding range conditions at either an allotment or individual watershed scale, this information may be useful during the assessment in the evaluation of overall range conditions and specific impacts from grazing to other ecosystem services. However, there is no requirement in the directives to develop such specific evaluations for the land management planning assessment. In the context of an individual allotment or watershed, the environmental documentation for an allotment management plan is where information at this scale is most appropriately considered.

**Comment:** *The Forest Service should not use the term range to describe all lands that are grazed. In order to recognize and protect the diversity of ecosystems that comprise "rangelands," the Forest Service should properly refer to these lands by ecological nomenclature rather than commercial nomenclature.*

**Response:** The Multiple- Use Sustained- Yield Act of 1960 sets forth that management of range is one of the purposes of the National Forest System. Range management is the development, administration, and protection of range resources; and the permitting and regulating of grazing



use of all kinds and classes of livestock on all National Forest System (NFS) lands (FSM 2201). FSH 1909.12, chapter 10, section 13.32 is primarily about range as a purpose of managing the National Forest System as set forth in the Multiple-Use Sustained-Yield Act of 1960 for grazing, rather than “rangelands” as a varied set of different ecosystems. FSH 1909.12, chapter 10, section 12.1 of this Handbook gives guidance about assessing sustainability of specific ecosystems associated with rangelands, such as sagebrush, grasslands, and meadows.

**Comment:** *The Planning Rule Directives should exempt areas from livestock grazing because of consequences to wildlife.*

**Response:** It is not for the Directives to say where grazing may or may not occur; that is a decision to be made on each administrative unit. The final directives indicate that Responsible Officials may indicate management areas or other areas where livestock grazing or wild horse and burro management is or is not suitable, depending on physical and ecological considerations and the desired conditions for the areas.

## **Timber**

**Comment:** *The Forest Service should provide information on the adverse and cumulative impacts of logging in the planning directives. Timber sections appear to overstate the ecological appropriateness of timber harvest in addressing stressors such as insects, disease, and wildland fire. This section needs to be better balanced and cross-referenced to directives addressing cumulative impacts on resilience, ecosystem integrity, wildlife viability, and ecological sustainability from logging.*

**Response:** The Agency modified FSH 1909.12 chapter 10 section 13.33 by directing that the interdisciplinary team should identify and evaluate information about the impacts of timber harvest on ecological integrity and species diversity in the assessment. The chapter 20 section on timber (23.23e) has also been modified by indicating that timber harvest may also be a stressor to ecosystems and an influence on ecological integrity and species diversity that needs to be considered consistent with guidance in section 23.1. The impacts of any timber harvest activity intended under the plan are described in the environmental analysis document accompanying the plan.

**Comment:** *In chapter 10, by indicating that the assessment should identify and evaluate information about how timber contributes to ecological, social and economic sustainability, the Forest Service gives the impression, intentional or not, that timber harvest must meet a higher bar than other resources. This should be revised to more thoroughly encompass forest resource issues, including standing inventory, age class diversity, species composition, annual growth, growth versus harvest and mortality annually, and so on.*

**Response:** The wording regarding identification and evaluation of sustainability is essentially the same for all multiple uses and ecosystem services covered in FSH 1909.12 chapter 10 section 13.3. Ecological sustainability is specifically included here to identify and evaluate information about how timber harvest may contribute to ecological sustainability such as creating diverse composition and structure of forests, treatment of insect and diseases, and other applications specific to the plan area. It does not set any greater requirements for identification and evaluation of timber beyond what is stated in the Planning Rule. FSH 1909.12 chapter 10, section 13.33 has been adjusted to indicate that information such as the current condition of forests in the plan area including standing inventory, age classes, growth and mortality should be identified and evaluated during the assessment.

## **Timber Suitability**

**Comment:** *The Forest Service should include timber suitability as part of the assessment process.*

**Response:** Identification of lands not suited for timber production cannot be done during the assessment. Whether lands are suitable for timber production is a determination to be made in the development of a plan, based in part on the desired conditions for the plan area or portions thereof.

FSH 1909.12, chapter 10, section 13.33 has been modified to indicate that during the assessment the Responsible Officials should identify and evaluate available information relevant to identifying land that *may* be suitable for timber production.

The process of identifying lands that *may* be suitable for timber production and the lands that are determined to be suitable for timber production is described in FSH 1909.12 chapter 60 section 61. The Responsible Official has the option to identify the lands that *may* be suitable for timber production in the assessment but is not required to do so.

## **Energy and Minerals**

**Comment:** *The directives fail to recognize the Forest Service's authority and responsibility to determine where and how mineral development will be allowed in the National Forest System. Oil and gas drilling and coal mining can only occur where those activities are consistent with forest management plans. The directives should clearly define how the Agency would be expected to respond when faced with a proposed project that would significantly affect public lands.*

**Response:** The Agency agrees that oil and gas development and coal mining must proceed only where consistent with the land management plan for lands within the Federal mineral estate. The Federal mineral estate refers to the lands where the Federal government has the title or interest in the sub-surface mineral rights.

There are a number of different laws and regulations that govern the process to determine development and use of the federal mineral estate. These laws and regulations are identified in FSH 1909.12 in chapter 10 section 13.52 and chapter 20 section 23.23i. The decisions for nonrenewable energy and mineral development must be consistent with these laws and regulations. These laws and regulations often require greater detail in the analysis than is needed in the analysis for the land management plan. Responsible officials have the option to incorporate these nonrenewable energy or mineral decisions into the land management plan, make separate decisions concurrently with the land management plan, or defer decision making until the issue is ripe or until the Forest Service considers a specific project or activity.

In developing an integrated set of plan components, the Responsible Official should include plan components to guide the development of mineral and nonrenewable resources where applicable in the plan area and where the Responsible Official has the authority to do so as part of the land management planning process. Plan components related to mineral resources must be in accord with Agency jurisdiction, applicable law, and Federal regulations with recognition of valid existing or statutory rights.

Specific mineral project proposals for minerals that are within the Federal estate and subject to Forest Service authority will be evaluated in terms of their consistency with the land

management plan. The Forest Service may not authorize a BLM leasing decision that is inconsistent with the land management plan decision, and the BLM may not issue any lease on National Forest System lands without the authorization of the Forest Service.

## **Oil and Gas**

***Comment:** The Forest Service should provide more detail on how the assessment process will work relative to oil and gas leasing suitability determinations.*

***Response:** FSH 1909.12, chapter 10, section 13.52 of the final directives has been modified to include greater detail about nonrenewable energy resources including oil and gas. The added detail includes:*

1. Greater description of the authority of the Forest Service with respect to nonrenewable energy including reference to applicable regulations,
2. Greater description about each of these resources,
3. Listing nine specific types of information to be identified and evaluated in the assessment including any previous oil and gas availability and leasing decisions, and
4. A description of the coordination role of BLM in the assessment process.

With respect to oil and gas leasing decisions, Responsible Officials have the option to incorporate these decisions into the land management plan, make separate decisions concurrently with the land management plan, or defer decision making until the issue is ripe or until the Forest Service considers a specific project or activity. The information identified and evaluated in the assessment will be considered in the development of the land management plan and is available for consideration in any oil and gas availability decision.

## **Recreation**

***Comment:** The Forest Service should expand the recreation assessment. This expansion of the recreation assessment should include an assessment of recreation needs rather than just current use, including factors such as the displacement impact of recreation closures on adjacent lands. The expansion should include using State Comprehensive Outdoor Recreation Plans (SCORP) data in the assessments and considering non-recreation uses of recreation routes.*

***Response:** The final directive has maintained the guidance in FSH 1909.12, chapter 10, section 13.4 for considering how influences outside the plan area may influence the demand or needs for recreation in the plan area or the ability of the plan area to meet those demands. This guidance includes consideration by the interdisciplinary team of the preferences of the public and demand for specific recreation opportunities or settings and the availability of recreation opportunities on other lands within the broader landscape. Consideration of the availability of recreation opportunities on other lands includes a closure of such opportunities on adjacent lands.*

It is not expected that the plan assessment will include a specific recreational needs assessment for the plan revision, although much of the content in the plan assessment could be similar to that of a recreational needs assessment.

SCORPs (State Comprehensive Outdoor Recreation Plans) are one type of plan to be identified and evaluated in the assessment as an approved plan of a state government. SCORPs also include considerable information about recreational preferences. FSH 1909.12, chapter 10,

section 11.2 identifies SCORP as a possible source of information. FSH 1909.12, chapter 10, section 13.4 states that variety of internal and external sources related to recreation can be found at: <http://www.fs.fed.us/emc/nfma/TIPS/directives/ch10recreation.shtml>. SCORPs are included in this web link.

***Comment:** The Forest Service should clarify how to determine “sustainable recreation” in the assessment phase and linkage to ecological conditions and integrity.*

***Response:** The sections on sustainable recreation were revised and expanded to provide greater detail on concepts of sustainable recreation in terms of ecological, social and economic sustainability. See FSH 1909.12, chapter 10, section 13.31 and 13.4. The final directive was modified to add the impacts of recreation on ecological integrity and species diversity as one of the types of information that the interdisciplinary team should identify and evaluate.*

### **Recreation Opportunity Spectrum (ROS)**

***Comment:** The Forest Service should update the recreation opportunity spectrum (ROS) framework during their assessment process, to reflect changes in the recreation conditions, including changes from the MVUM [motor vehicle use maps] and an assessment of winter ROS. The ROS framework should also be updated to include a primitive motorized land use category.*

***Response:** FSH 1909.12, chapter 10, section 13.4 has been modified to indicate that the interdisciplinary team shall identify and evaluate available information about recreational settings and opportunities, including seasonal variation, using the recreation opportunity spectrum (ROS). An update of ROS information is not required during the assessment, though additional information not included in ROS may also be identified and included in the assessment process. The Forest Service uses the recreation opportunity spectrum to define recreation settings and categorize them into six distinct classes: primitive, semi-primitive non-motorized, semi-primitive motorized, roaded natural, rural, and urban (36 CFR 219.19). The desired ROS class is not required to be the same as the existing ROS class.*

FSH 1909.12, chapter 20, section 23.23 states that the interdisciplinary team may create desired recreation opportunity spectrum subclasses. For example, the subclass “roaded modified” was first defined in the Pacific Northwest to distinguish those settings significantly altered by past timber harvest from other roaded natural. The interdisciplinary team may also create desired recreation opportunity spectrum classes to reflect seasonal variations. Desired winter recreation opportunity spectrum classes can be developed to depict changes in the location, mix and distribution of setting attributes, access, and associated opportunities (both motorized and nonmotorized).

### **Aviation**

***Comment:** Identify sources of information for aviation and airstrip assessment through collaboration with aviation stakeholder groups.*

***Response:** The information to be used in the assessment is not limited to the linked sources of internal and external information sources contained in chapter 10. Interdisciplinary teams for each unit are expected to use other available information including information submitted by the public or local aviation groups. This information can be used in preparing plan components that influence airstrips and air access.*

**Comment:** *The directives should address aviation by acknowledging aviation as a recreational activity, evaluating the historical significance of airstrips, and should encourage aviation because it provides public safety services and recreational access while minimizing environmental impacts.*

**Response:** Chapters 10 and 20 have been modified to recognize airstrips as part of the infrastructure of a plan area that contributes to social and economic sustainability including recreational access. Plan components must be developed with consideration of the infrastructure, including airstrips and air access, and plan components may directly address airstrips in the plan.

### **Utility Facilities and Corridors**

**Comment:** *The Forest Service should prioritize use of public lands for utility facilities and corridors. Use of public lands for infrastructure that serves the American people on a whole should have a priority use, not a last resort, or unavoidable." The existing permanent utility facilities and their operation should be stated as the highest and best use of this land, which is dedicated to that utility. Accomplishing every use on every acre is not possible in these corridors.*

**Response:** The assessment is expected to identify and evaluate information about existing energy transmission corridors and the potential need for new transmission corridors. The final directives indicate that plans may have desired conditions that identify long-term energy developments or transmission corridors and the desired context for their operation. Plans may also have other plan components such as suitability that can identify areas that are suitable or not suitable for specific utility facilities and standards and guidelines related to infrastructure development or management. The plan may identify certain areas specifically for utility facilities or corridors where such use would be a priority.

### **Adjacent Lands**

**Comment:** *The Forest Service should consider in its assessments the broader impacts of Forest Service actions on adjacent lands.*

**Response:** During the assessment, the interdisciplinary team is expected to identify and evaluate information relevant to the impacts of the plan area on adjacent lands and the broader landscape. See direction in FSH 1909.12, chapter 10, sections 11.1, 11.3, 12.1, 12.11, 12.13, 12.14c, 12.2, 12.23, 12.32, 13, 13.11, 13.12, 13.13, 13.2, 13.21, 13.24, 13.34, 13.4, and 13.9. During planning these impacts are considered in the development of plan components. The impacts of plan components including the effects on adjacent lands are evaluated in the environmental documentation that supports the plan decision.

## **Forest Planning – General Comments**

### **Plan Components**

**Comment:** *Citing FSH 1909.12, chapter 10, section 21.2, a respondent felt that mandatory plan components and resources when developing or revising a plan must be expanded to include the multiple use mandate of recreation in section 21.2-Exhibit 01 of chapter 20 of the proposed directives and other sections such as section 23.2 so that outdoor recreation obtains the proper emphasis of the National Forest Management Act and not subject to constraints of ecological conditions for at-risk species or funding. Another respondent felt the proposed directives are wrong where there are numerous instances in section 23 of chapter 20 that the draft directives say that plans "should" or "may" contain standards or guidelines that really must be included if*

*the plan is to achieve the goals set forth in the Planning Rule. Another respondent felt the final directives should clarify that plan components don't need to conform to distinctive roles and contributions of plan areas. Another respondent felt that plan components related to protecting wildlife and wilderness should be mandatory and not voluntary.*

**Response:** The Agency removed the exhibit in chapter 20, section 21.2 of the proposed directive and replaced the exhibit by a list of considerations when preparing new or revised plans in chapter 20, section 21.12 of the final directive. This list of considerations includes the requirements of the Rule at 36 CFR 219.7(c)(2) and consideration of ecosystem services and multiple use, which includes outdoor recreation. As explained in FSH 1909.12, chapter 20 in the beginning of sections 22 and 23 and in section 23.11 of chapter 20, the interdisciplinary team must design plan components to provide for ecological integrity, ecosystem services, and multiple uses including outdoor recreation in an integrated fashion. However, requirements for threatened and endangered species and funding constraints affect all the multiple-use purposes of the National Forest System, including outdoor recreation.

As explained in the beginning of section 23 of chapter 20, plan components, including standards or guidelines are required for many topics. A separate plan section, or even a unique plan component, is not required for each topic. Rather, the plan components should be integrated in any manner that ensures that the plan, as a whole, meets each of the Rule's requirements. One plan component can address more than one requirement; for example, a standard that limits soil disturbance during timber harvesting operations would respond to the Rule's requirements for standards or guidelines that timber harvest not irreversibly damage soil and be carried out consistent with the protection of soil, as well as the Rule requirements for standards or guidelines regarding the maintenance or restoration of ecological integrity, riparian areas and water quality.

The final directives clarify the requirements for describing distinctive roles and contributions within the broader landscape. See FSH 1909.12, chapter 20, section 22.32. The plan area's distinctive roles and contributions within the broader landscape can provide focus or context and can aid in developing plan components. The final directive does not require that plan components conform to distinctive roles and contributions within the broader landscape.

The directives are consistent with the requirements of the 2012 Planning Rule and the Agency believes that these requirements provide an appropriate balance of requirements and discretion.

**Comment:** *Clarify the sentence that says plans should not have unique plan components for every resource.*

**Response:** The final directive at FSH 1909.12, chapter 20, clarifies this concept in the beginning paragraphs of sections 22 and 23. The plan is not an assemblage of program plans that have unique plan components for every resource. Plan components must fulfill all the requirements of 36 CFR 219.8 through 219.11, but there need not be a one-to-one correlation of one plan component to each requirement listed in those sections. What is essential is that all of a plan's components together meet the requirements of the Rule to provide for management of multiple uses, the production of goods and services in a way that is ecologically sustainable, contributions to economic and social sustainability, and diversity of plant and animal communities. All of these requirements must go hand in hand.

**Comment:** *Respondents asked that the Agency clarify the following about plan components: clarify enforceability of each plan component; clarify ability of plan components to constrain or prohibit public activities; require documenting assumptions for plan components; provide*

*guidance on evaluating and adopting lower tier components such as trail class, managed uses, designed use, and design parameters and identify prohibited uses for national scenic trails.*

**Response:** The final directive does not clarify enforceability of each plan component as the planning rule requires projects be consistent with each applicable plan component at 36 CFR 219.15(d). The preamble of the final rule also discusses how projects must be consistent with plan components at 77 FR 21241, April 9, 2012. Plan components must include desired conditions and objectives. The plan components of standards and guidelines constrain projects and activities. Desired conditions may also constrain a project if the project would preclude attainment of the desired conditions. For plans developed or revised under subpart A of 36 CFR 219, every project and activity must be consistent with the applicable plan components including desired conditions. A project or activity approval document must describe how the project or activity is consistent with applicable plan components.

The Agency modified and moved the proposed guidance about public use prohibitions, project and activity decisions, and plan components from FSH 1909.12, chapter 20, section 22.5 to section 21.7 and section 21.8. The final direction is consistent with the 36 CFR 219.2(b)(2) in that plan components apply to Forest Service employees, not to the public. As clarified in the final directive at FSH 1909.12, chapter 20, section 21.8, public use prohibitions may be used to constrain the public. Public use prohibitions are not plan components. FSH 1909.12, chapter 20, sections 22.1 through 22.16 clarifies how plan components apply to projects.

The final directive adds guidance about how to document analytical conclusions and assumptions in section 21.42 of chapter 20. In addition, the Agency clarified the guidance on how to document the use of best available scientific information in the planning process including the development of plan components in FSH 1909.12, zero code, section 7.

The Agency modified and moved the proposed guidance about designated areas and designated area plans located in FSH 1909.12, chapter 20, section 22.22 of the proposed directives to chapter 20, section 24 of the final directive. FSH 1909.12, chapter 20, section 24.3 covers the requirements for designated area plans. FSH 1909.12, chapter 20, section 24.43 gives guidance about national scenic and historic trails. Specific plans for designated areas must be consistent with the plan components of the land management plan. Designated area plans often include more detailed management guidance or strategies (such as trail class) than plan components of a land management plan.

Land management plans are NOT the only vehicle for providing information for subsequent projects and activities to help achieve the desired conditions in the land management plan. Land management plans or designated area plans can include other existing sources of information as “other plan content” such as standard road and trail construction clauses, special use authorization clauses, memoranda of understanding between the Forest Service and other agencies, congressional direction, or best management practice guidebooks.

### **Plan Amendments and Revisions**

**Comment:** *Respondents felt the Forest Service should provide more detail on when and how plans should be amended or revised. Concerns included new information, where plan components apply, clarifying plan revision, additional criteria for project amendments, and proper NEPA documentation for significant amendments.*

**Response:** The Agency clarified the process for plan amendment and revision in FSH 1909.12, chapter 20, section 21. The Agency edited section 21 to clarify the requirements and added a section on evaluating new information about species of conservation concern (section 21.22b). New information might lead to adding or removing a species of conservation concern that might lead to a plan amendment. The Agency edited section 22.2 to improve the clarity for guidance on where plan components apply. Plan revision is defined in the 2012 Planning Rule at 36 CFR 219.7(a). A plan amendment is defined at 36 CFR 219.13(a). Plan amendments may be limited to apply only to the project or the activity (36 CFR 219.15(c)(4)), no additional criteria is needed for such amendments. Guidance for coordination of planning and the National Environmental Policy Act (NEPA) procedures for amending or revising plans is in FSH 1909.12, chapter 20, sections 21.13 and 21.1 which provide that all plan amendments must comply with Forest Service NEPA procedures (36 CFR part 220, FSM 1950, FSH 1909.15).

The 2012 Planning Rule provides that appropriate NEPA documentation for an amendment could be an environmental impact statement, an environmental assessment, or a categorical exclusion depending upon the scope and scale of the amendment and its likely effects. A proposed amendment that may create a significant environmental effect and thus require preparation of an environmental impact statement is considered a significant change in the plan for the purposes of the National Forest Management Act (36 CFR 219.13(b)(3)).

### **Desired Conditions**

**Comment:** *Some respondents felt the Agency should strengthen wording for desired conditions to describe the fundamental role that desired conditions should play in establishing the vision of the plan, identifying the focal targets that the plan will address and communicating what success will look like. Other respondents felt that the desired condition and objective sections of chapter 20 are neither logical nor based on science because process such as fire is far more important than certain ecological characteristics.*

**Response:** The Agency clarified the guidance for desired conditions (FSH 1909.12, chapter 20, section 22.11). The guidance now says, “Desired conditions describe the aspirations or visions of what the plan area (or portions thereof) should look like in the future and drive the development of the other plan components. Responsible Officials should include sufficiently detailed descriptions of desired conditions so they are useful to determine the purpose and need for many projects such as restoration projects and activities.”

The Agency clarified that desired conditions may include function (ecological processes such as fire). The directives do not limit statements of desired conditions and objections to ecological characteristics.

**Comment:** *A respondent wrote that “I would like an affirmative recognition somewhere that the responsible official must ‘design the desired landscape.’ ”*

**Response:** In section 22.11 of chapter 20, the final directives added a statement that the desired conditions essentially set forth the desired landscape of the future. The desired landscape is for National Forest System lands only. It does not apply to private land.

### **Objectives**

**Comment:** *A respondent felt the FSH 1909.12, chapter 20, section 22.12 directions, that plan objectives “must be stated in measurable terms with specific reasonable time frames” and “are neither actions nor commands to take action and are not to be written as such” are mutually*



*exclusive. Other respondents felt that the Agency should use objectives instead of standards when standards that compel an agency action are not warranted or feasible; write objectives to indicate budget priorities and address assumptions about resource availability.*

**Response:** The definition of objectives is defined in the Planning Rule. The final directive is consistent with the Planning Rule. The Agency modified the final directive (FSH 1909.12, chapter 20, section 22.12) to say:

1. Must be outcomes designed to make progress toward attaining desired conditions;
2. Help set the basis for priority areas or activities, with a timing expectation that near-term objectives would be completed first, depending on funding;
3. Must be clearly stated in measurable terms with specific and reasonable timeframes;
4. Should be expressed in terms of outcomes, not actions; and
5. Must be attainable within the fiscal capability of the unit, determined through a trend analysis of the recent past budget obligations for the unit (3 to 5 years); (Other plan content (such as potential management approaches, sec. 22.4 of this Handbook) may identify how the Responsible Official would respond to enhanced resources or other efficiencies that would facilitate attaining desired conditions (36 CFR 219.1(g)).

Objectives are preferred outcomes, results, or things to accomplish. No plan component compels action. Objectives are not actions or commands. So, an objective may be stated using “nouns, not verbs.” The interdisciplinary team must ensure plan components are within the fiscal capability of the unit (36 CFR 219.1(g)). Fiscal capability may include the capabilities of working with partners to accomplish objectives.

## **Standards**

**Comment:** *A respondent felt that the Agency should clearly document the scientific rationale for plan standards. Other respondents felt that the directives do not adequately emphasize the importance of standards or provide enough guidance in how standards should be used in planning. A respondent felt the directives “must make it mandatory for each national forest to develop ‘must achieve’ measurable forest plan standards” and that “[e]ach project must be designed to achieve the standards”. Several respondents felt that standards should direct or compel action.*

*A respondent said they are confused by the requirement that standards are to guide the design of projects but not mandate conditions outside of project areas. They said this is confusing because standards are typically applied at either the forest level or management-area level, meaning they potentially impact multiple project areas.*

*A respondent felt that in cases where adaptive management is necessary, the Agency should try to anticipate possible changes to standards and provide mechanisms for their adjustment.*

*A respondent asked what actions must be taken by the Agency if a standard is breached.*

**Response:** As the proposed directive did in FSH 1909.12, chapter 40, the final directive at FSH 1909.12, zero code, section 7 requires the Responsible Official to describe how the best available scientific information was used to inform the development of the set of plan components. The final directive retains the discretion to justify standards for non-scientific reasons.

Every plan must have standards (36 CFR 219.7(e)(1)). The final directive at Chapter 20, section 23, added an exhibit 01 to list the 20 topics for which plan components, including standards or guidelines, are required by the Planning Rule. The Agency modified the description of standards in the final directives to give guidance on how standards set constraints, limits and restrict authorization of projects and activities. See FSH 1909.12, chapter 20, section 22.13. Plan components are defined at 36 CFR 219.7(e)(1) so that they do not compel action. Standards are not desired conditions. The 2012 Planning Rule defines standards and guidelines as constraints; therefore, any statement that is written as compelling or directing action is not a standard, or any plan component.

The final directive retains the requirement that standards must not mandate conditions beyond those affected by a project. Standards constrain the design of projects and activities. Standards often apply forestwide so that they apply to all projects or activities within the management unit. However, the interdisciplinary team should write standards so that they do not mandate conditions outside of the project or activity area. The Responsible Official defines the project or activity area. The project or activity area may be unitwide. Responsible Officials may not approve projects or activities unless the project or activity complies with applicable standards.

Standards may be written so that the constraint may be adaptable to on-the-ground conditions. Directives like the planning rule require that standards may only be modified by plan amendment.

### **Guidelines**

***Comment:** The Forest Service should clarify when, and how, to use guidelines in the forest planning process. Guidelines could be positive statements that help drive the movement towards achieving objects and achieving the desired condition. Since guidelines are not “mandatory,” they seem to serve little or no useful purpose.*

***Response:** The Agency made minor edits to clarify guidelines under the 2012 Planning Rule in FSH 1909.12, chapter 20, section 22.14. Guidelines are not positive statements that help drive toward desired conditions. Guidelines are constraints to help achieve or maintain desired conditions. For plans revised under the 2012 Planning Rule procedures, guidelines are mandatory but give flexibility about compliance. Guidelines, like standards are important to set constraints on projects and activities but, unlike standards, allow discretion in how to comply, as long as the guideline’s purpose is achieved. Responsible Officials may not approve projects or activities unless the project or activity complies with applicable guidelines or the project or activity is designed in a way that is as effective in achieving the purpose of the applicable guidelines (Sec. 219.15(d)).*

### **Suitability**

***Comment:** A respondent said the proposed directives at FSH 1909.12, chapter 20 22.35(d)(2) ) requires that all projects or activities confirm that they are “[n]ot a use for which the area is specifically identified in the plan as suitable, but is not a use precluded by a ‘not suitable’ determination.” It seems appropriate to ask what will happen if the pre-existing motor vehicle use map (MVUM) authorizes a motorized trail within an area that staff finds is not “suitable” for motorized recreation on designated roads and trails in the revised forest plan? Would the line officer then be required to modify the MVUM accordingly? If so, is this not an implementation decision? It seems reasonable to argue that, as written, the suitability determinations are in fact implementation level decisions disguised in a programmatic land use plan.*

**Response:** The Agency removed the proposed guidance on project consistency requirements for suitability of land, as the Agency will rely on the 2012 Planning Rule wording at 36 CFR 219.15(d). Motor vehicle use map (MVUM) shows where travel is not prohibited.

However, the Rule requires ongoing decisions such as existing motor vehicle use map to be made consistent with the plan, unless the decision document for the plan states the use may proceed unchanged (36 CFR 219.15(a)). However, it is not likely that a plan would identify lands not suitable for a widespread public use that the decision document would then allow (travel is not like a discrete timber sale, or other discrete project, after all).

Unless there is intent to change existing travel management designations, it is unlikely that roads, trails, or areas designated for motor vehicle use would be identified in the land management plan as places on which such use is not suitable.

To avoid unintended consequences, the Agency added a requirement in section 22.15 of chapter 20 that says when beginning to identify specific lands as suitable for various uses, the interdisciplinary team should consider what it learns from monitoring, project planning under the existing plan, travel management decisions, and existing resource plans. The identification of suitability of lands is not required for every resource or activity. Finally, it must be kept in mind that a plan governs the Forest Service, not the public. Even if the land management plan identifies a road, trail, or area as not suited for motorized use, such use is not prohibited unless and until the road, trail, or area is closed, through the travel management decision process (see 36 CFR part 212 subpart B and 36 CFR 261.13 or a closure order, 36 CFR part 261 subpart B).

**Comment:** *A respondent suggested the Agency define suitability. Several respondents felt the discussion of public use prohibitions, suitability, and unregulated public use in chapter 20 was confusing.*

**Response:** The directives do not define suitability because the Agency is using the term in its ordinary meaning. For instance, the Merriam-Webster dictionary defines suitable as having the qualities that are right, needed, or appropriate for something. The Agency clarified the discussion of suitability in FSH 1909.12, chapter 20, section 22.15, and clarified the discussion of public use prohibitions in FSH 1909.12, chapter 20, section 21.8. Unregulated public uses are simply uses of the National Forest System land that the public can engage in without obtaining previous authorization from the Forest Service. See 36 CFR 251.50(c): ‘A special use authorization is not required for noncommercial recreational activities, such as camping, picnicking, hiking, fishing, boating, hunting, and horseback riding . . . .’

The point of section 21.8 is to clarify that a land management plan does not constrain the public from enjoying such uses in the plan area; it only governs the Forest Service. FSH 1909.12, chapter 20, section 21.8 explains that any constraint of unregulated public occurs, not by the plan, but by the Forest Service Prohibition regulations. The prohibition regulations at 36 CFR part 261 subpart A apply throughout the National Forest System at all times. A closure order, issued pursuant to 36 CFR part 261 subpart B, can constrain the public’s otherwise unregulated uses on a more site and time specific basis.

**Comment:** *A respondent suggested that determinations regarding compatibility of a particular use or activity in a particular area are appropriately made at the project level. Another respondent felt that Responsible Officials have too much discretion to determine for which uses or activities lands will be identified as suitable or unsuitable. A respondent is concerned those examples of suitability and unsuitability may be perceived as national standards and that they*

*believe that such national standards are not appropriate and will cause problems for planners. A respondent did not understand why the suitability component is not appropriate for identifying specific tools for which lands are suitable or not. A respondent suggested the directives should include more criteria to help forest managers determine areas unsuitable for extractive and destructive uses.*

**Response:** The Agency agrees that suitability of lands need not be identified for every use or activity and that for some uses the identification of suitability may be better made at the project or activity level. Under the 2012 Planning Rule, the Responsible Official has discretion to identify suitability of lands for any number of uses or activities. However, the Responsible Official must identify those lands in the plan area that are not suitable for timber production.

The examples for “suitability of areas” in the planning directives and other plan components are not national standards. The examples are used to clarify the guidance, only.

The National Forest Management Act at 16 U.S.C. 1604(g)(1)(A) requires the planning regulations to specify guidelines that require the identification of the suitability of lands for resource management. The Multiple-Use Sustained -Yield Management Act defined the renewable resources of the National Forest System to be outdoor recreation, range, timber, watershed, wildlife, and fish. Therefore, the Agency decided that suitability of land is not the proper plan component to constrain management tools. Tools such as prescribed fire, clearcutting, or use of chemicals are not themselves multiple uses or activities but are management tools for carrying out uses and activities. Responsible Officials may constrain the use of a management tool with a standard or a guideline.

The Agency chose the wording in the final directive to give discretion to the Responsible Official to collaborate with the public and governmental entities to develop appropriate ways to address the issues. The Agency allows flexibility for plans to reflect the different unique circumstances across the National Forest System, including response to best available scientific information, public input, and information about changing conditions at the unit level.

## **Goals**

**Comment:** *A respondent felt that the Agency could use goals to clearly explain long-term intent, and provide affirmative direction for resource managers, as a supplement to desired conditions.*

**Response:** The Agency agrees goals may supplement desired conditions.

## **Designated Areas**

**Comment:** *The Forest Service should clarify the role of designated areas to reflect the fact that designated areas are an overlay on top of existing management areas and clarify the relationship between designations and management areas.*

**Response:** About 55 percent of the National Forest System has been designated as wilderness, national monuments, national recreation areas, wild and scenic rivers, and roadless (as a regulatory designation) (see page 2 of the EIS for the 2012 Planning Rule). The final directives at FSH 1909.12, chapter 20, adds a new section 24 on designated areas to consolidate direction about designated areas and to clarify that all designated areas must be identified in the plan and designated areas that have been statutorily designated or recommended to be statutorily designated must be shown on a map in the plan. Mapping may show the designated area as a management area, geographic areas, or as part of a separate overlay specifically to show location

of designated areas (FSH 1909.12, ch. 10, sec. 24.1, para. 2). Many National Forest System plan areas are likely to have more than one designated area applicable to the same land area such as inventoried roadless areas, designated critical habitat, and research natural areas. The plan must recognize these overlapping designations.

### **Distinctive Roles and Contributions**

*Comment:* A respondent felt the Forest Service should not use the timber industry as an example of distinctive roles and contributions in the planning directives.

*Response:* For some national forests, providing a sustainable supply of timber may be one of the distinctive roles or contributions of the plan area. Timber is one of the purposes of the National Forest System under the Multiple-Use Sustained-Yield Act of 1960. FSH 1909.12, chapter 20, section 22.32 of the final directive retains the following example of a possible role of many plan areas: “a major source of supply for local timber industry.”

### **Project Consistency Requirements**

*Comment:* A respondent felt the Agency should clarify the description of project consistency requirements. Another respondent had concerns with requiring the plan to include project consistency requirements in the plan, because by doing so might link the directives into the plans and make it more difficult for the Agency to modify directives that prove to be unworkable. Several respondents disagreed with the consistency wording. Each person had a different opinion. Some felt the words were self-contradictory, confusing, too strict, or too lenient.

*Response:* For the final directives, the Agency removed the proposed guidance of FSH 1909.12, chapter 20, section 22.35 on project consistency requirements for the individual plan components and the Agency will rely on the 2012 Planning Rule wording at 36 CFR 219.15(d). The Agency did add a discussion of project consistency with prior plans developed under the 1982 Planning Rule and amended with the 2012 Planning Rule (FSH 1909.12, ch. 20, sec. 21.33). The Agency may develop a technical guide for project consistency that would discuss issues and give examples, but not direction.

### **Optional Plan Content**

*Comment:* The Forest Service should suggest that optional plan content describe how the Endangered Species Act Section 7 consultation process for projects will tier to consultation on the plan or use the plan consultation documents.

*Response:* FSM 1920 at FSM 1920.3 requires that if approval of plan development, plan amendment, or plan revision may affect listed species or critical habitat, the Responsible Official shall consult with NOAA Fisheries or the U.S. Fish and Wildlife Service in accordance with Endangered Species Act 7(a)(2). Additional guidance on procedures for conducting such a review can be found in FSM 2670. Because the processes that link plans, projects, and ESA consultation varies across the nation, the final directive does not discuss tiering of consultations.

### **Restoration of Ecological Sustainability**

*Comment:* Respondents felt that plan components should emphasize restoration and require metrics for plan components or reference conditions so they may be evaluated. Another respondent felt the final directives should suggest the type of appropriate plan component to fully address each ecological sustainability requirement.

**Response:** Both the Planning Rule and the final directive emphasizes restoration of integrity. The final directives use key ecosystem characteristics (FSH 1909.12, chapter 10, section 12.13) as a metric and require comparison of current conditions with the natural range of variation or an alternative ecological reference model. The final directive in FSH 1909.12, chapter 20, section 23.1 focuses on what is required for ecological sustainability, describes how to write each of the plan components (chapter 20, section 22.1), and gives a few examples.

### **Air Quality**

**Comment:** *The Forest Service should include visibility and greenhouse gas emissions as air quality topics in the planning directives.*

**Response:** The final directive includes guidance for plan components for air quality in FSH 1909.12, chapter 20, section 23.12a. The topics include visibility, emissions, air pollution deposition, and smoke management.

### **Forest Planning – Multiple Use Management**

**Comment:** *The Forest Service should evaluate multiple use management within the context of ecological sustainability and ecosystem integrity.*

**Response:** The Agency agrees that multiple use management must be evaluated in the context of ecological sustainability and ecosystem integrity. FSH 1909.12, chapter 20, sections 22 and 23 have been modified to require plan components be integrated to meet the requirements for contributing to social and economic sustainability (36 CFR 219.8(b) and provide for ecosystem services and multiple use (36 CFR 219.10(a)) as well as to meet requirements for ecological sustainability and species diversity.

For example, FSH 1909.12, chapter 20, section 22 requires the Responsible Official to consider that as a whole, the combined plan components meet the requirements of the Rule for ecological integrity, diversity of plant and animal communities, multiple-use management, ecologically sustainable production of goods and services, and they contribute to economic and social sustainability.

**Comment:** *The Forest Service should revise the language in 13.35 stating “The fish and wildlife of NFS lands are an important resource enjoyed by people in a variety of ways” to avoid placing greater value on fish and wildlife over other resources.*

**Response:** The Agency does not agree that the use of the term “important” in this context places greater value on fish and wildlife over the other resources described in the chapter. The word “important” appears in multiple contexts throughout the chapter and does not convey any priority of one resource over another.

**Comment:** *The Forest Service should provide a detailed framework that ensures multiple uses are protected, in order to ensure social and economic sustainability. The Handbook should specify that multiple use often means that the Forest Service must restrict high impact uses to specific locations in order to preserve low impact uses. The Handbook should provide specific examples of multiple use regulation in practice.*

**Response:** Chapters 10 and 20 of the Handbook have been modified to identify multiple uses and ecosystem services as major contributions of the plan area to social and economic sustainability. FSH 1909.12, chapter 10, section 13 identifies 4 major types of contributions: multiple uses,

ecosystem services, infrastructure, and Forest Service presence in the community. Within this approach, while meeting the requirements for ecological integrity and species diversity, the directives anticipate that the interdisciplinary team identifies a set of plan contributions (including multiple uses) most likely to affect the social, cultural, and economic conditions within the plan area, the area of influence and the broader landscape.

The concept of multiple use as described in the Multiple Use Sustained Yield Act, does not require that all resources will be provided by the national forests on all lands. The distribution of land areas managed for high impact and low impact resource uses is determined in each individual plan based on circumstances of the specific plan area.

**Comment:** *“In their analysis of multiple uses, the Forest Service should ensure protection of sportsmen’s rights and motorized uses, ensure adequate motorized access to recreation opportunities for disabled users and early coordination with military when addressing land use and compatibility to support the testing, training, and readiness missions of the U.S. Department of Defense.”*

**Response:** The final directives do not specifically discuss protection of sportsmen’s rights, disabled uses, or coordination with the military. The Planning Rule, the proposed planning directives, and the final planning directives acknowledge hunting and fishing as appropriate activities on national forests and grasslands (FSH 1909.12, ch. 20, sec. 23.23e). The planning process is expected to set a framework to determine what kinds of motorized access are appropriate in each plan area (FSH 1909.12, ch. 20, sec. 23.23a). Planning is expected to consider recreation opportunities (including hunting and fishing) for disabled recreationists and other diverse recreation interests. Coordination with the Department of Defense during planning should be pursued to provide for land use compatibility between the management of the plan area and Department of Defense needs related to the plan area.

## Forest Planning – Considerations of State, Local and Other Governments

**Comment:** *The planning directives should establish programmatic criteria for achieving consistency with state and local plans.*

**Response:** The final directives include a requirement that the interdisciplinary team reviews the relevant planning and land use policies of other public agencies, there is no requirement for land management plans to be consistent with State and local plans; see the preamble to the 2012 Planning Rule at 77 FR 21162, 21197 (April 9, 2012). The Agency clarified the final directives to call for actively engaging with and collaborating with State and local governments is to identify common objectives with Tribal, State, and local governments and find opportunities to resolve or reduce conflicts in objectives and policies and address impacts related to national forest management. (FSH 1909.12, ch. 40, sec. 44.1 and 44.2).

**Comment:** *The directives should provide specific guidance for coordinating and consulting with Federal, local, county, and state agencies, and between Responsible Officials and Regional Foresters, as well as with tribes and Alaska Native corporations.*

**Response:** The Agency consolidated the proposed direction in FSH 1909.12, chapter 40, section 43.15, 43.16, and 44 into a new section 44. FSH 1909.12, chapter 40, section 44 now gives guidance on the participation of and consultation with federally recognized Indian tribes, Alaska native corporations, other Federal agencies, and State and local governments. In addition, the

Agency revised the proposed direction to provide additional guidance on working with other public agencies and tribes during the land management planning process.

## Forest Planning – Transportation

### Access

**Comment:** *The Forest Service directives should include more examples and support of access to public land, and fewer examples of closures.*

**Response:** The directives require evaluation of access and infrastructure such as roads in chapter 10, section 13.6 and consideration of this access in developing plan components in chapter 20, section 23.231. Plans are expected to include a description of the desired infrastructure in the desired conditions of the plan and identify areas suitable for motorized recreation activities. The directives make clear that the plans do not make decisions about road management or closure of individual roads (FSH 1909.12, chapter 20, sections 23.23a and 23.231). There are no specific examples in the directives indicating that land management plans would close specific access.

### Roads and Trails

**Comment:** *The Forest Service should refer to the principal laws for the administration of a National Forest System trail such as (1) National Forest Roads and Trails Act (78 Stat. 1089, as amended; 16 U.S.C. 532-538); (2) Surface Transportation Assistance Act of 1978, as amended (23 U.S.C. 101a, 201- 204; P.L. 95-599); and (3) Funds authorized by the Federal Highway Administration under the Emergency Relief for Federally Owned Roads (ERFO) program (23 U.S.C. 125).*

**Response:** The Agency examined the three acts referenced and concluded that, apart from the recognition that construction and maintenance of an adequate system of roads and trails is authorized within and near the national forest, there was no specific relationship of these laws to land management planning. These laws do have applicability for project-level planning. As a result, references to these statutes were not added to the planning directives.

**Comment:** *The directives should require that the plan components related to transportation management establish route density standards, and should require objectives for roads; plan components should limit new road construction and require removal of unneeded roads.*

**Response:** After consideration of the comment, the Agency did not make these changes to the final directive. Neither the proposed directive nor the final directive require road density standards, objectives for roads, plan components to limit new road construction, or plan components to require removal of unneeded roads.

Road density analysis is often done as part of overall roads analysis to evaluate road access and the environmental consequences of the existing road system. This existing information is expected to be identified in the assessment and used in the planning process to describe the desired condition of the road system in the plan area and any objectives for making changes to that road system.

The directive generally does not require specific types of plan components to meet the requirements of the Planning Rule, but rather allows discretion to meet these requirements. Thus, in developing plan components, Responsible Officials may choose to identify desired road



densities, may limit areas available to road construction or reconstruction, or may identify objectives for removal of roads. They are not, however, required to do so.

### **Roads and Minerals Exploration**

***Comment:** Plan components should address the need for adequate road access for potential mineral exploration and development sites.*

***Response:** The infrastructure section in chapter 10 (sec. 13.6) has been modified to include consideration of resource development and land uses such as recreation, grazing, current and potential mineral and energy development, and other land uses that need specific infrastructure for access. Chapter 20, section 23.231 also describes that uses of National Forest System land such as grazing, timber harvest, mineral and energy development, and administrative uses also determine needs for the road system.*

### **Fiscal Capability**

***Comment:** Adapting a road system designed for recreation may not work well for a purpose like timber harvesting. The desired condition and objectives for the management area should influence the design of the road system with a goal of the most efficient road system for the types of management to occur in the area. The desired condition for the road system should be based on these uses and not limited by fiscal capability.*

***Response:** The final directive in FSH 1909.12, chapter 20, section 23.231 changes the proposed wording from “The plan should provide for a realistic desired infrastructure that is sustainable and can be managed in accord with other plan components within the fiscal capability of the planning unit and its partners” to “These [infrastructure] plan components must be within the fiscal capability of the planning unit and its partners, consistent with the authority of the Forest Service, and the inherent capability of the plan area.” FSH 1909.12, chapter 20, section 23.231 (Infrastructure, Roads and Trails) states that desired condition for the road system is based on the desired uses for the plan area and management or geographic areas. As such, this desired condition must set a framework for the road system that provides for multiple use, rather than any single use. All plan components must be within the fiscal capability of the planning unit (§219.1(g)) and fiscal capability must be a consideration in developing plan components related to the plan area’s desired road system.*

### **Roads and Timber Harvest**

***Comment:** There is no reference to the cumulative impacts of roads and timber harvest on ecosystem resilience, ecological integrity, or wildlife viability, as roads are a pervasive stressor on the National Forest System with damage to aquatic systems and fragmentation of wildlife habitat. The Forest Service should cross-reference directives in supporting the minimum necessary road network for access to the National Forest System, while minimizing fragmentation, aquatic ecosystem damages, and other impacts (for example, spread of weeds, fire ignitions, aquatic degradation) from an extensive road network.*

***Response:** Chapter 10 has been modified to add an expectation that information identified and evaluated during the assessment include the impacts of timber harvest (section 13.33) and infrastructure (section 13.6) on ecological integrity and species diversity. FSH 1909.12, chapter 20, sections 22 and 23 have been modified to clearly say that plan components that contribute to social, cultural, and economic conditions should be integrated with plan components for ecological integrity. FSH 1909.13, chapter 20, section 23.231 (Infrastructure, Roads and Trails)*

has been modified to clarify that the plan's desired condition should describe a basic framework for an appropriately sized and sustainable transportation system. In addition, section 23.231 states that the interdisciplinary team should develop "plan components to reflect the extent of infrastructure that is needed to achieve the desired conditions and objectives of the plan. The plan should provide for a realistic desired infrastructure that is sustainable and can be managed in accord with other plan components including those for ecological sustainability."

The planning directives do not give direction about cumulative impacts. The analysis of environmental effects is governed by the Forest Service NEPA procedures (36 CFR 220, FSM 1950, FSH 1909.15). The environmental effects including cumulative effects of the plan are evaluated in the supporting environmental document consistent with Forest Service NEPA procedures.

### **Roads Analysis**

***Comment:** The Forest Service should emphasize achievement of a sustainable transportation system in land management plans and clarify the relationship between land management plans and minimum roads analysis (36 CFR 212 Part A). The draft directives do not ensure that transportation infrastructure meets the requirements of 36 CFR 219.8 to be socially, economically and ecologically sustainable. The assessment should also identify and evaluate route networks outside of, but connected to, FS lands.*

***Response:** The proposed directive (FSH 1909.12, ch. 10, sec. 13.6) listed the travel analysis report developed in support of the travel management rule, Subpart A as a source of information for the assessment. The final directives (FSH 1909.12, ch. 10, sec. 13.6) includes a hyperlink to a set of information sources that include roads analysis reports associated with 36 CFR 212 (Subparts A and B) for the assessment of the plan area's transportation infrastructure.*

In the list of types of available information to be identified and evaluated in the assessment, the final directive (FSH 1909.12, ch. 10, sec. 13.6):

1. Changed the "infrastructure external to the plan area" to "The influence of infrastructure external to the plan area or outside of Forest Service authority that is relevant to the management of the plan area". This change was made to clarify that it was the influence of external infrastructure that was important, not the condition of the infrastructure itself.
2. Clarified that "Trends that may affect the condition or development of infrastructure within the plan area."; included increasing populations or land use changes affecting needs for access and infrastructure to support current and future potential resource uses such as recreation, grazing, and mineral and energy development.
3. Retained "Information about the sustainability of the infrastructure, including planning unit's fiscal capability to maintain existing infrastructure and the current backlog of infrastructure maintenance."
4. Added "The impacts of infrastructure on ecological integrity and species diversity".
5. Added "The infrastructure's contribution to social and economic sustainability."

Consistent with the proposed directive, the final directive at FSH 1909.12, chapter 20, section 23.231 clarified that the plan’s desired condition should describe a basic framework for an appropriately sized and sustainable transportation system that can meet the desired conditions and objectives for the plan area. In addition, the Agency added the following guidance: “The plan should provide for a realistic desired infrastructure that is sustainable and can be managed in accord with other plan components including those for ecological sustainability.”

Section 219.8 of the Planning Rule indicates that the set of plan components must provide for ecological sustainability and contribute to social and economic sustainability, but does not dictate specific plan components for transportation infrastructure. FSH 1909.12, chapter 20, section 23.231 describes the types of plan components that can provide for sustainability of the plan area’s infrastructure. The Agency clarified the guidance about plan components in the final directive. FSH 1909.12, chapter 20, section 23 gives additional guidance about integration of plan components to meet all of the requirements of the Planning Rule including those needed for sustainability.

## Forest Planning – Timeline

*Comment: The Forest Service should define the timeline for the assessments, planning process, and plan revisions.*

**Response:** In response to public comment, the Agency changed the policy at FSM 1921.3, paragraph 4. The change at FSM 1921.3 is from “Plan revision, from initiation of the assessment to final plan approval, should be completed if funding is available within two to four years” to “The Forest Service’s goal is to complete plan revisions within 4 years from initiation of assessment to plan approval.” In addition, the Agency added guidance at FSH 1909.12, chapter 20, section 21.11 to say plan revision, from the public notice of the assessment to final plan approval, should be completed within 4 years. To require the time to be less than 4 years is not reasonable because this is a new Rule and it will take time for the Agency to learn how revise plans efficiently and effectively.

In addition, the Agency added a responsibility that the Responsible Official should complete the assessment within one year. (FSH 1909.12, ch. 10, sec. 10.4, para. 3). The directives specify process steps for each phase of forest planning; the actual time it takes will vary depending on unit resources and issue complexity. Imposing additional national standard times would be unreasonable.

## Forest Planning – Water Resources Management

### Priority Watersheds and Watershed-scale Refugia

*Comment: The Forest Service should provide clearer selection criteria for priority watersheds and guidance for their management. The Forest Service should require that the most intact watersheds are included within the selection of priority watersheds and designate watershed-scale refugia for sensitive aquatic species. Several respondents felt priority watersheds should be selected to protect their condition.*

**Response:** The purpose of identifying priority watersheds is to identify areas that are a priority for maintenance or restoration projects, not to identify most intact watersheds. The final directive clarified the considerations the Responsible Official should use in identifying priority watersheds based on the Agency’s watershed condition framework (FSH 1909.12, ch. 20, sec.

22.31). Priority watersheds will change as watersheds are restored or priority changes. Priority watersheds are not designated areas or management areas. Watersheds within a designated area or within a management area may be identified as a priority watershed. The Agency modified chapter 20, section 23.12c in the final directives to consider plan components to (1) maintain or restore the integrity of lakes, streams, wetlands, and groundwater in the plan area; and (2) address the concerns identified for priority watersheds.

### **Riparian Management Zones**

***Comment:** A respondent felt that if a site-specific delineation of riparian management zone was made after the plan had set forth a default distance from the water's edge, that then to make use of such site-specific delineation in project planning that the plan must be amended. A respondent felt that the Agency needs discretion to establish riparian management zone widths along narrow mountain streams. Others believe that a default distance from the water's edge for riparian management zone is not appropriate. A respondent felt that "careful" management with riparian management zones is appropriate. Others thought that the final directive should include national standards for default widths, such as: timber harvest should be prohibited within 1 site-potential tree height of stream edge, or: elimination of livestock grazing in the riparian management zone.*

***Response:** The Agency clarified the direction for water and riparian areas in the final directive (FSH 1909.12, ch. 20, sec. 23.11e). The Planning Rule requires the Responsible Official to establish width(s) for riparian management zones and the width applies unless replaced by a site-specific delineation of the riparian area. The final directive does not speak to whether an amendment is needed to make use of a site specific delineation. However, whether a plan amendment would be needed after site-specific delineation as permitted by 36 CFR 219.8(3)(ii)(A) would depend upon the wording of the applicable plan components. Plan components should give exceptions for site-specific delineations.*

Regarding the comment about discretion to establish riparian management zone widths along narrow mountain streams, the Responsible Official may require a site-specific delineation of the riparian area instead of a default width. If used, the default width may vary based on ecological, geomorphic, or type of water body (36 CFR 219.8(a)(3)(ii)(B)). The final directive added the following clarification: "In other words, plan components for riparian management zones should be developed to maintain, improve, or restore the condition of the land around and next to waterbodies in the context of the environment in which they are located, recognizing their unique values and importance to watersheds while providing for multiple uses on National Forest System lands. [and] Giving attention to dry washes or channels with minimal or no riparian vegetation that support riparian vegetation downstream due to subsurface flow through the stream channel or adjacent alluvial sediments."

The Agency decided to not set a minimum default width or national standards in the final directive because the scientific literature states riparian area widths are highly variable and may range from a few feet to hundreds of feet. The final directives require the Responsible Official to use the best available scientific information to inform the establishment of widths for riparian management zones for all lakes, perennial and intermittent streams, and open water wetlands (36 CFR 219.8(a)(3)(ii)) so employees know where the plan components for ecological integrity of riparian areas apply.

## **Water Supply**

**Comment:** *A respondent recommended that the final directive not require the Agency to maintain and restore abundant water supplies because it may not be within Agency control to do so. A respondent recommended that the final directive recognize the State has a constitutional and statutory right in adjudicating and allocating water rights. A respondent recommended that the final directive should recognize that state law has ultimate authority over water adjudication.*

**Response:** To take into account Agency control, the Agency added guidance to the final directive to require that plan components not interfere with state or private statutory or valid existing rights (FSH 1909.12, ch. 20, sec. 23.1). In addition, in FSH 1909.12, ch. 20, sec. 23.12c the final directives added: “The team should also coordinate with State, local and tribal water managers, water users, and others about appropriate resource protection, consistent with applicable law.”

## **Water Quality and Water Resources**

**Comment:** *Several respondents felt the Forest Service should provide guidelines and direction to protect water resources and aquatic ecosystems in the planning directives. A respondent suggested that the final directive define the term “seriously or adversely affect.” Several respondents suggested the final directive have national guidelines for water quality to prevent the pollution of streams, creeks, lakes, and wetlands or dewatering of aquatic resources.*

**Response:** The final directives clarify direction for plan components for water quality and water resources in FSH 1909.12, chapter 20, section 12.12c. The directives do not define “seriously or adversely affect,” because it depends upon the aquatic ecosystem and how sensitive the ecosystem is to land management activities. So, it’s best not to define the terms. Likewise, the final directive does not set forth national guidelines for water quality because they would remove flexibility for plans to reflect the different unique circumstances across the National Forest System, including in response to best available scientific information, public input, and information about changing conditions at the unit level.

## **Forest Planning – Fire Management**

### **Fire-adapted Ecosystems**

**Comment:** *The Forest Service should add post-fire standards and guidelines to section 23.11 of chapter 20 discussion of ecological integrity and should address the need to avoid post-fire rehabilitation in order to protect habitat created by natural regeneration.*

**Response:** The final directives do not have standards and guidelines for post-fire rehabilitation. Placing national standards and guidelines for post-fire rehabilitation in the final directives would remove flexibility for plans to reflect the different and unique circumstances across the National Forest System, including in response to best available scientific information, public input, and information about changing conditions at the unit level.

### **Role of Fire**

**Comment:** *The Forest Service should add more information about the role of fire in ecosystems. The Forest Service should evaluate current fire management strategies, hazardous fuels, fire prevention, public and firefighter safety, smoke management, values to be protected from or enhanced by wildland fire, and wildland-urban interface during the assessment process.*

**Response:** Both the proposed directive and the final direction give guidance to take into account fire in ecosystems. The Agency agrees fire has an important role in many terrestrial ecosystems. Fire is part of the definition of ecosystem in the zero code of FSH 1909.12. The definition of natural range of variation in the zero code section lists fire as a disturbance regime. Natural range of variation is used as part of the definition of ecological integrity. A significant driver of the planning process is restoration of ecological integrity. The fire ecology terms of fire regime condition classes, fire disturbances, and fire frequency and severity are listed as examples of potential key ecosystem characteristic for assessing ecological integrity (FSH 1909.12, ch. 10, sec. 12.13, ex. 01). Key ecosystem characteristics are vital in the assessment and in developing plan components for ecological integrity. Therefore, every time the term “key ecosystem characteristics” is used, fire ecology would likely be considered by the interdisciplinary team.

In the final directive a new section and caption was added at FSH 1909.12, chapter 20, section 23.11c (Opportunities to Restore Fire-adapted Ecosystems) to highlight that restoration of fire-adapted ecosystems is a required topic to consider for plan components. In the FSH 1909.12, chapter 10, section 12.32 the Agency added the following to the list of considerations when assessing stressors: “Stressors associated with the impacts of human uses, including energy (renewable and nonrenewable), infrastructure, minerals, outdoor recreation, range, timber, watershed, **wildland fire, wildland-urban interface**, wildlife, and fish.”

## Forest Planning – Species Protection

### Viability Analysis

**Comment:** *A respondent requested that the term “to contribute to” in 36 CFR 219.9(b)(2)(ii) be defined where the Agency is required to include plan components to maintain or restore ecological conditions in the plan area to contribute to maintaining a viable population of the species within its range.*

**Response:** The directives do not define “to contribute to” because setting forth a national standard would remove flexibility for plans to reflect the different unique circumstances across the National Forest System, including in response to best available scientific information, public input, and information about changing conditions at the unit level.

**Comment:** *Several respondents felt the Forest Service should provide additional guidance on evaluating the effects of plan components on species viability. Other respondents suggested the Agency provide more structured guidance on how to evaluate the effects of ecosystem plan components on at-risk species, in particular how population viability will be evaluated during planning and monitoring. A respondent felt that the Agency should give guidance about the maintenance of, at least, minimum viable population sizes for any at-risk species so that projects or activities would not reduce population levels below the minimum viable level. A respondent felt the final directives should protect habitat of all species in addition to at-risk species and protecting the habitat would include not only restrictions on mining and logging, but also motorized access. A respondent requested that the final directive include more specificity on how the distribution of wildlife in addition to at-risk species will be maintained within the planning area. A respondent requested that grizzly bears and other predators be considered.*

**Response:** The Agency clarified the guidance in FSH 1909.12, chapter 20, section 23.1 for the ecosystem (course-filter) – fine filter process, but the basic process remains the same as proposed. The Department explained how plan components will be developed for at-risk species in the preamble to the 2012 Rule (see 77 FR 21162, 21216 (April 9, 2012)). The final directive

retains the proposed directive structure to give guidance about ecosystems before giving guidance about at-risk species, but the final directive also acknowledges that it is an iterative process (FSH 1909.12, ch. 20, sec. 23). For example, emerging plan components may be adjusted to ensure that management for multiple use will do so in a way that provides for sustainable ecological conditions, and vice-versa. For the existing plans, the Agency developed the plans to maintain habitat for viable populations of native and desired nonnative vertebrate species in the plan area. FSH 1909.12, chapter 20 requires that the interdisciplinary team develop plan components to respond to information in the assessment about the status of at-risk species (fine-filter approach) and the status of ecosystems (coarse-filter approach). The intent behind the final directive is to support the persistence of native species in the plan area. The final directive calls for the use of an ecosystem (coarse-filter)-fine filter approach for addressing ecological conditions for species whereby the ecosystem provides abundant and well-distributed habitat in ways that allow existing populations to persist or expand.

The ecosystem approach (coarse-filter) should provide abundant habitat for most native wildlife species. It is important to recognize that the requirements of FSH 1909.12, chapter 20, section 23.13c are part of a broader set of guidance that are important for species conservation. The broader set of guidance includes the requirements in section 23.11 to develop plan components designed to maintain or restore ecological integrity, including connectivity of ecosystems in the plan area. The final directives are consistent with the 2012 Planning Rule. The ecosystem approach (coarse-filter) – fine filter approach is explained in the preamble of the 2012 Planning Rule (see 77 FR 21162, 21212 (April 9, 2012)). The fine-filter plan components will likely benefit the habitat of other species in addition to the at-risk species.

The final directive does not give guidance on species population size but focuses on persistence of ecological conditions and species. Rather than focus on the debilitating perspective of the minimum, the final directive focuses on persistence to motivate analyses that compare alternatives and acknowledges that viability and persistence are both measured with uncertainty and most effectively represented as probabilities. The final directive, as did the proposed directive, directs the interdisciplinary team to take into account what is important for a species to persist on the landscape, including important ecological concepts like integrity, connectivity, and adaptability, and stressors such as climate change.

For species of conservation concern, the final directive clarifies the evaluation of emergent plan components in FSH 1909.12, chapter 20, section 23.13c. The final directive clarifies the terms in the definition of viable population, including the terms adaptable, persist over the long term, population, resilient, and sufficient distribution.

In addition, the Agency clarified the guidance about evaluating plan components for at-risk species. FSH 1909.12, chapter 20, section 23.13: (1) states the three possible outcomes of evaluating plan components, (2) gives examples of circumstances where the Forest Service lacks authority of the Forest Service to change, (3) gives examples of circumstances not within the inherent capability of the plan area, and (4) states the duties of the Responsible Official when maintenance of a viable population of species of conservation concern within the plan area is beyond the authority of the Forest Service or not within the inherent capability of the plan area.

Combined with the guidance on the best available scientific information in FSH 1909.12, zero code, section 07, the Agency intent for the guidance in FSH 1909.12, chapter 20, section 23.13 for species of conservation concern is to focus the development of plan components on providing useful ecological conditions. That is ecological conditions where they will be most useful and important to the species, which may or may not lead to habitat that is evenly or “well”

distributed across the plan area for every species. For some species, most useful to the species may mean having the appropriate ecological conditions evenly or well distributed across the plan area. For others, most useful to the species may mean having the appropriate ecological conditions on a small portion of the plan area. For others, most useful to the species may mean plan components designed to restore or provide ecological conditions for a species whose range is migrating in response to changing conditions. For still others, most useful to the species may mean providing a corridor or corridors to connect habitat.

In addition, the ecological conditions for viability of a species of conservation concern may be evaluated during biennial evaluation if monitoring of the status of the indicators for relevant ecological conditions would indicate that we need to change the plan.

### **Viable Populations**

***Comment:** A respondent felt that that the proposed directive's guidance at chapter 20, section 23.13, paragraph 1, about determining whether a species is viable goes beyond the Forest Service's authority and responsibility.*

*The respondent felt to the degree that the guidance, which states that isolated groups or individuals of a species may need to be considered "separate entities" is similar to the concept of distinct population segment (DPS) under the Endangered Species Act, it represents an overreaching of the Forest Service's authority and responsibility. The respondent felt this wording is in effect a forest management prohibition, and must be rewritten to better allow Forest Service professional and decision maker discretion about how best to define and manage for viable populations.*

**Response:** The 2012 Planning Rule defines viable population as a population of a species that continues to persist over the long term with sufficient distribution to be resilient and adaptable to stressors and likely future environments. For the purposes of the planning process, "the individuals of a species of conservation concern that exist in the plan area will be considered to be members of one population of that species" (preamble to the 2012 Planning Rule, 77 FR at 21217 ( April 9, 2012). In the final directives, the Agency clarified the wording of section 23.13c to say that reproductively isolated and separate individual or groups of a species may need to be considered when determining whether a species' population is sufficiently distributed in the planning area.

The Endangered Species Act definition of "distinct population segment" has no bearing on the principles the Forest Service is using to define viable population under the 2012 Planning Rule. A distinct population segment is a vertebrate population or group of populations that is discrete from other populations of the species and significant in relation to the entire species, so that it is treated separately for purposes of listing under the ESA.

***Comment:** The Forest Service should improve the examples in the proposed directives of circumstances affecting species that are outside of agency authority.*

**Response:** The Agency clarified the examples in chapter 20, section 23.13c, paragraph 3. The final directive makes clear for these examples of "outside the Agency authority" that the habitat or the ecological conditions necessary for the long-term survival of the example species are outside the unit and therefore the unit does not control the ecological conditions necessary for maintaining viable populations.



**Comment:** *The Forest Service should review species and habitat on lands adjacent to National Forest System lands and promote broader-scale species viability. A respondent felt the Agency should consider cross-jurisdictional cooperation such as the U.S. Fish and Wildlife Service Landscape Conservation Cooperatives.*

**Response:** The Agency often works towards an all-lands approach to species conservation with other land managers across the range of species. The final directives require identification and review of relevant reports, plans, and assessments of adjacent landowners, if such information is publicly available or voluntarily provided (FSH 1909.12, ch. 10, sec. 11). The Forest Service is a partner with U.S. Fish and Wildlife Service Landscape Conservation Cooperatives and with other conservation organizations. As required by the proposed directive, the final directive requires the Responsible Official to consider working towards an all-lands approach to species conservation for a species of conservation concern if the Responsible Official determines it is beyond the authority of the Forest Service or not within the inherent capability of the plan area to maintain or restore the ecological conditions to maintain a viable population of a species of conservation concern in the plan area.

### **Federally Listed Threatened and Endangered Species**

**Comment:** *The Forest Service should use the Policy for Evaluation of Conservation Efforts to determine how plan components could assist conserving the species and avoid the need to list species.*

**Response:** The respondent refers to the U.S. Fish and Wildlife Service and National Marine Fisheries Service's Policy for Evaluation of Conservation Efforts When Making Listing Decisions (68 FR 15100 (March 28, 2003)). The policy establishes criteria to determine whether a formalized conservation effort contributes to forming a basis for not listing a species, or for listing a species as threatened rather than endangered. While the Forest Service is not requiring application of this policy to develop plan components for land management plans by name, which could be confusing, since the Forest Service does not make listing decisions, the planning directives do not prohibit the interdisciplinary team to use the criteria in the policy to develop the plan components for ecological conditions in the plan area to conserve proposed species and candidate species, or to maintain viable populations of species of conservation concern.

As explained in the response to comments on the topic of viability, FSH 1909.12, chapter 20, section 23.13 provides the guidance for the interdisciplinary team to use when developing plan components for candidate species, proposed species, and species of conservation concern.

**Comment:** *The Forest Service should consider using conservation measures identified in prior project-level consultation as the basis for plan components. In addition, the respondent recommends that every effort needs to be made to respond to anything in recovery plans that implicates management of the plan area.*

Under the 2012 Planning Rule, the Responsible Official must design plan components to provide the ecological conditions necessary to contribute to the recovery of federally listed threatened and endangered species (36 CFR 219.9(b)). The final directives retain the requirement to consider conservation measures and actions identified in recovery plans relevant to threatened and endangered species in the plan area. It would not be appropriate, however for the final directives to require Responsible Officials to require that land management plans include recovery plans as plan components. Recovery plans are not intended to be mandates. Moreover, the Planning Rule imposes requirements in addition to contributing to the recovery of listed

species. The extent to which the plan is to contribute to listed species' recovery may be affected by the limits of Forest Service authority, the inherent capability of the plan area, the fiscal capability of the unit, as well as the obligation to provide for ecological integrity, ecosystem services, and multiple uses in an integrated manner (FSH 1909.12, chapter 20, sec. 23 and sec. 23.11).

**Comment:** The Forest Service should require considering plan components to mitigate downstream and off-unit effects to listed species.

**Response:** The final directive retains the requirement in the proposed directive to collaborate with NOAA Fisheries, as appropriate, in the evaluation of any effects to aquatic threatened and endangered species downstream of the plan area that could be affected by actions within the plan area in FSH 1909.12, chapter 20, section 23.13a. The wording in the directive was chosen to give discretion to the Responsible Official to collaborate with NOAA fisheries and others to develop appropriate ways to address the issues. However, the directives do not require the responsible official to design plan components to provide ecological conditions on the plan area to contribute to recovery of a species downstream of the plan area. The Agency allows flexibility for plans to reflect the different unique circumstances across the National Forest System, including response to best available scientific information, public input, and information about changing conditions at the unit level.

### Species Examples

**Comment:** *The Forest Service should revise their use of example species in the planning directives to appropriately represent at-risk species and wildlife enjoyed by the public. Several respondents suggested several species including alpine chipmunk instead of American pika. In addition, respondents suggested game species instead of raptors, foxes, and bobcats.*

**Response:** The Agency did not change the example species because they are effective and known by most readers.

### Forest Planning – Sustainability and the Balance of Social, Economic, and Ecological Sustainability

**Comment:** *The Forest Service should provide better balance between ecological and socioeconomic issues in the planning directives. A respondent felt that ecological sustainability is not a scientifically given fact, but characterized by the values that people want to see, in the same way that human values define social and economic sustainability; requiring that ecological sustainability is ensured will leave plans highly vulnerable to challenge and creates a hierarchy of purposes where ecological considerations come first and foremost. A respondent requested that final directive require the Agency to develop socio-economic baseline assessments and analysis in cooperation with state and local government cooperators.*

**Response:** The 2012 Planning Rule recognizes ecological, social, and economic systems as interdependent, without one being a priority over the other. The Agency wrote the directives to reflect the 2012 Planning Rule, which calls for plans to “guide management of NFS lands so that they are ecologically sustainable and contribute to social and economic sustainability” (36 CFR 219.1 (b)). The final directives recognize that sustainability requires social and economic sustainability and ecological sustainability. We cannot have sustainability without all three elements being sustainable. Negative social and economic conditions could result in arson, drug

cultivation, and poaching that have negative effects on ecological sustainability. However, the Agency may have more influence on ecological sustainability. To deal with the issue of balance with the three elements of sustainability, the Agency added to the final directives guidance on integration in FSH 1909.12, chapter 20 at the beginning of section 22, section 22.11, and at the beginning of section 23. In addition, the Agency added guidance to section 23.11 about developing plan components to provide for ecological integrity, ecosystem services, and multiple uses in an integrated manner. The directives require the Responsible Official to reach out to State and local governments when developing plan components and to consider relevant existing information in governmental assessments (36 CFR 219.6(a)). See FSH 1909.12, chapter 10, section 11.21 and chapter 20, section 21.23 and chapter 40. The directives require each Responsible Official for plan revision to assess social, cultural, and economic conditions as described in FSH 1909.12, chapter 10, section 13.2. The Forest Service often supports local land management planning efforts; for additional information see <http://www.fs.fed.us/openspace/fote/reports/green-line.pdf>.

## Forest Planning – Recreation

### Trails

*Comment:* The Forest Service should clarify processes and methods for assessing the need for trail creation and maintenance activities.

*Response:* Land management plans should set the context, which can include identifying what kinds of trails are desired within the plan area and where certain types of trails can occur (FSH 1919.12, ch. 20, sec. 23.231). In some situations, plans may identify specific objectives for the creation or modification of trails. Within this context, project planning determines the need for, and authorizes specific trails and maintenance activities. Forest Service Manual 2350 and Forest Service Handbook 2309.18 describe the processes for trail creation and trail management.

### Recreation

*Comment:* The Forest Service should expand a variety of recreational opportunities, such as campgrounds, trailheads, mountain biking, and other nonmotorized opportunities. The Forest Service should also restrict other recreation opportunities, including motorized recreation, to avoid exceeding trail use capacities and adverse impacts to wildlife.

*Response:* The assessment identifies and evaluates the range of recreational settings and opportunities that currently exist and could potentially be developed in the future. The assessment also identifies and evaluates information about the impacts of recreation on ecological integrity and species diversity. The land management plan itself is expected to provide plan components that provide for the different recreational settings and opportunities in a manner compatible with maintaining or restoring ecological integrity and species diversity. Site-specific decisions about trailheads, use of specific trails, and campgrounds are made in subsequent project planning that is consistent with the land management plan.

*Comment:* The Forest Service should continue to give Responsible Officials latitude in choosing appropriate recreation restrictions rather than prescribing tools like group size limits in the Plan components.

*Response:* The final directive does not prescribe specific group size limits and plans may identify different group size limits for different recreational settings and opportunities. However,

plans do not apply to the public and an additional Agency order under 36 CFR part 261, Subpart B would be needed to impose enforceable group size limits.

***Comment:** The Forest Service should ensure quality recreation outcomes by proactively using land allocation tools and ensuring the recreation plan components are directly responsive to the recreation niche. They should ensure that recreation does not detract from the outdoor and natural characteristics that attract visitors to the national forests.*

***Response:** The Planning Rule and the directives require that land management plans provide for sustainable recreation including recreational settings, opportunities, access, and scenic character. Plans that provide for these four attributes are expected to lead to quality recreational outcomes consistent with range of recreational experiences found in national forests and grasslands. Distinctive roles and contributions developed in the planning process should be reviewed in the development of plan components for recreation. Sustainable recreation depends on conditions that are ecologically, socially, and economically sustainable. The directive has been modified in FSH 1909.12, chapter 20, section 23.23a to describe examples of plan components related to recreation that are ecologically sustainable.*

***Comment:** The Forest Service should require that recreation plan components be consistent with the recreation niche identified during assessment.*

***Response:** The plan area's distinctive roles and contributions within the broader landscape can provide focus or context and can aid in developing plan components (FSH 1909.12, ch. 20, sec. 22.32). The Agency does not agree that there should be a mandate that any or all plan components must be consistent with the distinctive role and contribution. The distinctive role and contribution is an identification of roles and contributions provided by the plan area. The distinctive role and contribution is not a constraint and does not define what should be in plan components. Developing plan components is a separate step based on consideration of the distinctive roles and contributions.*

In the final directives, the section on recreation (FSH 1909.12, chapter 20, section 23.23a) has been modified to indicate that the interdisciplinary team should review information from the distinctive roles and contributions related to recreational settings, opportunities, and access in the plan area in the development of plan components.

### **Fiscal Capability**

***Comment:** The Forest Service should clarify the definition of “sustainable recreation” because the directives’ definition of sustainable recreation places too much emphasis on fiscal capability, which could endanger recreation opportunities.*

***Response:** The final directive (FSH 1909.12, chapter 20, section 23.23a) has been rewritten to provide a broader view of sustainable recreation recognizing ecological, social, and economic aspects of sustainable recreation . All plan components are expected to be within the fiscal capability of the Agency, as stated in the Planning Rule at §219.1(g). In developing the plan components, Responsible Officials are expected to evaluate the fiscal capability of the planning unit based on local circumstances. These circumstances may include partnerships and other agreements that enhance the ability of the planning unit to manage recreation or recreation infrastructure.*

## Motorized Recreation and Travel Management

**Comment:** *Motorized Recreation: The Forest Service should clarify the relationship between plan revision and travel management. The directives should require that plans provide suitability criteria for uses such as motorized recreation, including over the snow vehicles. This motorized use must meet the minimization criteria in Executive Order 11644 section 3(a). The proposed directives should clarify that all off-road vehicle use must be supported by site-specific NEPA analysis.*

**Response:** The directive (FSH 1909.12, ch. 20, sec. 23.23a) has been modified to indicate that plans should include suitability determinations for motorized recreation consistent with the desired recreation opportunity spectrum class.

Travel management decisions are separate, project-level decisions that determine the specific areas and routes for motorized recreation consistent with areas identified in the plan as suitable for the motorized recreational use. The specific areas and routes appropriate for motorized recreation are the result of this staged planning process and resulting opportunities for motorized recreation including over-the-snow vehicles must be consistent with Executive Order 11644.

The Agency does not agree with the suggestion that planning directives or land management plans should terminate any existing motorized use pending completion of more specific NEPA analysis, such as a travel management decision. The directives and plans do not govern the public directly and so cannot be enforced against the public. Instead, any change to the currently permitted motorized recreation opportunities would require appropriate site-specific environmental analysis as required by the National Environmental Policy Act (NEPA) procedures for either reduction or expansion of specific routes or areas available for motorized recreation.

## Recreation Opportunity Spectrum

**Comment:** *The Forest Service should more fully incorporate recreation opportunity spectrum (ROS) class designations into the planning directives by requiring plans to create enforceable ROS classifications and authorize ROS-based overlay zones and associating recreational trails with ROS classes.*

**Response:** The Agency substantially changed the section on sustainable recreation (FSH 1909.12, ch. 20, sec. 23.23a) to emphasize that the plan will include desired conditions for sustainable recreation using mapped desired recreation opportunity spectrum classes to address recreational settings. This mapping may be based on management areas, geographic areas, designated areas, independent overlay mapping, or any combination of these approaches. Desired recreation opportunity spectrum classes may be different from existing classes. Additional plan components, including standards and guidelines, to supplement and complement desired recreation opportunity spectrum classes may be developed as needed. The directives make clear that plan components for recreational trails are to be based on the desired condition for recreational settings and opportunities.

## Forest Planning – Grazing

**Comment:** *The Forest Service should support livestock use and conveyance.*

**Response:** One of the many objectives of the range management program for the National Forests and National Grasslands is to contribute to the economic and social well-being of people

by providing opportunities for communities that depends on range resources for their livelihood. There is guidance in FSH 1909.12, chapter 20, section 23.23d for developing plan components for rangelands, forage, and grazing.

**Comment:** *The Forest Service should acknowledge the positive impacts of livestock on native species and should not favor the habitat expansion of native species at the expense of grazing activities.*

**Response:** The final directive (FSH 1909.12, ch. 20, sec. 23.23d) added that the Responsible Official should coordinate with State fish and game agencies to balance State population objectives for game species with plan components related to domestic livestock grazing. Aspects of grazing that are compatible with native species as well as those that are not compatible are to be recognized in this process.

## Economic Considerations

### Cost-benefit Analysis

**Comment:** *The Forest Service should incorporate cost-benefit analysis in the planning directives.*

**Response:** The Planning Rule itself does not specifically require cost-benefit analysis in the planning process, and the Forest Service has chosen not to include such a requirement in the directives. The Preamble to the Planning Rule stated that cost-benefit analysis, or net present value estimation, are not required when evaluating plan alternatives and as a result the directives do not cover cost-benefit analysis. The Responsible Official is expected to discuss comparative benefits and tradeoffs as part of the effects analysis in the environmental document for a plan. Cost benefit analysis may be done as part of the analysis in the environmental documentation as determined by the responsible official. See the discussion in the April 9, 2012 Preamble to the 2012 Planning Rule (77 FR 21187-21188).

### Grazing

**Comment:** *To maintain the vitality of local grazing-dependent communities, the Forest Service should provide a sufficient framework to enable the positive socio-economic impacts of grazing and ranching activities.*

**Response:** The directives have been modified to indicate that planning, both in the assessment (FSH 1909.12, ch.10, sec. 13.32) and plan development phase (FSH 1909.12, ch20, sec. 23.23d), should recognize the contributions of plan area grazing to the social, cultural and economic conditions of communities outside the plan area. These contributions may sustain native people and communities dependent on such grazing opportunities.

## Monitoring

**Comment:** *A respondent urged the Agency to evaluate monitoring and change management accordingly. A respondent urged the Agency to ensure that monitoring is a priority and fully carried out. Another respondent suggested the Agency set up tiered monitoring programs that describes minimal monitoring with additional increments with additional funding. Several respondents said the requirements in the Planning Rule for monitoring are too expensive. A respondent suggested the Agency focus monitoring on timber, animal unit months, recreational visitor days, water quality, and water quantity.*

**Response:** To address the comments about accountability concerns, the Agency clarified every section of FSH 1909.12, chapter 30. The Agency added sections on objectives, policy, and responsibilities (FSH 1909.12, ch. 10, sec. 30.2, 30.3, and 30.4). The Agency clarified the duties of the Responsible Official for the plan monitoring program in FSH 1909.12, chapter 30, section 32. The Agency added in the final directives at FSH 1909.12, chapter 10, section 34 that the Responsible Officials must indicate in biennial monitoring evaluation reports 36 CFR 219.12 what changes are needed to the plan, management activities, or in the monitoring program based on the new information in the report.

In addition, the Agency added the following requirement to section 34: the Responsible Official shall issue a monitoring evaluation report, inform interested parties about the availability of this report, and provide meaningful opportunities for participation in the review of the results (see FSH 1909.12, ch. 40, sec. 43). This requirement in section 34, places emphasis on transparency and holds officials accountable for sharing monitoring information and data with the public. This data will be open to public scrutiny, criticism, and objective review. The public will be able to evaluate and provide input on the Agency's use of the monitoring information to inform future decisions during opportunities for public participation and comment for those decisions, including plan amendments, plan revisions, projects, and activities.

The final directives do not require the Responsible Official to monitor beyond the fiscal means of the unit. Responsible Officials must exercise discretion to develop technically and financially feasible monitoring programs. The Agency will often rely on secondary data from a variety of sources, governmental and non-governmental sources. Monitoring data will be used to inform adaptive management. The guidance in chapter 30 should result in a deliberate use of monitoring dollars to leverage those investments where it is feasible and appropriate to do so.

**Comment:** *Respondents encouraged the Agency to involve the public, agencies, and other stakeholders. Respondents suggested the Agency coordinate monitoring with other people including: National Aeronautics and Space Administration, National Park Service, permittees, private landowners, and State fish and wildlife agencies. A respondent recommended the Agency emphasize the benefits of joint data collection with others. A respondent suggested the final directive reflect opportunities for partnerships and data accessibility. A respondent said multi-party monitoring is not practical because if one party fails their assignment the Agency will not meet the monitoring requirements. A respondent suggested that changes to the plan monitoring program be appealable. A respondent suggested that the findings of multi-party monitoring boards be binding on the Forest Service Responsible Officials.*

**Response:** The Agency added the following policy to FSH 1909.12, chapter 30, section 30.3: foster and realize opportunities for collaboration, cooperation, and coordination across Forest Service deputy area programs and with Agency partners, including the public; local, state, and other Federal agencies; and nongovernmental organizations.

The Agency added the following direction to FSH 1909.12, chapter 30, section 32.11: the Interdisciplinary Team may select as many monitoring questions as appropriate, within the financial and technical capabilities of the Unit. The capabilities of the Unit may include the resources of partners, multiparty monitoring, and the broader-scale monitoring strategy. However, if resources of partners or multiparty monitoring cease to be available, the Responsible Official shall change the monitoring program to eliminate the monitoring that depends on support from partners or multiparty monitoring.

The Forest Service agrees only the Agency is responsible for the monitoring being done; the “partner” would not be held accountable for plan monitoring requirements.

The 2012 Planning Rule does not provide an opportunity for appeal of a plan, plan revision, or amendment, but does provide for objections before their approval (36 CFR part 219 subpart B; FSH 1909.12, chapter 50). Objections are not available to challenge changes to a plan monitoring program unless the changes are part of plan amendment or plan revision. The final directive allows Responsible Officials to change monitoring programs to respond to evolving scientific information and to maintain scientific credibility.

The planning directives do not give guidance about recommendations or findings of outside parties. The Agency is not bound by “findings” of outside parties. The Forest Service is solely responsible for the content of monitoring evaluation reports. The Forest Service must develop its own evaluation and to consider the conditions of the specific planning unit and make decisions based on Federal laws and considerations that may be broader than a multi-party monitoring board.

***Comment:** Respondents requested the Agency clarify the content of the plan monitoring program. Respondents suggested the program contain cost estimates, existing conditions and trends, frequency, indicators, plan components, responsibility, scale, and targets. Respondents suggested the final directive discuss hypothesis testing. Respondents suggested the examples of monitoring questions and indicators be improved.*

***Response:** As set forth in FSH 1909.12, chapter 30, section 32.1, the plan monitoring program must contain questions and indicators for the required 8 items in 36 CFR 219.12(a)(5). The final directive clarified the requirements for the 8 items in section 32.13. The final directive added requirements for monitoring of social, economic, and cultural items to section 32.13f because of public concern with lack of monitoring of social, cultural, and economic conditions. Additional information for the plan monitoring program such as cost estimates, scale, frequency, and responsibility may be documented in a separate monitoring guide (FSH 1909.12, ch. 30, sec. 32.2). The Agency clarified the use of a monitoring guide in FSH 1909.12, chapter 30, section 31 and section 32.2 because of public confusion. The Agency clarified the examples to improve understanding. The Agency clarified, Exhibit 32.1, which shows examples of the relationships among plan components, questions, and indicators, the Agency added fire to the longleaf ecosystem example and added uncertainty (or hypothesis testing) examples for riparian buffers and understory effects.*

***Comment:** Respondents suggested the Agency incorporate adaptive management into monitoring efforts and plans and clarify how and when monitoring results will trigger a change in management actions. A respondent asked how monitoring will address the effectiveness of standards and guidelines. A respondent requested the Agency monitor every plan component. A respondent recommended the final directive reference the collaborative forest landscape restoration projects. A respondent suggested the Agency require thresholds (or critical values) be set in plans to require a change in the plan if exceeded. A respondent suggested the Agency require monitoring of large-scale long duration projects. A respondent requested monitoring of projects and activities to ensure verification of adherence to plan components. A respondent suggested the final directive require monitoring of the frequency of project specific amendments as recognized in FSH 1909.12, chapter 20, section 21.31. A respondent suggested criteria for selecting monitoring indicators.*



**Response:** FSH 1909.12, zero code, includes a definition of adaptive management in section 05, and adds guidance for adaptive management in section 06. Monitoring and evaluation are two elements of adaptive management. The Responsible Official cannot afford to monitor every plan component. The final directive references existing monitoring plans developed under the Collaborative Forest Landscape Restoration Program as examples of monitoring plans to use when developing the plan monitoring program (FSH 1909.12, ch. 30, sec. 32.10). The primary purpose of plan monitoring program is to gather information to determine whether the plan needs to be changed (36 CFR 219.12 (a)(1)). The evaluation will be documented in the biennial monitoring evaluation report. FSH 1909.12, chapter 30, section 34 gives guidance on evaluating the results of monitoring.

The Agency added guidance for measurability and responsiveness of indicators in section 32.12. The Agency added guidance about the importance of measuring effectiveness of plan components (including standards and guidelines) to FSH 1909.12, chapter 30, section 32.13b and section 34.

The main point of standards and guidelines is compliance; compliance is required in project planning. Responsible Officials cannot approve projects or activities unless they are consistent with plan components. (36 CFR 219.15). Plan monitoring should focus on effectiveness of plan components in achieving desired conditions and objectives.

The Agency often monitors a sample of projects and activities as part of project management. The directives provide that, when developing the PLAN monitoring program, the Responsible Official should consider information learned from project and activity monitoring (FSH 1909.12, ch. 30, sec. 32).

The Agency added the following guidance about projects and monitoring to FSH 1909.12, chapter 30, section 30.6: Project and activity monitoring may be used to gather information for the plan monitoring program, and plan monitoring information may inform the development of specific projects and activities. However, the Responsible Official has the discretion to strategically select which projects to monitor and the monitoring questions related to those projects that will best inform the monitoring program, test assumptions, track-changing conditions, or evaluate management effectiveness.

The Planning Rule does not require triggers or thresholds because not all monitoring questions and indicators are suited to triggers. Furthermore, not all monitoring elements and indicators are suited to triggers (or thresholds). The final directive added “thresholds” to a list of possible considerations for monitoring questions and indicators to FSH 1909.12, chapter 30, section 32.13b, paragraph 2. Establishing triggers can be complex and time consuming. Triggers may be useful where they can be developed and where they are informed by the best available scientific information. Triggers would not be necessary on many plan units.

Instead of triggers that require automatic reactions to events, the Agency relies on the judgment of responsible officials to determine whether a change to the plan, management activities, or the monitoring program is needed. This judgment is required at the time of the required biennial evaluation. In FSH 1909.12, chapter 10, section 34, the Agency clarified how during the biennial evaluation, the Responsible Official evaluates the answers to the monitoring questions and determines if a change is needed.

The Agency chose the wording in the final directive to give discretion to the Responsible Official to collaborate with the public and governmental entities to develop appropriate ways to address

the issues. The Agency allows flexibility for plan monitoring to reflect the different unique circumstances across the National Forest System, including response to best available scientific information, public input, and information about changing conditions at the unit level. The public will have the opportunity to review the monitoring program, and is welcome to provide input to the Responsible Official about appropriate triggers.

Multiple or frequent project-specific plan amendments may suggest a need to change a plan component across all or part of the plan area; however, the Agency needs to focus required monitoring on the most important questions. Therefore, the Agency is reluctant to add additional monitoring requirements for every National Forest System unit.

The Agency clarified the guidance for selecting monitoring indicators in FSH 1909.12, chapter 30, section 32.12 and section 32.13.

***Comment:** A respondent said that indicators should be driven as much as possible by key ecosystem characteristics. Another respondent suggested that key ecosystem characteristics related to water resources and watershed conditions, such as water quantity, quality, timing, and distribution, should provide a basis for monitoring watershed conditions to evaluate whether there is progress toward achieving desired plan conditions, because the Agency should monitor what they are managing for. Several respondents recommended the Agency revise the monitoring directives to address concerns about ecological conditions related to terrestrial, riparian, and aquatic ecosystems and at-risk species. A respondent said that indicators should not be limited to corporate data systems but be driven by key ecosystem characteristics. A respondent suggested the requirements for monitoring the status of a select set of ecological conditions for at-risk species (36 CFR 219.12(a)(5)(iv) and the status of select ecological conditions (36 CFR 219.12(a)(5)(ii) be discussed separately rather than together as in the proposed directive. A respondent felt that directive should address air quality concerns and/or questions, which can additively affect all species.*

***Response:** The final directives clarify the guidance to state that monitoring questions and indicators should be based on the plan components addressing key ecosystem characteristics of the plan area related to water resources and watershed conditions (such as water quantity, quality, timing, and distribution) (ch. 30, sec. 32.13a).*

The Agency added at FSH 1909.12, chapter 30, section 32.13b the following requirement: the monitoring indicators should measure the effectiveness of plan components (both ecosystem and species-specific components) designed to maintain or restore the ecological conditions and key ecosystem characteristics necessary to provide for diversity of plant and animal communities and contribute to the recovery of, conserve, or maintain the viability of at risk species within the plan area.

The final directive retains the proposed directive's guidance for monitoring the status of a select set of ecological conditions for at-risk species together with the guidance for monitoring the status of select ecological conditions, because both requirements are about ecological conditions and are difficult to separate in practice. The same monitoring question and associated indicator(s) may be able to support both requirements.

Air quality concerns are not listed as part of the Planning Rule requirements for monitoring in 36 CFR 219.12(a)(5). Responsible Officials may include air quality or other items as part of their plan monitoring programs, depending upon the specific circumstances of the individual plan area.

**Comment:** *Several respondents recommended the Agency revise the monitoring directives to address their concerns about sensitive and at-risk species monitoring. A respondent felt the Planning Rule requires species population monitoring for species of conservation concern. Another respondent said that at least presence or absence, and habitat, for species of conservation concerns must be monitored and that there are low cost methods. A respondent was concerned about the discretion in the proposed directives. A respondent recommended the final directives require consistency with broader scale monitoring that is already required for tracking and recovery of federally listed plants and animals.*

**Response:** The Forest Service recognizes species are important compositional and process-related elements of ecosystems and may be monitored. The ecological conditions that are monitored should relate to habitat requirements for at-risk species. Chapter 30, section 32.13b discusses the ecological conditions that must be monitored for at-risk species. The 2012 Planning Rule does not require population monitoring of species of conservation concern.

The preamble to the 2012 Planning Rule discusses why monitoring of populations of species is not required. The preamble is specifically about not requiring any particular way to monitor focal species, but the explanation is equally valid for why there should not be a requirement to monitor populations of species of conservation concern (77 FR 21233, April 9, 2012).

The provisions at 36 CFR 219.12(a)(5)(iv) require monitoring to address “the status of a select set of the ecological conditions” for at-risk species. The intent of the “select set” is to focus the monitoring on important conditions that may be monitored in an efficient way. The discretion wording in the final directive of “should consider” and “may consider” was chosen to give discretion to the Responsible Official to collaborate with the public and governmental entities to develop appropriate ways to address the monitoring requirements of the 2012 Planning Rule within financial and technical constraints of the unit.

FSH 1909.12, chapter 30, section 32.13b requires consideration of monitoring questions and indicators that are monitored under existing broader-scale monitoring strategies of the Forest Service relevant to at-risk species of the plan area to facilitate consistency across administrative units.

**Comment:** *What are “Agency climate change monitoring requirements” referenced in section 32.13e? The Forest Service should use climate indicators in section 32.13b, including climate indicator species (indicators that may be among the first affected by stressors, like climate change).*

**Response:** “Agency climate change monitoring requirements” refers to the Agency national roadmap and performance scorecard for responding to climate change. All administrative units are working on strategies to adjust and prepare for new conditions created by changing climates (adaptation), and to reduce the amount of greenhouse gases present in the atmosphere (mitigation). To guide the Forest Service in achieving this goal, the Forest Service Climate Change Adviser has made several products available online at the following Web site: <http://www.fs.fed.us/climatechange/advisor/products.html>.

The Agency guidance for selecting questions and indicators for monitoring climate change and other stressors is found in FSH 1909.12, chapter 30, section 32.13e. The final directive did not add a requirement to monitor “climate indicator species,” but species that are sensitive to climate change may be monitored.

**Comment:** *The Forest Service should clarify how monitoring focal species will provide information on ecological integrity. A respondent felt the directives should state that species of conservation concern should be a priority for selection as focal species. A respondent felt that focal species monitoring should not be limited to a single species, and should always include floral species.*

*A respondent felt that focal species are identified as a way to monitor how ecosystems are doing over time and are not being used as a measure of diversity.*

*Another respondent felt at the local level, this could create difficulty in determining the viability of species as some species may even fall out of the monitoring requirement according to the decision made by the responsible official. While increased habitat quantity and/or quality is recognized as impractical for all species within local scale units, identified focal species may not be as encompassing as necessary leaving the opportunity for some to fall out.*

**Response:** Focal species under the 2012 Planning Rule are indicators of ecological conditions. Focal species are to be monitored as a means of understanding whether a specific ecological condition or set of conditions is present and functioning in the plan area. Additional detail about focal species and ecological integrity is found in the preamble to the 2012 Planning Rule (77 FR 21162, 21233 (April 9, 2012)). A focal species could be a keystone species, an ecological engineer, an umbrella species, a link species, or a species of conservation concern, but it need not be any of these species categories (FSH 1909.12, ch. 30, sec. 32.13c).

The final directive does not make species of conservation concern a priority for focal species or require every unit to identify a floral species as a focal species. The ecological conditions on the plan areas vary widely. The final directive gives discretion to the Responsible Official to select the best focal species for the plan area. FSH 1909.12, chapter 30, section 32.13 c states: “Focal species should be selected to monitor when doing so is feasible and they are the best way to track whether ecological integrity and ecosystem diversity is being maintained or improved. Monitoring focal species is intended to address situations where they provide more useful information or are more efficiently monitored than monitoring other potential indicators.”

Monitoring questions should relate the species to the ecological condition and reason for its selection, and indicators may include affected attributes of the species, such as presence or occupancy, habitat use, reproductive rate, and population trend. The final directive includes an example of possible focal species that includes at-risk species.

The final directive does not require monitoring of species trends to determine viability. The Agency retained the requirement of the proposed directive that every plan monitoring program must identify at least one focal species and one or more monitoring questions and associated indicators to track the status of the identified focal species. Focal species monitoring is not intended to give information about the viability of any one species.

**Comment:** *The Forest Service should revise their monitoring requirements to require monitoring of various topics, including tribal significance, cultural and historical resources, health and well-being of surrounding communities, public participation in management, and socio-economic conditions. The reference to “changes in human dimensions” in the climate change discussion of section 32.13e is vague.*

**Response:** In the final directives, the Agency added direction requiring monitoring related to social, cultural, and economic conditions (FSH 1909.12, chapter 30, section 32.13f). This

direction requires plan monitoring programs to include one or more monitoring questions and indicators related to the ability of the plan area to sustain its major contributions to social, cultural and economic conditions or the social, cultural and economic conditions most likely to be affected by the management of the plan area. The Agency changed the reference to “human dimensions” in the first paragraph of section 32.13e to “changes in social, economic, and cultural conditions.”

***Comment:** The Forest Service should revise their recreation monitoring requirements by emphasizing recreation opportunity spectrum and scenic management system frameworks, monitoring backcountry recreation, including outfitters and guides, or by using benefits based management.*

***Response:** The Planning Rule requires the monitoring of the status of visitor use, visitor satisfaction, and progress towards meeting recreation objectives. 36 CFR 219.12 (a)(5)(v). The Agency added to FSH 1909.12, chapter 30, section 32.13d that the recreation opportunity spectrum (FSM 2310) and the scenery management system may be used for monitoring recreational settings, sustainable recreation opportunities, and scenic character to the extent that they are applied in plan components. FSH 1909.12, chapter 30, section 32.13d focuses appropriately on questions related to desired conditions and objectives of plans and does not mention “outfitters and guides” or “benefits based management”.*

***Comment:** The Forest Service should clarify requirements for monitoring soil quality. A respondent felt that plans should contain at least one monitoring question that addresses whether timber harvest practices are causing irreparable damage to soil, slope, or other watershed conditions.*

***Response:** The Agency clarified FSH 1909.12, chapter 10, section 32.13h (Productivity of the Land). The final directive changes the focus from soil monitoring to focus on monitoring related to plan components and timber management. In addition, the final directive discusses coordinating with applicable research studies, differentiating between timber management effects and stressors such as climate change and acid deposition; and explains that the term “management system” is defined as a timber management system not a business management system.*

***Comment:** A respondent recommended that the monitoring program include questions to assess whether 1) the ecological and social characteristics that provide the basis for an area’s suitability for wilderness designation are protected and maintained; and 2) the values for which other designated areas were established are protected and maintained.*

***Response:** The final directive does not require the specific monitoring of ecological and social characteristics of designated areas. The Agency believes required monitoring should focus on the most important questions. Therefore, the Agency is reluctant to add additional monitoring requirements for every National Forest System unit.*

FSH 1909.12, chapter 30 requires monitoring of effectiveness of ecological conditions (sec. 32.13a, 32.13b) and the monitoring of desired conditions and objectives of social and economic sustainability (sec. 32.13f). This monitoring may occur in designated areas. The final directives protect the character of designated areas by giving guidance for plan components to protect the areas (FSH 1909.12, ch. 20, sec. 24). Projects and activities must be consistent with the plan components. Responsible Officials may include questions and indicators within the plan monitoring program related to designated areas.

**Comment:** *The Forest Service should describe how monitoring programs will be transitioned to the 2012 Planning Rule requirements. A respondent asked what is the extent to which forests need to define how their existing plans define ecological integrity and diversity in order to justify selection of focal species.*

**Response:** The Agency modified the final directive to clarify the requirements for the transition to the 2012 Planning Rule monitoring items. A transition to the Planning Rule's monitoring provisions does not require a plan amendment or revision.

The Responsible Official should select focal species and make focal species a part of the monitoring program as described in FSH 1909.12, chapter 30, section 32.13c. The Agency added the following direction to FSH 1909.12, chapter 30, section 32. 3: "The Responsible Official should select focal species and make focal species a part of the monitoring program as described in section 32.13c of this Handbook. For existing plans that do not include components for ecological conditions as required by 36 CFR 219.9, focal species and their questions and indicators should be selected to assess the existing plan's desired ecological conditions for plant and animal communities."

**Comment:** *The Forest Service should develop a broad-scale monitoring strategy and report monitoring results. A respondent felt that the Agency should require an evaluation report for the broader scale monitoring strategy. A respondent felt that the regional forester should identify regional monitoring questions for plan monitoring programs.*

**Response:** The Agency modified FSH 1909.12, chapter 30, section 33 so that it is clear that Responsible Officials will consider existing monitoring programs and reach out to interested partners for broader-scale monitoring under the 2012 Planning Rule. The Agency clarified that broad-scale monitoring strategies developed under the requirement of 36 CFR 219.11 can range from a basic identification of the questions and indicators to be monitored at the broader scale to a more complete description of protocols, data management, responsibilities, and partnerships for the relevant plan monitoring questions and indicators. The Agency added a requirement that documented results from the broader-scale monitoring strategy be made publicly available on at least a 5-year cycle (FSH 1909.12, ch. 30, sec. 33.2). Broader-scale monitoring evaluation reports are not required, but information obtained from broad-scale monitoring must be evaluated in the biennial monitoring evaluation reports for the plan areas covered by that monitoring when that information becomes available (36 CFR 219.12 (d), FSH 1909.12, chapter 30, section 34). The Agency clarified FSH 1909.12, chapter 30, section 33.1 and exhibit 01 about developing the broader-scale monitoring strategy. For instance, the Agency clarified the many ways a broader-scale monitoring strategy may be developed in paragraph 2 of section 33.1. In addition, FSH 1909.12, chapter 30, section 33.1, exhibit 01 gives examples of the various ways the broader-scale monitoring strategies may be developed. In addition, the examples of broader-scale monitoring strategies developed to meet regional priorities were clarified in exhibit 01.

Regarding the comment about the regional forester identifying regional monitoring questions for individual plans, the regional forester may identify an issue common to several plan areas and require that the plan monitoring programs for those areas include specific questions and indicators to deal with the issue (FSH 1909.12, ch. 30, sec. 31).

**Comment:** *Respondents recommended ways to improve the guidance for the biennial evaluation report in FSH 1909.12, chapter 30, section 34 including the following suggestions: require each report to give estimates for what data will be available in the next report; require full and*

*complete reports on a biennial basis; provide further guidance about possibly postponing reports because of exigencies; make all direction in enumerated paragraph 3 of section 34 about the content of the reports mandatory. A respondent felt the biennial evaluation was unnecessary.*

**Response:** The biennial evaluation is required by 36 CFR 219.12(d). The Agency clarified the guidance of FSH 1909.12, chapter 30, section 34 for the biennial monitoring evaluation report.

The Agency added the following sentence to FSH 1909.12, chapter 30, section 34: “The evaluation may also identify any changes to the plan monitoring program that may be needed, including adjustments that would reflect changes in the availability of financial and technical resources.”

The Agency did not add any guidance about estimates of what data will be available in the next report, or additional guidance about postponing reports because of exigencies because the guidance is not needed.

In the final directive, the Agency retained the discretion in the final paragraph about the content of the reports (FSH 1909.12, ch. 30, sec. 34, paragraph 2). The verb “may” is used to give discretion to the Responsible Official to collaborate with the public and governmental entities to develop appropriate ways to evaluate the monitoring information. The Agency allows flexibility for preparing the evaluation report to reflect the different unique circumstances across the National Forest System, including response to best available scientific information, public input, and information about changing conditions at the unit level.

### **Substantive Changes to the Monitoring Program**

**Comment:** *The Forest Service should define non-substantive change and clarify that line officers are required to determine substantive changes.*

**Response:** The Agency clarified the guidance in FSH 1909.12, chapter 30, section 32.4 to say: “A change to a monitoring question or an indicator is a substantive change to the plan, which may be made administratively but only after the public has an opportunity to comment. The Responsible Official shall provide the public notice of, and an opportunity to comment on, proposed changes to the plan monitoring program and consider public comments on the proposal. The notice may be through any method the Responsible Official deems appropriate such as posting on a webpage, use of emails, or in the biennial monitoring evaluation report (FSH 1909.12, ch. 40, sec. 42.14). A correction of clerical error or a nonsubstantive change to the plan monitoring program, requires only advance notice.

### **Adaptive Management**

**Comment:** *The Forest Service should require disclosure of assumptions and uncertainties as part of the adaptive management framework and require certain actions based on identified thresholds. The directives should also provide for a range of management actions in an adaptive management framework, and monitoring results, especially for large-scale projects.*

**Response:** The Agency has considered these concerns both in developing the Planning Rule and the directive. The Agency clarified guidance for adaptive management in FSH 1909.12, zero code, section 06. It is expected the most important assumptions and uncertainties that influence the major parts of the plan decision will be disclosed in the plan decision document, and that monitoring questions and indicators [or, the plan monitoring program] will be developed to collect information about these assumptions and uncertainties. Due to the potentially large

number of assumptions and uncertainties, the Agency elected not to specifically require this disclosure in the decision document as this disclosure could unnecessarily burden the planning process.

The Planning Rule and the directives did not include triggers or thresholds because not all monitoring elements and indicators are suited to triggers. Establishing triggers can be complex and time consuming. Neither the Rule nor the directives preclude the inclusion of triggers where they can be developed and where they are informed by the best available scientific information. Similarly, a plan is expected to allow for a variety of projects and activities that are consistent with the plan in accordance with 36 CFR 219.15.

Project planning may further add monitoring and evaluation requirements for small or large-scale projects but these directives, which concern only planning, do not include guidance for projects.

The Planning Rule makes clear that the biennial monitoring evaluation report must indicate whether a change to the plan, management activities, or the monitoring program, or a new assessment, may be warranted based on the new information (36 CFR 219.12 (d)(2)). Thus, rather than mandating specific adaptive management elements in the plan, the Planning Rule, and the directives as well, rely on the biennial monitoring evaluation report as the required method for determining whether the plan needs to be changed. A reference to the biennial monitoring report has been added to the adaptive management section of FSH 1909.12, zero code, section 06.

## Resource Extraction

### Minerals

***Comment:** The Forest Service should add an assessment of mineral resources to the assessment requirements, including assessment of actual subsurface mineral and energy resources, rather than just surface resources.*

***Response:** FSH 1909.12, chapter 10, section 13.52, has been modified to indicate that assessments should identify and evaluate available information such as the potential for occurrence of nonrenewable energy and mineral resources, and the current type, extent, and general location of nonrenewable energy and mineral activity and energy facilities in the plan area. This information about mineral and energy resources from the assessment should be considered in the development of plan components.*

***Comment:** The Forest Service should provide additional guidance that properly protects other resources during minerals leasing.*

***Response:** The final directives clarify that the plan may include plan components such as suitability, standards, or guidelines to identify measures to minimize or avoid impacts on surface or subsurface resources within appropriate legal authorities of the Forest Service. These plan components would apply to consideration of subsequent leasing proposals.*

### Geologic Hazards

***Comment:** The Forest Service should coordinate with local land managers to evaluate avalanche risk, and should identify acid-producing rock in assessments, as well as develop mitigation measures.*



**Response:** The final directives have added sections in chapters 10 and 20 for geologic hazards, including acid-producing rock and snow avalanches, as matter for responsible officials to consider in both the assessment and the development of plan components (FSH 1909.12, ch. 10, sec. 13.53, ch. 20, sec. 23.23j). The Responsible Official should consider whether the set of plan components adequately mitigates the risks from these hazards. If not, the Responsible Official should direct the interdisciplinary team to add additional plan components to address these geologic hazards.

### **Oil and Gas Leasing**

**Comment:** *The Forest Service should clarify the relationship between oil and gas leasing decisions and the land management planning process.*

**Response:** The relationship between oil and gas leasing analysis and the land management planning was modified from the proposed directive and is described in FSH 1909.12, chapter 20, section 23.23i. The Forest Service decision regarding which lands are available for oil and gas leasing is supported through preparation of a leasing availability analysis. A leasing analysis may be for all or portions of a plan area. The leasing availability decision may be as part of the plan, as a separate decision concurrently with the plan, or as a decision that may occur subsequent to the plan decision. The difference in scope, proposed action, and level of detail between a planning effort and a leasing analysis must be made clear should a single NEPA analysis document be used to support both the plan and oil and gas leasing availability decisions. Oil and gas leasing availability decisions must be consistent with the applicable land management plan.

### **Mineral and Energy Suitability**

**Comment:** *The Forest Service should clarify how plans will make suitability determinations for energy and mineral development projects, should require suitability determinations for mineral and energy development on forest lands, and should provide more guidance on coal leasing and suitability determinations for NFS lands.*

**Response:** The final directives clarify that plans may have plan components such as suitability, standards, or guidelines to identify measures to minimize or avoid impacts on surface or subsurface resources within appropriate legal authorities of the Forest Service, or to protect purposes for which the lands were acquired, subject to valid existing rights. For subsurface minerals managed by the Bureau of Land Management, plans may establish plan components regarding surface use and occupancy of mineral developments consistent with the provision of applicable laws and regulations and subject to valid existing rights.

In the event that a project application for energy or mineral development within the authority of the Forest Service is inconsistent with the plan components in the land management plan, the Agency would exercise its authority to deny consent or amend the land management plan.

### **Mineral and Energy Effects**

**Comment:** *The Forest Service should assess the socioeconomic effects of mining and energy development.*

**Response:** The final directives (FSH 1909.12, ch. 10, sections. 13, 13.1 and ch. 20, sec. 23.21) describe the general relationship between contributions of the plan areas such as key ecosystem services and infrastructure, to social, cultural and economic conditions. Other sections of the final directives recognize that minerals and energy development may be one of these

contributions as a key ecosystem service (FSH 1909.12, ch. 10, sec. 13.12, ch. 20, sec. 23.21b) or an infrastructure element (FSH 1909.12, ch. 10, sec. 13.13). The socioeconomic effects as well as the environmental effects of land management plans that affect mining and energy development are described in the supporting environmental analysis document.

## Recommended Wilderness

**Comment:** *Plan components should ensure that potential wilderness areas are not managed with the same restrictions on mechanized uses as wilderness areas.*

**Response:** The final directives were modified from the proposed directives to indicate that when developing plan components for recommended wilderness areas, the Responsible Official has discretion to carry out a range of management options. All plan components applicable to a recommended area must protect and maintain the social and ecological characteristics that provide the basis for wilderness designation. Among the options available is to continue existing uses, but only if such uses do not prevent the protection and maintenance of the social and ecological characteristic that provide the basis for wilderness designations (See FSH 1909.12, chapter 20, sec. 24.41 or FSH 1909.12, chapter 70, sec. 74.1). Note that the term “potential wilderness areas” is no longer used with respect to plans revised or amended under the 2012 Planning Rule.

## Lands and Open Space

**Comment:** *The Forest Service should make better connections to communities, parks, and greenways.*

**Response:** The final directives maintain the approach of the proposed directives. In the assessment (FSH 1909.12, ch. 10, sec. 13.9), the interdisciplinary team is expected to identify and evaluate information about opportunities to provide open space connections with lands in other ownerships. Interdisciplinary teams are also expected to consider these types of open space connections in developing plan components and plans may contain plan components to provide for such connections (FSH 1909.12, chapter 20, sec. 23.23m).

**Comment:** *The Forest Service should revise the land status and ownership assessment to examine the need for land disposal or opportunities for land ownership consolidation, including identifying priority lands for conservation and restoration.*

**Response:** The Agency does not agree that land management plans should examine specific needs for land disposal or land ownership consolidation. The Agency approach is for land management plans to describe a desired condition for the plan area that includes land patterns, uses, and access (FSH 1909.12, ch. 20, sec. 23.23m). This desired condition should take into account the needs for conservation and restoration as well as the results of collaborative agreements reached with partners. Specific lands for disposal exchange, or acquisition should be made at the project level and should not be identified in a land management plan. Decision on specific land transfers can be evaluated based on the plan components contained in the land management plan.

## Sustainability

**Comment:** *The Forest Service should evaluate the effects of growth on the sustainability of various activities. Unless specific restrictions are placed to limit the expansion or growth of an*

*activity, the sustainability analysis should consider, among other possibilities, substantial increases in such activity.*

**Response:** The evaluation of the conditions and trends in the assessment (FSH 1909.12, ch. 10, secs. 10.2, 11.0, 12.1, 12.13, 12.14, 12.14b, 12.14c, 12.21, 12.22, 12.23, 12.32, 12.4, 12.52b, 12.52c, 12.52d, 12.53, 12.55, 13.12, 13.13, 13.22, 13.23, 13.32, 13.33, 13.34, 13.35, 13.4, 13.51, 13.52, 13.6, 13.7, 13.8, 13.9, and 15.0) should identify growth trends and the potential impact such trends are likely to have on the plan area, the area(s) of influence, and the broader landscape. Using this information the Responsible Official can decide if restrictions on certain activities are needed in the plan. The environmental analysis will evaluate the plan alternatives under consideration with an understanding of the potential effects of growth. Plan monitoring programs can also monitor certain “unrestricted” activities to evaluate if those activities are generating a potential need to change the plan.

## Other Resources

**Comment:** *The Forest Service should create a section on other natural resources in the planning directives to account for resource concerns that could be impacted by Forest Service planning actions.*

**Response:** The FSM 1920, FSH 1909.12 zero code, FSH 1909.12, chapter 10, section 11, FSH 1909.12, chapter 20, sections 21 and 22 contain general sections that apply to all natural resources. In addition FSH 1909.12, chapter 20, section 23.23n retains a section from the proposed directive that specifically covers the Planning Rule requirement that the plan contain other plan components for integrated resource management to provide for multiple use as necessary (§ 219.10(b)).

## Best Available Scientific Information

### General Comments

**Comment:** *The Forest Service should place additional emphasis on the use of best available scientific information (BASI) throughout the planning process, including in the monitoring phase, and should add reference to it in the FSM 1920. It should be clarified that BASI is to be used in all plan components.*

**Response:** Both the Planning Rule and the directives emphasize the use of best available scientific information to inform all aspects of the planning process including monitoring. Use of best available scientific information is identified as a responsibility of the Forest, Grassland or Other Comparable Administrative Unit Supervisor in FSM 1921.04(d). Plan components are not scientific information and multiple sources of information may be used in the development of plan components. Thus, the final directives do not require the Responsible Official to document the use of best available scientific information to inform the development of every plan component.

**Comment:** *In addition to the requirement that the assessment report explain how best available scientific information (BASI) informed the topics of assessment and the specific sources that were determined to be BASI, these reports should also include a description of how the BASI was obtained and what actions were taken to ensure that the full range of information was considered. This is especially important when the Responsible Official identifies information gaps and is unable to collect relevant, available information.*

**Response:** For documentation in the plan decision document, both the proposed and final directives (FSH 1909.12, zero code, sec. 07.15b) indicate that the Responsible Official should also summarize the general process of how best available scientific information was identified, evaluated, and used to inform the planning process. This summary would describe outreach to gather scientific information; the evaluation process, models, and methods used; evaluation of risks, uncertainties or assumptions; and any science reviews conducted. The Responsible Official should also describe any major scientific gaps or major uncertainties influencing the plan decision in the plan decision document. Responsible Officials may have a similar summary in the assessment report.

**Comment:** *The Rule states that best available scientific information (BASI) is to be used for the “issues being considered.” The directives should clarify this language to state that this includes (but is not limited to) each plan component, monitoring question and determination or analytical conclusion to which the Planning Rule applies.*

**Response:** The final directives have been modified to more clearly identify what the issues being considered are in all three phases of the planning process (FSH 1909.12, zero code, sec. 07.11a, 07.11b, and 07.11c). For the assessment, the issues under consideration are those related to the 15 topics and sustainability that form a basis for plan decision-making. For the planning phase, the issues being considered are those identified from the National Environmental Policy Act (NEPA) scoping process for consideration in developing the plan components and other plan content. For the monitoring phase, the issues being considered are those related to the selection of monitoring questions and indicators in the monitoring program.

**Comment:** *The Forest Service should consider best available scientific information (BASI) as an addition to, rather than a substitute for, social consensus, agency expertise, and desired ecological conditions, in order to facilitate project implementation and avoid protracted project timelines and legal challenges.*

**Response:** The Planning Rule has distinct requirements for the use of best available scientific information to inform the assessment and the development of the land management plan and plan monitoring program. While best available scientific information must inform the planning process, the Responsible Official may also use other information to make the plan decision. This use of best available scientific information along with consideration of other information is described in FSH 1909.12, chapter Zero, section 07.1 of the final directive with minor modifications from the proposed directive.

**Comment:** *The Forest Service should provide better descriptions about how Responsible Officials will determine best available scientific information (BASI). Specific concerns are about the discretion for Responsible Officials to determine BASI, possibly inconsistently, consideration of peer review, how to determine what is “best” and whether or not Responsible Officials should consider other information to be BASI. Some comments suggest that every subject or plan component must have associated BASI.*

**Response:** The Planning Rule indicates that the Responsible Official would determine best available scientific information based on accuracy, reliability, and relevance (36 CFR 219.3) for the issues being considered. FSH 1909.12, zero code, section 07.12 in the final directives, for determining best available scientific information has been modified to focus on these three characteristics.

The Planning Rule intended that there would be a range of best available scientific information based on the particular situation and the criteria of accuracy, reliability, and relevance. The Preamble to the Planning Rule indicates that “In some circumstances, the BASI would be that which is developed using the scientific method, which includes clearly stated questions, well-designed investigations, and logically analyzed results, documented clearly and subjected to peer review. However, in other circumstances the BASI for the matter under consideration may be information from analyses of data obtained from a local area, or studies to address a specific question in one area. In other circumstances, the BASI could be the result of expert opinion, panel consensus, or observations, as long as the Responsible Official has a reasonable basis for relying on that information.” (77 FR 21162, 21192 (April 9, 2012)).

With this range of scientific information to be considered and a criterion of relevance to determine best available scientific information, it is expected that such determinations will vary based on the plan area.

The final directive (FSH 1909.12, zero code, sec. 07.12) similar to the proposed directive makes clear that there is no imperative to identify a single scientific source of information as being best for a particular subject, nor does it require that there must be identified best available scientific information for every subject. Responsible Officials are expected to use best available scientific information to inform their decisions and can use other information as appropriate.

### **Biennial Monitoring Reports**

*Comment:* Since the entire planning process is to be science-based, chapter 30 should include language requiring best available scientific information (BASI) for the monitoring evaluation reports.

*Response:* FSH 1909.12, chapter 30, section 34 has been clarified to say: “The Responsible Official may briefly describe new best available scientific information, if any, for plan monitoring program questions and indicators. If there is new best available scientific information, determine whether that best available scientific information indicates that the question, indicator, or protocol, or other aspect should be changed. Indicate if there is no new information to date.”

Under the Planning Rule, best available scientific information is required to be used to inform the development of the monitoring program. The biennial monitoring report is focused on evaluation of two sources of information: (1) the information gathered from the plan monitoring program, and (2) relevant information from the broader scale strategy. The Responsible Official may include evaluation of other scientific information in the biennial evaluation, but is not required to do so. There is no requirement to require the Responsible Official to document how they used best available scientific information to inform the evaluation of the monitoring information.

### **New Information**

*Comment:* The Forest Service should expand its use of best available scientific information (BASI) in the assessment process by going beyond what is available, to include data gathering.

*Response:* The final directives follow the rule, which explicitly says that assessments are to use existing information (36 CFR 219.6(a)(1)). The preamble to the final rule discusses this at 77 FR 21201. The planning directives are consistent with this approach and do not prescribe the development of new information. Responsible Officials may develop new information during

the revision process if they believe it is important to address specific issues while completing plan revisions in a timely manner.

### **Science Reviews**

**Comment:** *The Forest Service should require science reviews where there is controversy or a higher level of credibility is required.*

**Response:** The Planning Rule does not require or reference science review. Science review was included in these directives based on the value such reviews have provided to past planning efforts. The review process can be used to strengthen the evaluation and use of science in the planning process. The Agency added this section to the final directives so that Responsible Officials and planning teams were aware of this option. The directives state in FSH 1909.12, zero code, section 07.2, that the Responsible Official or the interdisciplinary team leader has the discretion to conduct science review, depending on the level of review needed.

### **Public Involvement and Participation**

**Comment:** *The Forest Service should design the planning directives to promote trustworthy, unbiased forest planning efforts that do not provide opportunities for special interest groups to override local planning decisions.*

**Response:** The Forest Service is committed to revising land management plans in an open and transparent manner, with continual opportunities for public input and engagement. All views are equally valued during the plan revision process, regardless of whether those concerns and recommendations are from a local, regional, or national perspective. The directives were designed so that throughout the entire planning process, opportunities are provided for all members of the public to be engaged and provide input. Responsible Officials strive to balance different, and often competing, public needs and perspectives to inform a decision that is practical, workable, based on science, and reflective of overall public and Agency values and input.

**Comment:** *The Forest Service should expand the discussion of public involvement, including discussing the requirements of NEPA.*

**Response:** The Agency has NEPA procedures (36 CFR 220) and guidance available online at the following link: [http://www.fs.fed.us/emc/nepa/nepa\\_procedures/index.htm](http://www.fs.fed.us/emc/nepa/nepa_procedures/index.htm). The planning directives do not repeat NEPA requirements for public participation. Chapter 40 of the planning directives has been revised to provide guidance on coordinating public engagement processes required by both the 2012 Planning Rule and the National Environmental Policy Act (NEPA), when developing the public participation strategy. In particular, detailed information is provided on the minimum formal notices required along with guidance on outreach to the public. Public participation strategies are required for all forest planning efforts, but they must be tailored to the communications mechanisms available in each forest unit.

In addition, FSH 1909.12, chapter 20, sections 21.13 and 21.14 have been added to give guidance on opportunities to coordinate planning and NEPA procedures with exhibit 01-21.14 showing the relationship between planning and NEPA and opportunities to participate in plan revision.

*Comment: The Forest Service should provide clarification on the collaborative process.*

**Response:** Guidance on how and when to use collaboration as a public involvement approach can be found in FSH 1909.12, chapter 40, section 42.5. Collaboration is the most intensive level of public participation, and directly engages participants to work together to solve or explore resolutions to one or more issues. The Responsible Official has the discretion and responsibility to ensure that the opportunities for public participation are appropriate and effective. Because the makeup and dynamics of each community is different, the Responsible Official needs the flexibility to select public participation methods that best meet the needs of interested people and communities.

### **Comment Period**

*Comment: Several respondents suggested the Forest Service should extend the public comment period for the planning directive. A respondent asked why federally recognized Tribes and Alaska Native Corporations were given 120 days to comment.*

**Response:** On February 27, 2013, the Forest Service initiated a 60-day comment period to provide the public an opportunity to review the Agency's proposed planning directives. It is the Forest Service's national policy that when substantial public interest in a national directive is expected, the public shall have 60 days to review the directive and comment on it (36 CFR 216.6). The 60-day public comment period closed on April 29, but, in response to requests from the public, the Agency reopened the comment period to provide the public additional time to review the proposed directives and to continue to gather public input to inform the final directives. The final comment period closed on May 24 (78 FR 27184 (May 9, 2013)).

The February 27, 2013, Federal Register notice stated that the "Agency will contact all federally recognized Tribes and Alaska Native Corporations by mail to formally initiate consultation on the proposed directives and seek comments within 120 days" (78 FR 13316). It is Agency policy that widely applicable national issues must provide a tribal consultation period of at least 120 days from the date the Tribe or Alaska Native Corporation likely received the information on which they are being invited to consult (Interim directive number 1509.13-2014-1, FSH 1509.13, ch. 10, sec. 11.2).

*Comment: Several respondents were disappointed with the response of the Agency to "constructive criticism and suggested improvements" for the 2011 proposed rule and that the proposed planning directives as issued also failed to address their comments on the 2011 proposed planning rule.*

**Response:** The Agency received more than 300,000 public comments during the 90-day comment period for the proposed planning rule. No rule can satisfy the entire spectrum of opinion. In approving the 2012 Planning Rule, the Agency worked to balance different, and often competing, public needs and perspectives on planning into a process that is practical, workable, based on science, and reflective of overall public and Agency values and input. Comments to change the 2012 Planning Rule are outside the scope of the development of the final planning directives, because the final directives must be consistent with the 2012 Planning Rule.

### **Federal Advisory Committee Act (FACA)**

*Comment: The Forest Service should provide more information on using FACA groups and processes.*

**Response:** Agency FACA guidance regarding the establishment and composition of formal advisory committees can be found at FSM 1350 - Committee Management. A Federal agency must comply with the FACA when it establishes, uses, controls, or manages a group with non-Federal members that provides the Agency with consensus advice or recommendations. (See Key Principles and Practical Advice for Complying with the Federal Advisory Committee Act. <http://www.fs.usda.gov/main/prc/legal-administrativeresources/collaboration-law>).

Additional information on the FACA may be found at the Forest Service Partnership Resource Center Web site (<http://www.fs.usda.gov/main/prc>) and on TIPS <http://www.fs.fed.us/TIPS>. The Forest Service believes this guidance and information is sufficient, and that there is no need to add guidance in the planning directives at FSM 1920 and FSH 1909.12.

## Public Input

**Comment:** *The Forest Service should discuss the role of public input in the assessment process.*

**Response:** FSH 1909.12, chapter 40, section 42.11 has been expanded to provide guidance on the role of public input in the assessment phase of plan development and revision. The intent of public participation during this phase is to provide opportunities for the public to share their knowledge of existing forest conditions with the plan revision team and to identify concerns about trends and perceptions of risks to social, economic, and ecological systems.

The planning directives also require that the Responsible Official provide opportunities for other Agency staff, governmental entities, Indian tribes and Alaska Native Corporations and the public to provide existing information for the assessment.

## Objections

**Comment:** *The Forest Service should clarify various parts of the objections process, including what constitutes a substantive formal comment and add language and processes to the directives regarding resolution of objections.*

**Response:** The definition of “substantive formal comments” has been added to the zero code. (FSH 1909.12, sec. 05.) The definition, from the Planning Rule itself, at 36 CFR 219.62, sets out the criteria for determining whether a comment is considered substantive. The definition also makes clear that to be a substantive formal comment, whether written or oral, the individual or entity providing it must be identifiable. Language was added to Chapter 50 – Objections to clarify the process for resolution of objections.

**Comment:** *The Forest Service should revise the directives to eliminate the objections process.*

**Response:** The directives cannot be revised to eliminate the objection process which is part of the Planning Rule (36 CFR 219 Subpart B).

**Comment:** *The Forest Service should not allow existing plans to use the new objection process.*

**Response:** The 2012 Planning Rule requires use of the 2012 objection process for plan revisions and plan amendments started after May 9, 2012. The objection process is not new. While not widely used, a pre-decisional objection process has been available for use with land management plans since promulgation of the 2000 Planning Rule on November 9, 2000, as explained in the Interpretative Rule of January 10, 2001 (66 FR 1864).



**Comment:** *The Forest Service should not make decisions exempt from pre-decisional objections without further justification.*

**Response:** Decisions for plan revision and plan amendments begun after May 9, 2012, will not be exempt for the pre-decisional objections process.

**Comment:** *The Forest Service should revise the planning directives' objection language to clarify concerns regarding resolution of objections.*

**Response:** In response to several comments, an eligibility requirement was added for interested party status. The final directive says that “interested persons” may include any party not named in the objection and who submitted substantive formal comments demonstrating their participation during the planning process. Wording describing how interested parties participate was also added.

Concerns were raised about the objection process taking months. The Rule sets a 90-day time limit that the planning directives cannot change. The Agency’s expectation is that the 90-day timeframe will generally be met. The Rule does allow the reviewing officer to extend the time when necessary, for example, when a mandated 90-day limit could terminate fruitful collaboration.

Some commented that this section focused administrative processes of documenting an objection resolution instead of describing substantive methods of actually resolving an objection. As there is no one way to resolve an objection and as each land management plan is unique, the Agency declined to be prescriptive about how objections should be resolved.

**Comment:** *The Forest Service should discuss what process is required if a resolved objection requires a plan amendment.*

**Response:** The pre-decisional objection process offers an opportunity to make clarifications and adjustments to a land management plan before a final decision is signed. One of the reasons for the pre-decisional objection process is to provide an opportunity for adjustments to be made before a plan or revision is approved, and not afterwards by amendments (which had been the usual course of action under the post decision appeals process.) Because the objection process allows adjustments to be made to the existing EIS, plan amendment as part of the objection resolution process will be rare. Guidance in FSM 1950 – Environmental Policy and Procedures and FSH 1909.15 – National Environmental Policy Act Handbook, would be used in conjunction with the planning directives to identify the applicable NEPA procedures required, if any, by an objection resolution on a case by case basis. The Forest Service believes the guidance in FSM 1950 and FSH 1909.15 does not need to be duplicated in the planning directives.

## Timber Management

### General Comments

**Comment:** *Timber & Fire: Sections 29, 64.61, 64.62, and 64.63 should account for fire in the sections dealing w/limitations on timber harvest.*

**Response:** These sections in chapter 60 are about determining the measures of timber volume that could be sold or are projected for sale under the plan. Fire damaged or salvage volume is not predictable and thus is not included in these measures.

**Comment:** *The Forest Service should define timber resource terms such as “clear cut” and “regeneration” in more detail and should not allow small nonforest areas to be mapped or calculated as forestland.*

**Response:** The terms clearcutting and regeneration harvest were added to the definitions sections of FSH 1909.12, chapter 60, section 60.5. The definition of clearcutting makes clear that clearcutting is one form of regeneration harvesting.

The guidance at section 61.14 that nonforest areas less than 120 feet wide may be included in the mapping of forest land is intended to provide some basic thresholds for mapping, so that maps are not overwhelmed with the detail of nonforest inclusions. In the final directive, text has been added to the section to indicate that calculations of forest land for purposes of determining timber volumes (sec. 64) should adjust for the cumulative amount of such small inclusions of nonforest land.

**Comment:** *Throughout chapter 60, a number of NFMA requirements or Planning Rule requirements that must be included in land management plans are described with a “should” when a “must” would be required. Example: Plans [should] include a standard indicating that the selection of harvesting system for a project must not be selected primarily for the greatest dollar return or output of timber.”*

**Response:** Guidance has been added to the final directives in the zero code, section 05.1 that describes the degree of compliance expected with certain words in the directive. This added section clarifies the meaning of directive words such as “must”, “should” and “may” as used throughout the directives. FSH 1909.12, chapter 20, section 23 describes how plan components should be integrated to meet each of the Rule’s requirements, without the necessity of a unique plan component for each and every rule requirement. Explanation has also been added to the beginning of section 64 that requires plan components including standards or guidelines to accomplish these limitations of the National Forest Management Act (NFMA).

As stated in the final directive (FSH 1909.12, ch. 60, sec. 64.0): Sections 64.1 to 64.3 of this Handbook describe the methods for plans to address each of these limitations required by 36 CFR 219.11(d)(1) through (d)(7). These limitations require plan components, including standards or guidelines. Standards or guidelines are required to provide for each limitation. In addition, other plan components may be used. Most of these sections reflect the expectation that standards will be used as the required plan component to meet the limitation, although Responsible Officials may use guidelines where appropriate. Thus the word “should” is often used consistent with section 05.1, exhibit 01 in the zero code of this Handbook to describe the expectation that standards will be used, but to allow Responsible Officials to use guidelines if there are justifiable reasons to do so.

### **National Forest Management Act**

**Comment:** *The Forest Service should assure that the final version of chapter 60 fully reflects the multiple-use and adaptive flexibility balanced with basic protection of land and water resources that is codified in the National Forest Management Act provisions regarding timber resource planning and management.*

**Response:** Chapter 60 was developed specifically to address specific requirements of 36 CFR 219.11 of the Planning Rule and the National Forest Management Act provisions referenced in this Rule section. Broader considerations related to timber management and its role in social, economic and ecological sustainability are described in chapters 10 and 20.

## Suitability for Timber Production

**Comment:** *The directive should indicate that the plan must also be changed at any time new information indicates that lands identified as suited for timber production are no longer suited.*

**Response:** The directives at chapter 60, section 61.3 quotes the regulation at 36 CFR 219.11 (a)(2) that requires a review of lands at least every 10 years. This section specifically provides that the NFMA 10-year requirement to review lands for their suitability for timber production is the appropriate time to review and make adjustments to lands not suited for timber production. See 16 USC 1604(k).

Responsible Officials may determine what changes to the plan are appropriate when there is new information about the suitability of lands for timber production.

**Comment:** *The proposed directive indicates that the “suitability of lands” clarifies the types of timber harvest activities allowed or not allowed on certain lands to achieve desired conditions. This is inconsistent with section 22.15 which prohibits using suitability to specify management “tools.”*

**Response:** FSH 1909.12, chapter 60, section 63 has been modified to indicate that standards and guidelines are the appropriate plan component to identify what types of timber harvest are allowed on certain lands.

**Comment:** *The Directives require the Forest Service to consider whether timber production is compatible with the desired conditions and objectives of the plan based on five enumerated criteria. It is unclear why “regeneration of the stand is intended” is part of the determination of whether timber production is compatible with the desired conditions and objectives. Another criterion is “A flow of timber can be planned and scheduled on a reasonably predictable basis.” This condition is extremely vague and thus will be subject to endless legal challenge. The only inference from this language is that in areas where one entry will be sufficient to complete the project, those areas are automatically deemed unsuitable for timber production. Idaho recommends the elimination of the entire second step, or at a minimum, eliminates condition number three and the need to adequately define what a “reasonably predictable basis” is.*

**Response:** In the final directives, at section 61.2, the Agency has changed the five “criteria” for determining the lands suitable for timber production based on compatibility with desired conditions to be five “considerations.”

Sustained timber production on the land is included as one of the five considerations because sustaining timber production will require at some point in time, regeneration of trees on the individual stand to provide harvest volume for the future. Regeneration can occur either through even or uneven aged management regimes, by planting or using an established method of natural regeneration.

The ability to estimate a reasonably predictable flow of timber that can be planned, scheduled and sustained over time through a sequence of timber harvests is also a characteristic of land that is suitable for timber production. The estimated flow of timber can be estimated based on repeated multiple harvests or with long gaps or rotations between timber harvest. Lands for which no reasonable predictable flow of timber can be planned while still meeting the desired conditions would typically not be suitable for timber production.

**Comment:** *The Forest Service should evaluate the economic suitability of timber harvests.*

**Response:** The Forest Service decided not to include a requirement in the directives for evaluating the economic suitability of timber harvest, because such an evaluation would only show one aspect of suitability. The real measure of the worth of the timber program is not net monetary cost versus revenues, but all costs, monetary and nonmonetary, versus public benefits, also monetary and nonmonetary. Some of the benefits of timber production can be measured as receipts while other, nonmarket benefits, such as early successional habitat for certain species, improved wildlife habitat for hunting, diversity of habitat in the landscape, and reduced risk of wildfire cannot be measured as receipts. These nonmarket benefits are in addition to the financial benefits from timber production. Similarly, costs are not only financial but may include adverse impacts of timber harvest that affect other resources and other uses of a plan area.

Ultimately, in determining whether lands are suitable for timber production, timber production must be compatible with the plan's desired conditions and objectives. This determination involves evaluating the various tradeoffs as part of the overall planning process.

### **Timber Volume Calculations**

**Comment:** *Chapter 60 should more clearly articulate that desired conditions serve as the foundation for timber production. In particular, the sections regarding calculation of long-term sustained-yield capacity (LTSYC), planned sale quantity (PSQ) and timber sale program sale quantity (TSPQ) should be outputs of desired conditions, goals, and objectives. The directive needs to clarify that desired conditions should come first, and then determine the timber production capability consistent with moving forest in direction of desired condition. As such, they should indicate desired levels that are not budget limited and planned levels.*

**Response:** The Agency added a table to FSH 1909.12, chapter 60, section 64.65 to identify the different attributes of the different timber quantities to identify in the plan. The directives require three identified quantity types: Sustained yield limit (SYL; renamed from long-term sustained-yield capacity in the proposed directives), projected wood sale quantity (PWSQ; renamed from planned timber sale quantity in the proposed directive) and projected timber sale quantity (PTSQ; renamed from the planned sale quantity in the proposed directive); each has a different purpose. Although renamed, these quantities retain the same meaning as they did in the proposed directives.

The sustained yield limit (SYL) is an estimate of the amount of timber that the plan area could produce in perpetuity on a sustained yield basis. As such, the SYL represents a volume potential that is not bound by the unit's fiscal capability or the plan components. It is provided to meet the specific requirements of the National Forest Management Act "to limit the sale of timber from each national forest to a quantity equal to or less than a quantity which can be removed from such forest annually in perpetuity on a sustained-yield basis . . . ." (NFMA) (16 USC 1611 (a) and 36 CFR 219.11(d)(6)). Subject to exceptions stated in the statute and rule the SYL is the maximum volume of timber that can be produced on an annual basis from a forest.

Unlike the SYL, the projected wood sale quantity (PWSQ) and the projected timber sale quantity (PTSQ) are determined within the context of the land management plan's desired conditions and other plan components. The PWSQ and PTSQ numbers are required by the directives as a way to meet the requirements of the NFMA at USC 1604 (e)(2) and Planning Rule at 36 CFR 219.7(f), to display the land management plan's planned timber sale program and timber harvest levels. The PWSQ and PTSQ are estimates of the volume that is expected to be sold given the land management plan's plan components and given the fiscal capability of the planning unit. The PWSQ includes all wood products anticipated for sale, while the PTSQ includes only those

wood products meeting timber utilization standards. The PWSQ and PTSQ are simply estimates and are not targets, maximum limits, nor minimum amounts to be sold during the plan period.

**Comment:** *A respondent felt the way “long-term sustained yield capacity” (LTSYC) is being defined in the proposed directives violates NFMA (16 USC 1611 (a)); see proposed directives at FSH 1909.12, ch. 60, sec. 64.61,). The respondent said that the proposed directive provides that the LTSYC includes volume from lands that are not suitable for timber production because timber production is not compatible with other plan components, (which is also a major change from the 82 Rule). NFMA (Section 13) defines LTSYC as the “quantity which can be removed from such forest annually in perpetuity on a sustained-yield basis.” The concept of sustained-yield has always been tied to land that is suitable for timber production. The commenter adds that the directives cannot inflate the LTSYC limit on timber volume by including lands that are not suitable for timber production. The directives must also be explicit that the calculations of LTSYC must be based on integrated silvicultural prescriptions that achieve desired conditions and meet standards for non-timber purposes. This would be especially important if LTSYC includes lands that are not suitable for timber production. The directives should also require that LTSYC and planned sale quantity (PSQ) be applied and tracked separately for suitable and non-suitable lands (see proposed directives at section 65.1).*

**Response:** The National Forest Management Act (NFMA) requires that the Agency “limit the sale of timber from each national forest to a quantity equal to or less than a quantity which can be removed from such forest annually in perpetuity on a sustained-yield basis” (16 U.S.C. 1611(a)). The NFMA does not specify the lands that are to be considered when determining this limit and does not require that the limit be determined based on integrated silvicultural prescriptions that achieve desired conditions. Under the 1982 Rule, the limit was based on lands suitable for timber production and the “intensities of management and degree of timber utilization consistent with the goals, assumptions, and requirements contained in, or used in, the preparation of the current RPA Program and regional guide” (1982 rule--36 CFR 219.16(a)(2)(i)). The NFMA is not specific; therefore, the Agency can take a different approach under the 2012 Planning Rule.

For the final directive under the 2012 Planning Rule, the Agency concluded that it is not appropriate to calculate the timber volume limit only from lands that are suited for timber production. The Forest Service reached this conclusion because, contrary to expectations at the time of the 1982 Planning Rule, substantial amounts of timber have been harvested on lands not suited for timber production for reasons other than timber production, and such harvests are likely to continue as the Forest Service works to restore forests. Thus, the Agency is taking a new approach, to estimate the quantity which can be removed from each forest annually in perpetuity on a sustained-yield basis, from both lands that are suited and lands that are not suited for timber production. The limit is calculated based on the sustained yield that can be produced, without considering fiscal or organizational capability from all lands in the plan area except those to which the factors set out in the Rule at section 219.11 (a)(i), (ii), (iv), (v), and (vi) apply.

The Agency acknowledges that taking a new approach with the long-standing term “Long Term Sustained Yield Capacity” (LTSYC) has caused confusion. The final directives therefore use a new term: “sustained yield limit” (SYL) to describe the amount of timber that can be harvested in perpetuity.

The SYL is simply the upper limit of what could be offered. Actual sale levels would depend on any number of factors. These factors include fiscal capability of the planning unit, timber market

conditions, constraints on timber harvest in the land management plan and other sources, and project-level analysis.

To provide a more realistic estimate of the actual levels of timber volume that can be expected under the plan, the directives require the identification of the projected timber sale quantity (PTSQ) and the planned wood sale quantity (PWSQ). These measures of timber volume are expected to be consistent with the plan components and the fiscal capability of the planning unit. The projected volumes are to be displayed for lands that are not suited for timber production, if the Agency anticipates a timber harvest program from these lands during the plan period.

***Comment:** The Forest Service should not count firewood toward long-term sustained-yield capacity and should clarify the role of biomass in the different calculations.*

***Response:** The Agency clarified FSH 1909.12, chapter 60, section 64.34 to state that utilization standards for timber should not include branches, sawdust, fuelwood, firewood, biomass, or other woody material that is not consistently sold or measured on a cubic volume basis. In addition, chapter 60, section 64.35 contains a new exhibit 64.35, exhibit 01 to highlight the attributes of the different measures of timber volume.*

In the final directive, firewood and other woody material, including biomass, that are not within the utilization standards for sold material are not included in the sustained yield limit or the projected timber sale quantity. To have an estimate of the total amount of woody material that is expected to be sold under the plan, firewood and other biomass material that do not meet the utilization standards should be included in the estimate of the projected wood sale quantity.

The plan must identify or reference the appropriate utilization standards that identify the standard types of timber products to be sold. FSH 1909.12, chapter 60 requires that regions develop such utilization standards.

### **Timber Management Intensities**

***Comment:** The definition of mean annual increment in 219.19 requires that timber management intensities be “in the plan.” Timber management intensities are not mentioned anywhere in these terms. The directives need to specify how this requirement will be met.*

***Response:** Definitions of management practices and management intensities have been added to the definitions to respond to this concern (FSH 1909.12, ch. 60, sec. 60.5).*

### **Timber Management Practices**

***Comment:** The exhibit in FSH 1909.12, chapter 60, section 65.1 projects acres of treatments. Even though these are not plan components, there should be a logical relationship between these projections and plan objectives. There should also be a connection to NEPA effects analysis. The directives should acknowledge that these figures are assumptions about the effects of plan components (especially desired conditions and objectives) that must be considered in evaluating effects on other resources in the relevant NEPA document.*

***Response:** The directives require that each plan include a table of Estimated Vegetation Management Practices. The table does not show the relationship between the practices and the plan components. However, section 65.1 in the final directive (FSH 1909.12, chapter 60) explains that the planned practices to be displayed in the table are the estimated types of practices that would be necessary to achieve the desired conditions and objectives during the plan period on an average annual basis, within the fiscal capability of the planning unit. FSH*

1909.12, chapter 60, section 65.1 of the final directive has been modified to indicate that these estimated vegetation practices may also be objectives in the land management plan. The estimated practices typically derive from the estimation of effects of the preferred or selected alternative in the environmental impact statement accompanying plan development or revision.

### **Timber Stocking**

**Comment:** *Why would stocking not be a desired condition for vegetation in areas to be managed for timber production (after integration with any other resource needs)? That is exactly the approach taken in the proposed FSH 1909.12, chapter 60, section 64.51b.*

**Response:** In the final directives, “stocking” has been modified so that it is defined in terms of the plan-defined desired conditions for a stand or area. (See FSH 1909.12, ch. 60, sec. 60.5.). Plans may describe desired stocking levels as part of the desired conditions, but they are not required to do so (see FSH 1909.12, chapter 60, section 64.14).

### **Timber Restocking**

**Comment:** *The Forest Service should require that plan components ensure and monitor adequate and ecologically sustainable restocking standards across the Forest, rather than allowing excessive restocking variation across projects.*

**Response:** As management of national forests has evolved, it has become clearer that a single set of restocking standards, applicable throughout a forest, may not be desirable ecologically, socially, or economically. Similar to the proposed directive, the final directive (FSH 1909.12, chapter 60, section 64.14) provides a flexible approach for Responsible Officials to develop restocking standards based on the desired conditions and forest types within the plan area.

The directives provide different ways to establish adequate restocking standards. One approach is for the plan to establish the restocking standards for either all or most of the harvest situations anticipated under the plan. This approach would provide for greater uniformity within a plan area.

A second approach would be for the plan to require that adequate restocking be determined for each timber harvest project, based on the plan desired conditions and objectives applicable to the area and project. This approach would allow for flexibility and some diversity in restocking.

A third approach is a hybrid using standards established in the plan, but also allowing for restocking to be determined on an area or project basis.

Direction for stocking surveys or examinations is not found in the Planning Rule and the planning directives but in the Forest Service Manual for Forest Management, at 2472. FSM 2472.4 and FSM 2472.5 require surveys in the first and third season following treatment and certification that the area is satisfactorily stocked.

### **Clearcutting**

**Comment:** *These “situations” where clearcutting may be optimal should be expressed as desired conditions in the plan, and the determinations should be tied to these plan components.*

**Response:** The final directive does not require that the plan specify desired conditions for every situation where clearcutting may be optimal. Similar to the proposed directive, FSH 1909.12, chapter 60, section 64.22 identifies three approaches for meeting the requirement that plan

components may provide for clearcutting only when it is the optimum method. Each of these approaches bases a determination of optimality on achieving the desired conditions and objectives for the plan area, or relevant portion thereof. The proposed directives' list of specific situations for the Responsible Official to consider in designing plan components has been removed from the final directive.

**Comment:** *Directives permit the Responsible Official to use clearcutting or other even-aged harvest methods, but does not specify what type of information the Responsible Official must/may use to make that determination. Clarify whether BASI [best available scientific information] is required when the Responsible Official makes a determination that clear cutting or other even-aged harvest methods “is the optimal method for the project” and those methods are “consistent with all other applicable plan components.”*

**Response:** Consideration of best available scientific information is expected throughout the planning process to inform the development of plan components, including those related to clearcutting and other even-aged harvest methods. Determinations of clearcutting optimality or appropriateness of even-aged methods must also be based on the desired conditions and objectives of the plan and consistency with the other plan components. Best available scientific information would be most useful in assessing the effectiveness or ineffectiveness of these even-aged harvest methods in achieving certain desired conditions.

**Comment:** *Section 64.52a states that clearcutting “may be optimal” when “[r]ehabilitating lands adversely affected by events such as fires, windstorms, or insect or disease infestations.” This is not consistent with the available science (see literature list below) which shows that just the opposite can occur — that clear-cutting can eradicate some of the rarest and most important habitat in the forest if used in areas affected by events.*

**Response:** The Responsible Official is expected to determine the best available scientific information relevant for the plan area, and to use it in making a determination about the situations where clearcutting is the optimal way to achieve the desired conditions and objectives. This determination is inherently specific to the forest types in the plan and the applicable plan components for that area.

## **Timber Salvage**

**Comment:** *The Forest Service should more clearly define salvage logging to avoid excessively broad application of the practice, and to ensure potential ecological values of post-fire habitat is not lost to excessive harvest activity.*

**Response:** The definition of salvage harvest in chapter 60 was expanded to include situations where the removal of the dead or damaged trees contributes to achieving plan desired conditions or objectives consistent with other plan components. (FSH 1909.12, ch. 60, sec. 60.5.) Thus by definition, salvage harvest is not restricted to only removal of trees to recover economic value, as was the case in the proposed directive.

It is not the definition of salvage logging, but rather the plan components (as well as site-specific considerations) that control the application of salvage logging in the plan area. Forest plans may include specific plan components including standards and guidelines to provide for ecological sustainability and species diversity that apply to potential salvage harvest applications.



**Comment:** *The Forest Service should clarify its policy regarding the use of salvage logging on lands not suitable for timber production to avoid damaging harvest activity on sensitive post-fire landscapes that are still not suitable for logging.*

**Response:** A plan may include plan components to allow for timber harvest for purposes other than timber production, and on lands other than those that are suitable for timber production, as a tool to assist in achieving or maintaining one or more applicable desired conditions or objectives of the plan to protect other multiple-use value (36 CFR 219.11(c)). The National Forest Management Act of 1976, at 16 U.S.C. 1604(k), and the Planning Rule at 36 CFR 219.11(c) also allow timber harvest for salvage, sanitation or public health or safety in areas not suitable for timber production.

Salvage harvests in areas not suitable for timber production must be consistent with the desired conditions and objectives of the plan (36 CFR 219.15). A plan may also have other plan components including standards and guidelines relevant to the application of salvage timber harvest. Plan components that limit timber harvest to situations where soil, slope or other watershed conditions would not be irreversibly damaged (36 CFR 219.11(d)(2) (see FSH 1909.12, ch. 60, sec. 64.13) are expected to restrict salvage harvest on fragile soils and other situations where it would not be appropriate. Consistency of the project with the plan would be evaluated based on the criteria in section 219.15 of the Planning Rule.

### **Two-aged Stands**

**Comment:** *Any stand with two distinct age classes is NOT an even-aged stand! Using this definition could allow or encourage units to use even-aged cutting methods on stands that are not even-aged and provide severe misinformation to the public.*

**Response:** The final directive maintains the definition of a two-aged system as a “planned sequence of treatments designed to regenerate or maintain a stand with two- age classes. Cuts in two-aged systems are a form of even-aged management.” (FSH 1909.12 ch. 60, sec. 60.5.) It is the Forest Service’s position that a stand that consists essentially of two age classes (as opposed to multiple or uneven age classes) consists of two even-aged cohorts within the same stand. (See FSM 2400, Forest Management, ch. 2470, Silvicultural Practices, sec. 2470.5, Definitions). Any harvest using a two-age system may only occur after a finding that it is the appropriate method (16 USC 1604 (g)(3)(F); 36 CFR 219.11 (d)(5); FSH 190912, Ch. 60, sec. 64.22). There must also be a finding that the project is consistent with plan components, and appropriate NEPA analysis, with opportunity for public involvement.

### **Opening Sizes**

**Comment:** *The Forest Service should not allow opening size limits to be exceeded for timber sales.*

**Response:** The National Forest Management Act (U.S.C. 1604(g)(3)(F) and the Planning Rule at 36 CFR 219.11(d)(4) have specific provisions that allow for exceeding opening size limitations on an individual timber sale basis after public notice and review. FSH 1909.12, chapter 60 is consistent with those provisions.

### **Departure Harvest Schedules**

**Comment:** *A respondent felt the provision that permits a departure to harvest above the long-term sustained-yield capacity (LTSYC) if necessary to move the forested landscape toward*

*desired conditions should be clarified, and must be examined for its legality under NFMA and the national Planning Rule.*

**Response:** The National Forest Management Act and the Planning Rule allow for departure. NFMA states that doing so is allowed when “consistent with the multiple use management objectives of the plan.” 16 USC 1611 (a). The Planning Rule puts this requirement in plan component terms: departure must be “consistent with the desired conditions and objectives of the plan.” (36 CFR 219.11 (d)(6).) In line with the NFMA and the Planning Rule, the final directive, retains (with minor changes) the wording of the proposed directive that allows departure harvest to meet overall multiple-use objectives and achieve the plan’s desired conditions and objectives. (FSH 1909.12, ch. 60, sec. 64.33.)

### **Forest Health**

**Comment:** *The Forest Service should address restoring and maintaining forest “health,” and insects, disease, and fire as agents of change in the planning process. A respondent felt the planning directives lacked measures to remove diseased and at-risk trees to improve forest health. Another respondent felt the directives should emphasize a pristine forest to attract people, improve the local economy, and improve health. A respondent felt there is no apparent reference to the Healthy Forests Restoration Act or other current law that supports and facilitates more active vegetation management to address insect, disease, and fire threats.*

**Response:** The Agency agrees forest health is important. The planning directives do not give direction about the design of projects and activities. They give direction on developing land management plans. The Healthy Forests Restoration Act applies to projects; it does not apply to land management plans. However, under the Planning Rule, land management plans must be designed to restore ecological integrity. The final directives use the term “ecological integrity” when referring to the concept of forest health. The preamble to the 2012 Planning Rule explains that ecosystem integrity is a more scientifically supported term (77 FR 21262, 21208). A significant driver of the planning process is restoration of ecological integrity (forest health) (see 36 CFR 219.8(a)). The final directive lists disturbances caused by insects, disease, and fire as an example of ecological processes for identifying key ecosystem characteristics (FSH 1909.12, ch. 10, sec. 12.13, ex. 01). Key ecosystem characteristics are important to determine the status of ecological integrity and in developing plan components for ecological integrity. Therefore, every time the directives use the term “key ecosystem characteristics”, insects, disease, or fire may be considered. Insects, disease, and fire would be considered in the assessment when evaluating system drivers and stressors (ch. 10, sec. 12.3). FSH 1909.12 chapter 20, section 23.11b lists the considerations by the interdisciplinary team when developing plan components for ecological integrity (forest health). Insects, disease, and fire are included when giving guidance for system drivers.

### **Fiscal Capability**

**Comment:** *The Forest Service must be clear that fiscal constraints may nullify predicted harvest levels. Production of revenue from forest products to help offset the cost of management should be a consideration in planning.*

**Response:** Both the projected wood sale quantity (PWSQ) and projected timber sale quantity (PTSQ) identified in the plan are based on the fiscal capability of planning unit. The fiscal capability is the capability at the time the PTSQ and PWSQ are determined. Fiscal capability as well as other circumstances may indeed affect whether the PTSQ or PWSQ may not be achieved

or may be exceeded. See the definitions of these terms in the final directives at FSH 1909.12, chapter 60, section 60.5.

The relationship between revenue from forest products or other work funded out of receipts or contracts connected with the sale of forest products may be considered in the development of the land management plan. Such revenues or funded work cannot be the only consideration in developing plan components and the multitude of other factors described elsewhere in the Planning Rule and directives must also be considered in the process.

### **Impacts of Timber Harvest on Adjacent Lands**

*Comment: The Forest Service should consider the ecological and economic impacts of timber harvest activities on adjacent lands.*

*Response:* The impacts of the land management plan and the likely timber harvest activities that could occur under the land management plan are evaluated and considered in the environmental impact statement accompanying plan development or revision, or the environmental document accompanying a plan amendment. This evaluation of the likely timber harvest activities includes the impacts of these harvest activities on adjacent and other lands.

## **Wilderness, Roadless and Designated Areas**

### **Designated Areas**

*Comment: The Forest Service should expand the designated areas assessment to require an inventory of specific areas to determine which areas merit designations. This section should also consider evaluating the need for potential new areas based on ecosystem and landscape connectivity concerns.*

*Response:* The Agency clarified FSH 1909.12, chapter 10, section 14 in the final directives to indicate that evaluating the potential need and opportunity for designated areas in the assessment does not require an identification and evaluation of every potential designation that could apply in the plan area. The assessment is a review of existing information to evaluate what opportunities have been identified in the plan area and what needs could be met with designated areas.

Section 14's list of questions to consider for potential need and opportunity has been modified to add a question about important ecological roles, such as providing habitat or connectivity for species at risk that could be supported by designation.

*Comment: The Forest Service should clearly articulate that plan components must ensure that the purposes for which the area was designated (such as Congressionally Designated Wilderness) are protected and maintained.*

*Response:* The final directives at FSH 1909.12, chapter 20, section 24.2 – Designated Areas, has added wording to further clarify that the Responsible Official shall include plan components that will provide for appropriate management of designated areas based on the applicable authorities and the specific purposes for which each area was designated or recommended for designation.

*Comment: The Forest Service should require additional description of designated wilderness area condition and wilderness character in forest plans.*

**Response:** The final directives in chapter 20 section 24.41 provide that plans may include desired conditions that describe the desired wilderness character for existing, recommended, or wilderness study areas from an ecological or social perspective. Plans may also have different desired conditions for different wilderness areas within the plan area. However, the agency has elected not to require that a plan's desired conditions must include a specific description of desired wilderness condition and character. Rather, the desired conditions are best developed by the responsible official with the participation of the public in the planning process.

Plans do not generally describe existing conditions, except to contrast them with desired conditions. The condition of the plan area is described in the assessment. The Responsible Official may choose to include a description of the condition of wilderness and wilderness character in the assessment, but the directives do not require that such information be included in the assessment. The Agency has concluded that this type of information is more detailed than what is needed for a land management plan decision.

**Comment:** *The proposed revision of the Wilderness Directive (Chapter 70) is too much of a dramatic change and a violation of public notice rules and procedures.*

**Response:** The Planning Rule states that, in the development of new plans and plan revisions, the Responsible Official shall identify and evaluate lands that may be suitable for inclusion in the National Wilderness Preservation System and determine whether to recommend any such lands for designation (36 CFR 219.7 (c)(v)). The proposed revision of this Chapter sets out a consistent and transparent process for carrying out the required identification and evaluation, consistent with the Planning Rule and the characteristics of a wilderness areas identified in the Wilderness Act. The preamble to the Planning Rule gave the public advance notice that that Chapter 70 would be revised following the completion of the final Planning Rule and an opportunity for public review and comment (77 FR 21162, 21206 (April 9, 2012)). In due course, the proposed directives, including Chapter 70, were made available for 60 days of public review and comment (78 FR 13316 (February 27, 2013)); later, 15 days were added to the review and comment period. (78 FR 27184-27185 9May 9, 2013)). The final directive of Chapter 70 reflects the consideration of public comment the Forest Service received on the proposed Chapter 70.

**Comment:** *The Forest Service should not make determinations of wilderness status and should reinforce historic and current land uses for designated and recommended wilderness areas.*

**Response:** In the planning process the Forest Service does not change the status of existing designated wilderness areas. Plans may reexamine land uses and other management options for designated wilderness areas that are consistent with the Wilderness Act, any other applicable legislative authorities and valid existing rights.

Areas that had been recommended for wilderness designation in a prior land management planning process are to be reevaluated during the plan revision process to determine if they should still be recommended for wilderness. Plan components that apply to areas recommended for wilderness must protect and maintain the social and ecological characteristics that provide the basis for wilderness recommendation. Options for plan components within this framework are

described in FSH 1909.12, chapter 70 section 74.1 and chapter 20, section 24.41 of the final directives.

Responsible Officials evaluate the existing land uses of an area being considered for wilderness recommendation as part of the analysis process documented in the environmental impact statement for a revision as described in FSH 1909.12, chapter 70, section 73. For each area that is identified in an alternative for possible wilderness designation, this documentation must include a description of the current uses and management of the area.

***Comment:*** *Mgmt. of Wilderness: manage recommended wilderness areas as wilderness & exclude motorized vehicles; should discuss & manage each type of designated wilderness separately.*

***Response:*** Plan components that apply to areas recommended for wilderness must protect and maintain the social and ecological characteristics that provide the basis for wilderness recommendation. Options for plan components within this framework are described in FSH 1909.12 chapter 70, section 74.1 and chapter 20. 24.41 of the final directives. If there are motorized uses that currently exist within an area recommended for wilderness, plan components may allow such uses to continue only if such uses do not prevent the protection and maintenance of the social and ecological characteristics that provide the basis for wilderness designation. Alternatively, the plan components may alter or eliminate such uses, except those uses that are subject to valid existing rights, subject to the limits of plan decisions affecting public uses (see FSH 1909.12, chapter 20, section 21.8).

The final directive in section 24.41 does distinguish between requirements applicable to existing designated wilderness areas and areas recommended for wilderness designation (FSH 1909.12, ch. 20, sec. 24.41). There is no separate direction for Wilderness Study areas. Plan components for these areas are best determined in the specific context of the legislation that established the Wilderness Study Area, rather than a national handbook.

Lands included in the inventory of areas that may be suitable for inclusion in the national wilderness preservation system does not make such areas “designated areas.” (FSH 1909.12, chapter 20, section 24). Inclusion in this inventory does not convey or require a particular kind of management (FSH 1909.12, chapter 70, section 71)

***Comment:*** *The Forest Service should define the term “recommended wilderness area” to exclude citizen wilderness proposals.*

***Response:*** Section 24.1 that applies to all types of designated areas, section 24.41, and section 74 all make clear that the term “recommended wilderness area” are those areas recommended for wilderness designation by the responsible official as the result of plan revision or in some cases plan amendment decision (FSH 1909.12 chapters 20 and 70). The term may be used in an EIS supporting a plan decision in various alternatives to describe potential recommendations for wilderness associated with the alternatives being considered. Areas advocated by citizen groups may be included as recommended wilderness areas in these alternatives.

***Comment:*** *Wilderness Inventory: The Forest Service should evaluate prior reviews & designations before proposing new wilderness inventories and perform a limited update of the*

*inventory starting with the identified roadless areas; include public in any roadless or wilderness inventory; not include forest system or other historic roads in the inventory especially those that provide legal access related to valid private rights.*

**Response:** The revision assessment process reviews existing information about the current wilderness situation on each NFS unit including identifying all existing designated areas and the purposes and restrictions applicable to those areas (FSH 1909.12, chapter 10, section 14).

The primary function of the inventory of areas for wilderness evaluation is to efficiently, effectively, and transparently identify all lands in the plan area that *may have wilderness characteristics* as defined in the Wilderness Act. The inventory is intended to be reasonably broad and inclusive, based on the inventory criteria and additional information provided to the Responsible Official through the required opportunities for public and government participation (FSH 1909.12, ch. 70, sec. 70.61). The intent is to identify lands that may be suitable for wilderness, so that they can be evaluated and to allow for public input and feedback. Lands included in the inventory will be evaluated for their wilderness characteristics. Inventoried Roadless areas and other designated areas should be used as a starting point to develop this inventory (FSH 1909, chapter 70, section 71.1).

During the wilderness review process, the Forest Service must provide opportunities for public and intergovernmental participation. (FSH 1909.12, ch. 70, secs. 70.6, 70.61, 70.62, 71.1, 71.2, 72, 72.2, 73.)

Based on input from the public, in the final directives, the agency has modified the criteria that were in the proposed directives applicable to roads. Section 71.22a, provides that areas with Forest Service maintenance level 2, 3, 4 and 5 roads and other permanently authorized roads are generally (with some exceptions) to be excluded from the inventory. Section 72.1, providing direction for evaluating inventoried areas, requires consideration of legally established rights or uses, non-federal lands in the area, applicable federal or state laws, and the management of adjacent land, to determine the degree to which an area may be managed to preserve its wilderness characteristics.

Inclusion in the inventory is not a designation that conveys or requires a particular kind of management (Section 71).

Based on the evaluation and input from public participation opportunities, the Responsible Official shall identify which specific areas, or portions thereof, from the evaluation to carry forward as recommended wilderness in one or more alternatives in the plan EIS. The Responsible Official is not required to carry forward all areas evaluated from the inventory for further NEPA analysis as potential recommendations for inclusion in the National Wilderness Preservation System. From the areas that are analyzed in the plan EIS, some areas may be ultimately recommended for wilderness designation.

**Comment:** *The Forest Service should assess cost of adding lands to wilderness inventory and potential litigation risk; should expand the evaluation to include evaluation of existing non-conforming recreational uses, the degree in which any recreation, restoration, water, rangeland, etc. improvements would be encumbered by Wilderness management or recommendation for wilderness, the economic impact of wilderness management and recommendation, and how wilderness management affects other land uses and actions.*

**Response:** Inclusion of lands that may have wilderness characteristics in the inventory is not a designation that conveys or requires a particular kind of management. The subsequent evaluation process in Chapter 70 is focused on evaluating the characteristics of an area in the inventory for wilderness and the ability to manage the area for wilderness within the legal authorities of the Forest Service. Together, they are the first steps in the process to determine lands to be considered for recommendation and thus premature for economic analysis. Potential effects of recommending areas for inclusion in the wilderness preservation system is disclosed in the environmental impact statement for those areas in the inventory that were carried forward as part of the alternatives being analyzed. The analysis would include changes in recreational opportunities, grazing management, water and economics that would result from these areas being recommended for potential inclusion in the wilderness preservation system.

**Comment:** *The Forest Service revised size criterion for wilderness to incorporate contiguous, adjacent lands on any NFS unit. Therefore, where non-federal lands that are roadless and are within the proclaimed forest boundary and are contiguous to inventoried federal lands and generally meet the inventory criteria of paragraph 71.2, the entire area should be evaluated for wilderness characteristics.*

**Response:** The National Wilderness Preservation System is composed only of federal lands. (16 USC 1131.) Accordingly, section 71.21 in FSH 1909.12, Chapter 70 states that areas to be included in the inventory must be federal lands. The evaluation of inventoried areas for wilderness characteristics may consider how adjacent land uses, regardless of ownership, affect areas included in the inventory. (FSH 190912, ch. 70, sec. 72.1.)

**Comment:** *The Forest Service should establish wilderness boundaries in a manner that promotes wilderness protection, boundaries should allow the use of contour lines, and should not include the stratification described in the proposed directive.*

**Response:** Each alternative of the plan EIS that includes an area or areas recommended for wilderness will identify the proposed boundaries of such area(s). (FSH 1909.12, ch. 70, sec. 73.)

Section 73 in the final directive retains the direction in the proposed directive to the Responsible Official, “[t]o identify a clearly defined boundary for each area by evaluating how the location of the boundary will support management of the area for wilderness and other adjacent uses. Where possible, boundaries should be easy to identify and to locate on the ground.” (FSH 1909.12, ch. 70, sec. 73.) The final direction retains the proposed directive’s guidance that lists ways, in descending order of desirability, to determine boundaries. The agency has concluded that contour lines on maps are not as effective as other types of boundaries that can be identified on the ground.

**Comment:** *The Forest Service should allow other improvements to remain in the inventory of areas to be evaluated for wilderness, including those that can be restored without human intervention (such as greening of former harvest units), improvements that can be restored with human intervention (such as removal of culverts or roads); and some permanent improvements of small scale should also be included. The agency should further define “substantially unnoticeable.”*

**Response:** Lands that contain these kinds of improvements may be included in the inventory of lands that may be suitable for recommended wilderness. As stated in FSH 1909.12, chapter 70, section 71.22b, “Include such lands in the inventory where the other improvements or evidence of past human activities are not substantially noticeable in the area as a whole, including when the area contains the following, also recognizing the potential need to provide for passive or active restoration of wilderness character in previously modified areas, consistent with the intent of the Eastern Wilderness Act.” A list of improvements and related considerations follows in the directive text.

This section (FSH 1909.12, chapter 70, section 71.22b) was modified from the proposed directive to rely on the criteria of “substantially unnoticeable in the area as whole” and removed allowance for improvements to be included in area “if wilderness character can be maintained or restored through appropriate management actions” that was associated with several items in the list of improvements in the proposed directive. The Agency concluded that consideration of improvements for inclusion or exclusion in the inventory should be based on whether the improvement is “substantially unnoticeable in the area as a whole” at the time of the inventory without consideration of the ability to remove or modify the improvement; except for such considerations in previously modified areas consistent with the intent of the Eastern Wilderness Act.

**Comment:** *The Forest Service should further clarify which road maintenance levels should be included or excluded from the inventory including existing forest system roads as well as other historic or established roads, roads that access private rights, temporary or decommissioned roads, or roads anticipated for disinvestment.*

**Response:** The final directive adjusted the direction on whether to include areas with roads in the inventory of lands that may be suitable for recommended wilderness as follows: Areas that meet other criteria for wilderness must be included in the inventory if they contain level 1 Forest Service roads, roads that are decommissioned, unauthorized or temporary, or forest roads that are identified for decommissioning in a previous decision document, historic roads and forest roads maintained to level 2 under situations specified in section 71.22a. Areas will be excluded from the inventory if they contain level 3, 4, and 5 roads, roads that are permanently authorized and level 2 roads under situations specified in section 71.22a. (FSH 1909.12, ch. 70, sec. 71.22a.)

**Comment:** *For wilderness evaluation the Forest Service should make clear that naturalness is apparent naturalness and not ecological naturalness; remove the evaluation of sights and sounds and make clear that an area can possess outstanding opportunities for solitude even if there are spatial and temporal variations in solitude.*

**Response:** Section 72.1 in Chapter 70 of the final FSH 1909.12 identifies the criteria to be used to evaluate areas in the inventory for potential suitability for inclusion in the National Wilderness Preservation System. The Agency agrees that the consideration of naturalness was one of apparent naturalness and this section was modified to the following:

“1. Evaluate the degree to which the area generally appears to be affected primarily by the forces of nature, with the imprints of man’s work substantially unnoticeable (apparent naturalness). Consider such factors as:



- a. The composition of plant and animal communities. The purpose of this factor is to determine if plant and animal communities appear substantially unnatural (for example, past management activities have created a plantation style forest with trees of a uniform species, age, and planted in rows);
- b. The extent to which the area appears to reflect ecological conditions that would normally be associated with the area without human intervention; and
- c. The extent to which improvements included in the area (sec. 71.22 of this Handbook) represent a departure from apparent naturalness.”

With respect to criteria related to solitude, the final directive was adjusted to indicate that the area does not need “to have outstanding opportunities [for solitude] on every acre”. The Agency has modified the evaluation of external sights and sounds to “Consider impacts that are pervasive and influence a visitor’s opportunity for solitude within the evaluated area. Factors to consider may include....pervasive sights and sounds from outside the area.”

***Comment:*** Various commenters indicated advocacy for/against Wilderness & Roadless: should encourage wilderness protection & maintain or expand inventory of roadless areas & recommended wilderness; should prohibit expansion of the roadless area inventory; should not require a new inventory of all forest lands for roadless and wilderness recommendation.

***Response:*** The Planning Rule states that, in the development of new plans and plan revisions, the Responsible Official shall identify and evaluate lands that may be suitable for inclusion in the National Wilderness Preservation System and determine whether to recommend any such lands for designation (36 CFR 219.7 (c)(v)). Chapter 70 of the directives sets out a consistent and transparent process for carrying out the required identification and evaluation, consistent with the Planning Rule and the language in the Wilderness Act.

Inventoried Roadless Areas is now a term associated with national or state roadless area rules. (See, Roadless Area Conservation Rule, 66 FR 3272 (Jan. 12, 2001); Idaho Roadless Area Management Rule, 36 CFR Part 294 Subpart C; Colorado Roadless Area Management Rule, 36 CFR Part 294 Subpart D.) The Responsible Official in the planning process does not have the authority to modify the boundaries of Inventoried Roadless Areas covered by these rules (See FSH 1909.12, chapter 20, section 24.44)

***Comment:*** FSM and FSH provisions regarding management of areas recommended for wilderness, wild & scenic rivers, or other designations need to be corrected and clarified to be consistent with existing law and realistic.

***Response:*** A new section 24 has been added to Chapter 20 describing principles specific to all designated areas and with sections on certain types of designated areas. (FSH 1909.12, ch. 20, sec. 24). This section clarifies that plan components must provide for appropriate management of designated areas based on the applicable authorities and the specific purposes for which each area was designated or recommended for designation. It also clarifies that plan components for designated areas must not interfere with the exercise of valid existing rights.

The guidance regarding plan components for areas recommended for wilderness was modified in sections 74.1 and 24.41 (FSH 1909.12, ch 70, sec. 74.1 and ch. 20, sec. 24.41). This guidance

emphasizes that all plan components applicable to an area recommended for wilderness designation must protect and maintain the social and ecological characteristics that provide the basis for wilderness recommendation.

**Comment:** *The controversy that consistently results from merely inventorying an area for possible designation should cause the agency to proceed with caution regarding possible inventory of any new area that does not clearly fit the criteria required for designation of Wilderness by Congress. New acres identified this way will certainly affect issues of access to public lands--across many resource programs including motorized recreationists; general public driving for pleasure; production of goods and services; private property rights owners and miners.*

*The proposed Directive for Wilderness (Chap 70) claims that Inclusion in the inventory is not a designation that conveys or requires a particular kind of management.'(70.6 and 71). However, this claim is not credible in light of Forest Service history with the Roadless Inventory where the Forest Service repeatedly made similar claims that it is only an inventory and does not require a particular kind of management. However, despite Forest Service repeated assurances to the contrary, the Inventoried Roadless Areas did become de facto designation that did have a particular kind of management (non-management). For decades, the Inventoried Roadless Areas were in management limbo and adversely affected management of other multiple-uses. At that time, by administrative action without a congressional law, the Forest Service designated 58 million as Roadless Conservation Areas. These is every reason to believe that the new "may be suitable for Wilderness" inventory mandated in Chap 70 will create the same sort of management limbo and adverse effects on management of other multiple uses created by the Roadless Inventory.*

**Response:** The introduction to the inventory of lands that may be suitable for wilderness (Section 71) clearly states that inclusion of an area in the inventory is not a designation that conveys or requires a particular kind of management. This statement is Forest Service policy on the expectations for areas included in this inventory. In this policy, the Forest Service does not impose any limitations restricting the discretion of the responsible official with respect to the management of areas in the inventory, apart from the evaluation of the area for wilderness in plan revisions. Consistent with the planning rule and other applicable laws, regulations and policies, a full range of management options may be considered for these areas in land management planning.

Chapter 70, Section 24 specifically states: “ For lands in the inventory and evaluation that were not recommended for inclusion in the National Wilderness Preservation System or as a Wilderness Study Area, the decision document must briefly identify or describe what management direction is provided in the plan for those lands. “

**Comment:** *Provide direction for inventorying roadless areas in FSM 1925 or Chapter 70 of the directives or clarify where that guidance will be provided.*

**Response:** Roadless areas or inventoried roadless areas are now terms reserved for discussion of such areas covered by national or state roadless area rules. There is a new section describing Inventoried Roadless Areas as areas covered by national or state roadless area rules in FSH 1909.12, chapter 20, section 24.44. FSM 1925 has been reserved for additional guidance for

Inventoried Roadless Areas, but the agency has concluded that additional guidance related to planning for inventoried roadless areas is not needed at this time.

Section 24.44 makes clear that plan components applicable to these inventoried roadless areas must be compatible with the applicable roadless rule. The Responsible Official in the planning process does not have the authority to modify the boundaries of Inventoried Roadless Areas covered by these rules (See FSH 1909.12, chapter 20, section 24.44).

Inventoried Roadless Areas covered by roadless rules are a starting point for the inventory and evaluation of lands that may be suitable for wilderness described in FSH 1909.12, chapter 70, sec. 71.1.

***Comment:*** *Lands identified in the evaluation process as roadless and/or possessing wilderness character are the last remaining unprotected wild places in our national forests and have high ecological and social value. By virtue of the wilderness evaluation process, some fraction of these lands will not be recommended for wilderness designation in the Record of Decision. The question then becomes what happens to these lands. Are they returned to the general land base and made available for a variety of uses including mining, energy development, and logging? Or are they provided some level of protection in the planning process?*

***Response:*** Inclusion in the inventory by itself is not intended to, nor does it create an obligation to manage an area of the inventory in any particular way. The introduction to the inventory of lands that may be suitable for wilderness (Section 71) clearly states that “Inclusion in the inventory is not a designation that conveys or requires a particular kind of management”. Consistent with the Planning Rule and other applicable laws, regulations and policies, a full range of management options may be considered for these areas in land management planning.

Chapter 70, Section 24 specifically states: “ For lands in the inventory and evaluation that were not recommended for inclusion in the National Wilderness Preservation System or as a Wilderness Study Area, the decision document must briefly identify or describe what management direction is provided in the plan for those lands.”

### **Inventoried Roadless Areas**

***Comment:*** *The Forest Service should assess all inventoried roadless areas and management opportunities available within the restrictions of the applicable roadless Rule.*

***Response:*** The directives indicate that available information about designated areas must be identified and evaluated during the assessment phase (FSH 1909.12, ch.10, sec.14.) Designated areas include inventoried roadless areas designated under the 2001 Roadless Rule, the Colorado Roadless Rule, or the Idaho Roadless Rule.(66 FR 3272 (Jan. 12, 2011); 36 CFR Part 294, Subparts C and D). The final directives in this section have been modified to provide that the type of information to be considered includes the range of uses, management activities, or management restrictions associated with the designated areas in the plan area. The directives do not require generation of new information in the assessment about individual roadless areas. Further examination of management opportunities for inventoried roadless areas within the restrictions of the applicable roadless rule will occur in the planning process (FSH 1909.12, chapter 20, sections 24.2 and 24.44).

***Comment:*** *The Forest Service should revise the roadless area section to allow Responsible Officials to recommend additional roadless areas or modify existing boundaries.*

***Response:*** The Roadless Rule which contains the regulation applicable to inventoried roadless areas outside of Idaho and Colorado, provides: “The prohibitions and restrictions established in this subpart are not subject to reconsideration, revision, or rescission in subsequent project decisions or land and resource management plan amendments or revisions undertaken pursuant to 36 CFR part 219.” (section 294.14, 66 FR 3272, 3273 (Jan. 12, 2001)). The Agency’s interpretation of this provision is that it prohibits, not only changes to the Roadless Rule’s management restrictions for these areas, but also additions, removal, or modifications of such areas. Similarly, neither the Idaho Roadless Rule (36 CFR Subpart C) nor the Colorado roadless Rule (36 CFR Subpart D) contain any provisions to modify inventoried roadless areas or boundaries in the land management planning process. Therefore, the directives do not allow for the addition, removal, or modification of inventoried roadless areas in the land management planning process. Any changes to these areas would occur through a process distinct from the land planning process.

The prohibition on considering recommending additional roadless areas or modification of designated roadless areas covered by these rules that was present in the proposed directive (FSH 1909.12, ch. 20, sec. 23.22) has been removed.

***Comment:*** *The Forest Service should add language addressing and recognizing roadless areas to the “designated area” sections of the planning directives and require all plans to have specific management areas with specific plan components for these areas.*

***Response:*** Guidance for inventoried roadless areas subject to the 2001 Roadless Rule, the Colorado Roadless Rule, or the Idaho Roadless Rule is included as a separate section (FSH 1909.12, ch. 20, sec. 24.44). This new section added to the final directives makes clear that the Responsible Official shall ensure that plan components are compatible with the management restrictions of the applicable Roadless Rule. Responsible Officials have any number of options to achieve this compatibility; specific management areas or other specific plan components just for inventoried roadless areas are not required.

### **Wild Horse and Burro Territories**

***Comment:*** *The Forest Service should provide more guidance on wild horse-burro management and suitability determinations.*

***Response:*** The Agency modified FSH 1909.12, chapter 20, section 23.23d – Rangelands, Forage, and Grazing in the final directives to identify wild horse and burro territories as designated areas. This identification is also present in FSH 1909.12, chapter 10, section 14 and chapter 20, section 24. Plan components must be provided consistent with this designation. The final directive FSH 1909.12, chapter 20, section 23.23d retains the requirement for consideration of wild horse and burro territories present in the plan area and management for wild horses and burros in the development of plan components that apply to these territories. Details about management of the wild horse and burro territory such as the appropriate management level for their populations are contained in the territory management plan.

### **National Scenic and Historic Trails**

***Comment:*** *The Forest Service should more fully incorporate national historic trails and roads in the planning directives.*

**Response:** The Agency modified the proposed planning directives by adding a new section at FSH 1909.12, chapter 20, section 24 on designated areas and a specific new section (sec. 24.43) on national scenic and historic trails. FSH 1909.12, chapter 20, section 24.43 emphasizes that plans are to identify and map national scenic and historic trails within the plan area. Plan components must provide for management of the trail consistent with legal authorities and the nature and purposes of existing national scenic and historic trails, and must be consistent with the objectives and practices for the management of the national scenic and historic trails as identified in the most recent comprehensive plan. Comprehensive trail plans are expected to provide for trail management compatible with the plan components of the land management plan.

**Comment:** *National scenic and historic trails should be managed consistently across forest units and other agency lands with required management areas in every plan for them.*

**Response:** The Agency recognized the value and importance of national scenic and historic trails by adding a section (FSH 1909.12, ch. 20, sec. 24.43) in the final directives for guidance on how these trails are to be recognized in the land management plans. The section requires consultation between neighboring Responsible Officials when developing plan components for national scenic and historic trails that cross unit boundaries. Responsible Officials shall strive to maintain or establish compatible management approaches while recognizing diverse resource conditions and needs in the different plan areas.

The Agency position is that decisions about how to manage specific segments of a trail within a specific land management plans are best resolved at the plan level with public participation. Therefore, while plans are required to identify these trails spatially and to provide for appropriate plan components, there is no required form or organization for a plan (such as management areas) mandated in the directive.

## Wild and Scenic Rivers

### General Comments

**Comment:** *The Forest Service should clarify how an eligible river segment is determined, including the purpose of the quarter-mile buffer boundary.*

**Response:** In the final directive, the Agency clarified the eligibility process in FSH 1909.12, chapter 80. The Wild and Scenic Rivers Act states that, to be eligible for inclusion, a river must be free-flowing and, with its adjacent land area, possess one or more “outstandingly remarkable” value. FSH 1909.12, chapter 80, section 82 describes in detail the process and criteria for determining eligible river segments based on the Wild and Scenic Rivers Act. The chart in Section 82.8 (exhibit 01), describing classification criteria for Wild, Scenic, and Recreational River Areas, generally describes what attributes should be found in this corridor in order to consider it eligible as a wild, scenic, or recreation river.

At a minimum, a river study area includes the length of the identified river segment (sec. 82.62) and the land within one-quarter mile of each river bank’s ordinary high water mark along the river segment. The purpose of the one-quarter mile buffer is to protect the outstandingly remarkable values associated with the eligible river. The river corridor to be studied may be expanded to include adjacent areas needed to protect river-related outstandingly remarkable values, other important river resources or facilitate management of the river area. (See FSH 1909.12, ch. 80, sec. 80.5, Definition of “River Corridor”; sec. 92.61, River Termini and Area Boundaries.)

**Comment:** *The Forest Service should require an eligibility assessment for wild and scenic rivers in forest plans.*

**Response:** The final directives require that plans contain an inventory and evaluation to determine which rivers are eligible for inclusion in the System, but adds that if an inventory has already been done, the study process during plan revision need only evaluate for eligibility those rivers that had not yet been evaluated for eligibility, or those rivers for which changed circumstances warrant additional review. See FSH 1909.12, chapter 80, section 82.2. The review of the existing, or creation of a new, inventory of eligible rivers may begin during or after the assessment but is not completed until the final environmental impact statement is published.

**Comment:** *The Forest Service should clarify that determinations of segment length are at the discretion of the Agency.*

**Response:** Similar to the proposed directive, FSH 1909.12, chapter 80, section 82.61 provides guidance for the interdisciplinary team and Responsible Official to determine appropriate segment lengths of study rivers. Ultimately, the Responsible Official will identify the rivers, including their segment length, that are eligible for inclusion in the National Wild and Scenic Rivers system (36 CFR 219.7(c)(2)(vi)).

**Comment:** *The Forest Service should expand the protection period for legislatively nominated wild and scenic rivers to 5 years.*

**Response:** The protection period for legislatively mandated study rivers is 3 years from the date the study report is transmitted to Congress unless a different time period is specified in legislation. The 3 year limit was established by section 7(b) of the Wild and Scenic Act of 1968 (16 U.S.C. 1278).

**Comment:** *The Forest Service should strengthen interim management restrictions on eligible wild rivers and make protections for the Agency-nominated rivers equal to that afforded to legislatively mandated rivers. The Forest Service should clarify that limits on Forest Service-designated segments should not exceed that afforded to legislatively designated segments.*

**Response:** Guidance on interim management of 5(d)(1) and 5(a) study rivers has been clarified in the final directive at FSH 1909.12, chapter 80, section 84.3 with some distinction between management of legislatively mandated study rivers and Agency-nominated rivers. One distinction is that section 9(b) of the Act only applies to section 5(a) study rivers (legislatively mandated study rivers). The final directives at FSH 1909.12, chapter 80, section 84.4 clarifies that plans must provide for the interim management of eligible river segments. The Responsible Official may apply further restrictions on specific eligible river segments within the plan area. The wording in the final directive was chosen to give discretion to the Responsible Official to collaborate with the public and governmental entities to develop appropriate ways to address the issues.

**Comment:** *The impact analysis conducted in a wild and scenic rivers suitability study should consider the impact of a wild and scenic river designation on the current and future socioeconomic health of a river segment.*

**Response:** The evaluation of socioeconomic impacts would be evaluated in the environmental documentation developed in conjunction with the river suitability study as described in FSH 1909.12, chapter 80 section 83.3. If the study is part of a revision or amendment to the land

management plan the socioeconomic impacts will be part of the environmental documentation for the changes to the land management plan as described in FSH 1909.12, chapter 80, section 83.3. If the study is done outside of the land management planning process, the socioeconomic impacts would be described in the appropriate environmental documentation for the specific suitability study described in FSH 1909.12, chapter 80, section 83.32.