

## **CHAPTER 1 – PURPOSE AND NEED**

### **1.1 INTRODUCTION**

The Forest Service has prepared this environmental assessment (EA) in compliance with the National Environmental Policy Act (NEPA, 40 CFR 1500-1508), the National Forest Management Act (NFMA and its implementing regulations of 2008, including 36 CFR 219.2(c) and the transition provisions at 36 CFR 219.14), and other relevant Federal and State laws and regulations. Development of this EA and the analysis within is based upon the direction contained in the Land and Resource Management Plan for the Boise National Forest (Forest Plan) (USDA, Forest Service, 2003a). This EA summarizes the environmental impacts assessed to date that would result from the proposed action, an alternative to the proposed action, and a no-action alternative. Additional documentation, including more detailed analyses of project-area resources, may be found in the project planning record located at the Emmett Ranger District Office in Emmett, Idaho. Planning for this project was initiated in the fall of 2007.

### **1.2 LOCATION**

The proposed Middle Fork Salvage Project is composed of the distinct Lucky Project Area about 12 miles north of Crouch, Idaho, and the Lightning Project Area about 7 miles northeast of Crouch. Both are located entirely on National Forest System land in secs. 4-9, 17, 18, T. 11 N., R. 5 E.; secs. 10-11, 13-17, 19-29, 32-36, T. 10 N., R. 5 E.; secs. 19-21, 28-33, T. 10 N., R. 6 E.; secs. 1-3, T. 9 N., R. 5 E.; and secs. 5 and 6, T. 9 N., R. 6 E., Boise Meridian, in both Valley and Boise Counties in Idaho. The two combined areas total 15,435 acres within the Sixmile, Anderson, Pyle, and Lightning Creek subwatersheds in the Middle Fork Payette River drainage.

### **1.3 BACKGROUND INFORMATION**

On July 17, 2007, a summer thunderstorm ignited several wildfires in the Middle Fork Payette River watershed on the Boise National Forest's Emmett Ranger District. The five largest of these fires became the Middle Fork Complex and were aggressively attacked and ultimately extinguished by October 31, 2007.

The 6,994-acre Lightning Fire and 1,582-acre Lucky Fire were the two largest fires of the complex. The Lightning Fire burned about 7 miles northeast of Crouch, Idaho in both Granite Creek, a tributary of Anderson Creek, and in Lightning Creek, a tributary of the Middle Fork Payette River. The Lucky Fire occurred adjacent to the Middle Fork Payette River between West Fork Creek and Sixmile Creek approximately 12 miles north of Crouch. The Middle Fork Salvage Project described within this EA consists of distinct analyses for both the Lucky and the Lightning fire areas.

Both fires burned across a broad range of severities. Initial estimates of basal area mortality using LANDSAT imagery found approximately 20 percent of both fires experienced no mortality, although about 45 percent of the Lightning Fire area suffered from 25 to 100 percent basal area death and the Lucky Fire received the same range of mortality across about 37 percent of its total area. A second evaluation using post-fire aerial photography estimated that moderate to high fire mortality was noted on about 9 percent of the lands within the Lightning Fire area assigned to Forest Plan Management Prescription Category (MPC) 5.2, which emphasizes achievement of sustainable resource conditions that support commodity outputs, and on 48 percent of the lands assigned to MPC 5.2 within the Lucky Fire area.

#### **1.3.1 Road Analyses**

Recognizing the need to respond to the effects of the Lucky and Lightning Fires, the Emmett Ranger District completed the Lightning Fire Roads Analysis during the fall of 2007 to identify the minimum transportation system meeting the management needs of both the Lightning Fire area and the watershed draining it. The Sixmile Watershed Roads Analysis (USDA Forest Service, 2000) is a similar assessment of the transportation system serving the Lucky Fire area and was incorporated in the alternative analyses presented within the Sixshooter Project Final Environmental Impact Statement (USDA Forest Service, 2006a). A decision establishing the future road system within the Sixshooter Project was made on June 30, 2006 in the Record of Decision (ROD) for the Sixshooter project (USDA Forest Service, 2006b).

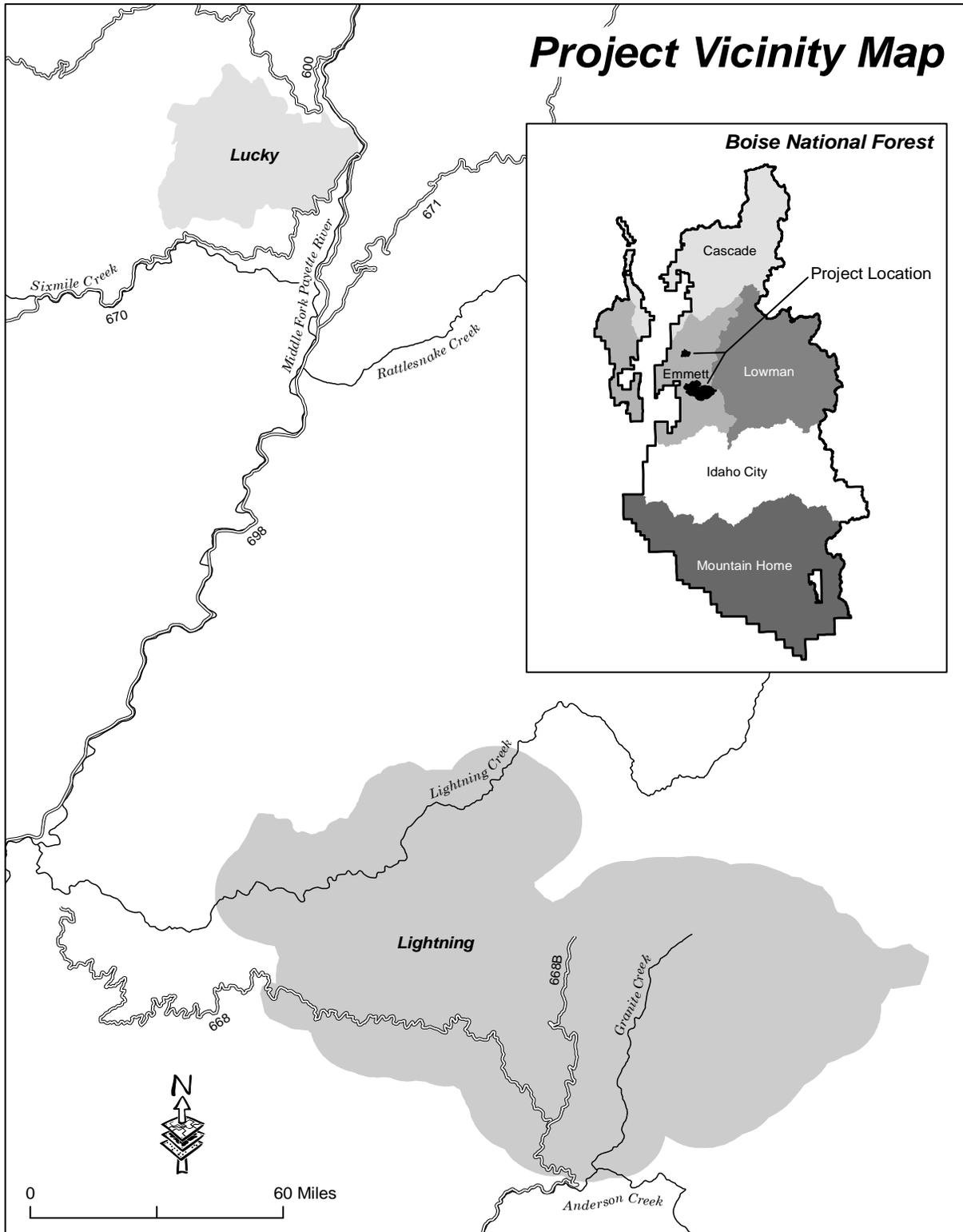


Figure 1.1 Vicinity Map

## **1.4 PROJECT AREA DESCRIPTION**

The proposed Middle Fork Salvage Project is located in the Sixmile and West Fork Creek drainages of the Middle Fork Payette River, and in the Granite Creek and Lightning Creek drainages that are also tributary to the Middle Fork Payette River (Figure 1-1). The entire 15,435-acre project area entails two distinct project activity areas. The project area encompassing the Lightning Fire contains approximately 13,853 acres and is nearly twice the size of the burned area. The Lucky Fire project area is restricted to the Lucky Fire perimeter and is about 1,582 acres.

The project area includes part of the Peace Rock Inventoried Roadless Area (IRA). Within this part of the IRA, there are approximately 217 acres that have been previously altered by ground-based timber harvest and which contain old skid trails. In addition, there are four distinct segments of old unauthorized road grade totaling approximately 3.2 miles which show noticeable evidence of road construction cut and fill banks. The development occurred when this area was under State management prior to a land exchange with the National Forest. This 217-acre area is has been altered to a degree that it is considered developed and no longer retains wilderness attributes.

A portion of the Middle Fork Payette River is considered eligible for further study as a potential Wild and Scenic River.

## **1.5 FOREST PLAN DIRECTION**

This document is tiered to the Land and Resource Management Plan for the Boise National Forest (Forest Plan) and the Southwest Idaho Ecogroup Land and Resource Management Plans Final Environmental Impact Statement (FEIS) (USDA, Forest Service, 2003b). Information from the Forest Plan, the FEIS, and all associated appendices, have been referenced and incorporated into this document.

Chapter III of the Forest Plan describes management direction to guide Forest personnel to achieve desired outcomes and conditions for both land stewardship and public service. This direction is presented in two sections: (1) Forest-wide Management Direction, and (2) Management Area Description and Direction. The Forest-wide management direction provides general direction for all Forest resources and the foundation for more specific direction at the management area level. The management area description and direction describes these areas in detail, highlights resource areas of importance or concern, and prescribes specific management direction to address these concerns.

Activities within the various management areas are further directed by management prescription categories (MPCs), several of which may occur within any given management area. Management prescriptions are defined as, "Management practices and intensity selected and scheduled for application on a specific area to attain multiple use and other goals and objectives" (36 CFR 219.3). MPCs are broad categories of management prescriptions that indicate the general management emphasis prescribed for a given area.

The entire project area lies within Management Area 14 (Lower Middle Fork Payette River), discussed on pages III-254 through III-365 in the Forest Plan. Several MPCs apply within this Management Area (MA), and MPC 4.1c, MPC 5.1, and MPC 5.2 occur within the project area. However, management activities are proposed only in MPC 4.1c and MPC 5.2. The three MPCs are described below and on pages III-87 through III-89 of the Forest Plan, and displayed in Figure 1-2:

### **MPC 4.1c – Undeveloped Recreation: Maintain Unroaded Character with Allowance for Restoration Activities**

This prescription applies to lands where dispersed recreation uses are the primary emphasis. Providing dispersed recreation opportunities in an unroaded landscape is the predominant objective. Both motorized and non-motorized recreation opportunities may be provided. Other resource uses are allowed to the extent that they do not compromise ROS settings. The area has a predominantly natural-appearing environment, with slight evidence of the sights and sounds of people. Species habitat and recreational uses are generally compatible, although recreation uses may be adjusted to protect Threatened, Endangered Potential, Candidate and sensitive (TEPCS) species.

**MPC 5.1 – Restoration and Maintenance Emphasis within Forested Landscapes**

This prescription applies to lands that are predominantly (>50 percent) forested. Emphasis is on restoring or maintaining vegetation within desired conditions in order to provide a diversity of habitats, reduced risk from disturbance events, and sustainable resources for human use. Commodity production is an outcome of restoring or maintaining the resilience/resistance of forested vegetation to disturbance events; achievement of timber growth and yield is not the primary purpose. The full range of treatment activities may be used. Restoration occurs through management activities and succession. Combinations of mechanical and fire treatments are used to restore forested areas while maintaining or improving resources such as soils, water quality, fish and wildlife habitat, and recreation settings. The risk of temporary and short-term degradation to the environment is minimized, but impacts may occur within acceptable limits as resources are managed to achieve long-term goals and objectives.

**MPC 5.2 – Commodity Production Emphasis within Forested Landscapes**

This prescription applies to lands that are primarily forested. Emphasis is on achieving sustainable resource conditions that support commodity outputs, particularly timber production in forested settings. Management activities are also designed to maintain and restore forest ecosystem health to reduce potential for long-term impacts from uncharacteristic disturbance events. Goods and services are provided within the productive capacity of the land, and may or may not fully meet demand. Mitigation activities are an important element of project design. Forested landscapes range in appearance from near natural to altered where management activities are evident.

The project area includes part of a 12.2-mile segment of the Middle Fork Payette River considered eligible as a potential Wild and Scenic River pursuant to the Wild and Scenic Rivers Act (16 USC 1271-1287, P.L. 90-542, 10/02/68) and the Forest Plan ROD (Forest Plan, p. 3-875; USDA, Forest Service, 2003d, p. ROD-24). This river segment was assigned a Recreational classification based on the river corridor character. Consequently, the following Forestwide goals, objectives and/or standards listed on page III-75 of the Forest Plan apply to the proposed project:

**WGG001** – Manage river segments that are eligible or suitable for potential addition to the National Wild and Scenic Rivers System to meet the requirements of the Wild and Scenic River Act.

**WSOB01** – Emphasize the following in managing eligible and suitable Wild and Scenic Rivers:

- a) Maintaining or enhancing the outstandingly remarkable values;
- b) Maintaining the free-flowing character;
- c) Maintaining or enhancing values compatible with the assigned classification;
- d) Accommodating public use and enjoyment consistent with retaining the river's natural values.

**WSST02** – Assign Visual Quality Objectives (VQOs) to the classification of eligible, suitable and designated Wild and Scenic corridors as follows: Partial Retention to a Recreational classification

Two standards for the Lower Middle Fork Payette River MA listed on page III-260 of the Forest Plan also apply:

**Standard 1401:** Manage the Middle Fork Payette River eligible corridor to its Recreational classification standards, and preserve its ORV and free-flowing status until it undergoes a suitability study and the study finds it suitable for designation by Congress, or releases it from further consideration as a Wild and Scenic River.

**Standard 1402:** In Recreational corridors, mechanical vegetation treatments, including salvage harvest, may be used as long as Outstanding Remarkable Values (ORVs) are maintained within the river corridor.

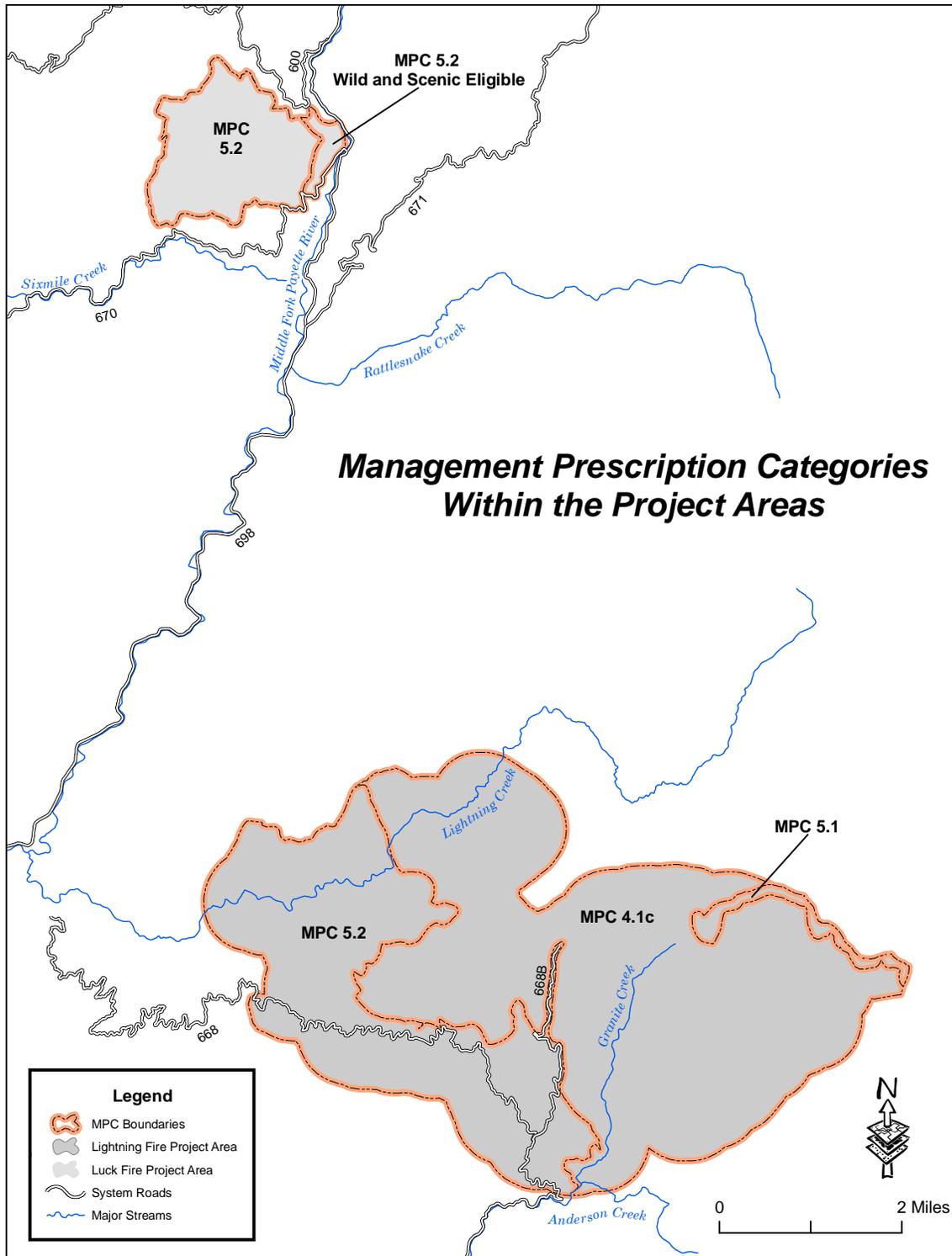


Figure 1.2 Management Prescription Categories with the Project Area

## **1.6 PROPOSED ACTION**

The Proposed Action is summarized below and described in more detail in Chapter 2. Maps of the Proposed Action are also included in Chapter 2.

Fire-killed and imminently dead trees greater than 8 inches diameter at breast height (d.b.h.) within lands assigned to Forest Plan MPC 5.2 that experienced moderate to high fire mortality using both ground-based and aerial yarding systems. A total of about 705 acres would be salvaged using tractor/off-road jammer yarding, in both fire areas. About 372 acres would be salvaged by helicopter yarding in the Lucky Fire area, using five 1-acre helicopter landings. One of these landings exists; the remaining four would be constructed.

Dead, imminently dead, and weakened trees (hazard trees) jeopardizing public safety along about 1.1 miles of the Sixmile Creek road (National Forest System [NFS] road 670) within the Lucky Fire area would be cut. Cut trees within one site potential tree height of streams would be left on site, unless they would affect road and/or culvert function. Other cut trees would be removed.

No salvage would occur within the Peace Rock IRA (MPC 4.1c).

Snag retention within salvaged MPC 5.2 areas would comply with Forest Plan direction.

Approximately 784 acres would be planted with native conifer seedlings emphasizing ponderosa pine. Although much (598 acres) of this planting would occur within lands assigned to MPC 5.2, about 54 acres within the eligible Wild and Scenic Middle Fork Payette River (Lucky Fire area), 132 acres within the Peace Rock IRA (Lightning Fire area) would also be planted.

No road construction would occur.

A total of 34.7 miles of authorized road would be maintained to facilitate salvage activities. Treatment activities would include one or more of the following: road surface blading, culvert replacement, cleaning culverts, widening roads to minimum road width, clearing roadways and ditches, road watering, seeding and mulching of new slopes around culvert outlets, and repair of fill failure. In the Lucky fire area, these roads include 670Y (2.7 miles), 600 (1.0 mile), 670 (2.2 miles), 698 (10.9 miles). In the Lightning fire area, these roads include the 668 road (13.8 miles), 668B (2.0 miles) and 668C (2.1 miles).

Approximately 2.2 miles of authorized (NFS) road would be decommissioned, and about 7.0 miles of unauthorized road would also be decommissioned with one or more of the following actions: recontouring up to sight distance from road junctions, barricading, removing existing culverts and stabilizing stream crossings, building long-term drainage structures such as waterbars and rolling dips, and scarifying or ripping the road bed followed by seeding road surfaces. Authorized roads that would be decommissioned are NFS roads 668D, 668E, 668B1, and 668B beyond 2 miles from its junction with NFS road 668. An additional 0.2 mile of unauthorized road would have motorized access blocked from an adjoining authorized road (NFS road 668B).

About 7.2 miles of authorized road would be administratively closed to motorized use yearlong, including NFS roads 668C, 668H, 668I, 668J, 668K, 668 westward of its junction with 668E, and 668B beginning 1.2 miles from its junction with road 668 and extending about 0.6 mile.

The last 1.2 miles of NFS road 668B would be converted to nonmotorized trail.

## **1.7 PURPOSE AND NEED FOR THE PROPOSED ACTION**

Four purposes and associated needs for the project have been identified:

**Purpose 1:** Provide commercial timber supporting local and regional sawmills, employment, and economies by salvaging fire-killed and dying trees from MPC 5.2 lands within the 2007 Lucky and Lightning fire areas.

Forest Plan MPC 5.2 directs achieving sustainable resource conditions supporting commodity outputs emphasizing timber production in forested settings. In MPC 5.2, desirable management actions shall maintain and restore forest ecosystem health to reduce long-term impacts from uncharacteristic disturbance as well as provide commodity outputs.

Fire-killed and imminently dead timber is a very perishable commodity. Within a year of mortality, blue-stain fungus will have begun to discolor and devalue pine species, and smaller diameter trees of all species will have started to weather check and lose value. To recover commercial value supporting regional and local economies dead timber must be harvested promptly. To facilitate capturing the value of these trees before they deteriorate, the Forest Supervisor has received an Emergency Situation Determination for this project. Implementation of this project could occur during the administrative appeal period (36 CFR 215.10).

**Purpose 2:** Reduce the number of hazard trees that threaten safety and access along the Sixmile road (NFS 670) within the Middle Fork Payette Wild and Scenic River eligible corridor while maintaining the ORVs and free-flowing character of the Middle Fork Payette River, and preserving its Wild and Scenic eligibility and recreational classification.

About 1.1 miles of the eastern end of the Sixmile road (NFS road 670) is also the eastern boundary of the Lucky Fire. Fire-killed, imminently dead, and weakened trees along this road segment are likely to unexpectedly fall or roll into or across the road with the potential to injure or kill road users, damage property, and obstruct traffic. Although this road segment is within the river corridor where Wild and Scenic River eligibility must be protected, salvage harvest that preserves the river's ORVs is allowed by the Forest Plan, and the known risk posed by hazard trees to public safety must be addressed and reduced.

**Purpose 3:** Reforest with native conifers severely burned areas expected to regenerate slowly to restore MPC 5.2 lands to sustainable commodity producing condition and to restore a forested appearance to MPC 4.1c lands (portions of Peace Rock IRA) and to the Middle Fork Payette River corridor.

Approximately 54 acres within the eligible Middle Fork Payette River corridor and 132 acres within Peace Rock IRA (MPC 4.1c, Undeveloped Recreation) were severely deforested by the fires. These areas experienced high burn intensity and are predicted to naturally regenerate trees slowly. Timely tree planting will accelerate the development of a forested appearance and preserve the outstandingly remarkable values of the river corridor. In addition, about 598 acres of burned lands assigned to MPC 5.2 need to be planted to help restore desired conditions specified by the Forest Plan (e.g., sustainable resource conditions that support commodity outputs).

**Purpose 4:** Reduce adverse effects of the Anderson Creek road system (NFS road 668) to area watersheds.

Decommissioning a total of 9.2 miles of authorized and unauthorized road, closing yearlong another 7.2 miles of authorized road to motorized use, converting 1.2 miles to nonmotorized trail, and blocking motorized access to 0.2 mile of unauthorized road will reduce road-related watershed impacts from the Anderson Creek road system. The Forest Plan contains the objective of "reducing road-related effects on soil productivity, water quality, and aquatic/riparian species and their habitats" (Forest Plan, p.III-21). Management Area-specific direction includes the objective to "initiate restoration of watershed conditions and fish habitat in the Anderson Creek subwatershed to help strengthen the local bull trout population" (Forest Plan, p. III-262).

The proposed action advances many forest-wide goals and objectives for several major resource areas and benefit categories managed by the Forest Plan. Specific timberland and vegetation management goals and objectives furthered or accomplished by the proposed reforestation activities include:

**Goal VEGGO01** Maintain or restore desired plant community components, including species composition, size classes, canopy closures, structure, snags, and coarse woody debris as described in Appendix A (Forest Plan, p. III-30).

**Goal VEGGO04** Maintain or restore distribution and abundance of habitats that contribute to viable populations of existing native and desirable nonnative plant, fish, and wildlife species (Forest Plan, p. III-30).

**Goal TRGO01** Manage forested vegetation to achieve:

- Conditions that are resilient and resistant to uncharacteristic fire, insect, and disease damage,
- Conditions that contribute to desired vegetative conditions, including, distribution of tree sizes, species composition, and canopy cover (Forest Plan, p. III-41).

**Goal TRGO02** Manage suited timberlands to achieve:

- Growth rates and yields that are compatible with other resources,
- Annual harvest of expected timber volume,
- Maintenance of improvement, where possible, of genetic diversity within tree species,
- Successful reforestation through the application of appropriate and available silvicultural techniques,
- Vegetative conditions (structure, density, etc.) in plantations and surrounding stands that result in reduced hazard for loss from uncharacteristic disturbance events, and
- Sustained yield, even flow of high-quality forest products, including timber and non-timber forest products (Forest Plan, p. III-41).

Objectives TROB02 and SEOB01, below, are both advanced by the proposed project's purpose to provide commercial timber supporting local and regional economies:

**Objective TROB02** Make available an estimated 450 MMBF of timber for the decade, which will contribute to Allowable Sale Quantity (ASQ) (Forest Plan, p. III-42).

**Objective SEOB01** Provide a predictable supply of Forest goods and services within sustainable limits of the ecosystem that help meet public demand (Forest Plan, p. III-77).

Proposed road decommissioning and year-round motorized closures will move the Forest toward desired soil, water, riparian and aquatic conditions as well as limit weed spread by helping achieve a variety of Plan goals and objectives:

**Objective 1417** Maintain or restore migratory habitat in the Middle Fork of the Payette River for bull trout and other resident native fish (Forest Plan, p. III-262).

**Objective 1418** Maintain or improve headwater streams for spawning and rearing habitats of native fish (Forest Plan, p. III-262).

**Objective 1419** Initiate restoration of watershed conditions and fish habitat in the Anderson Creek subwatershed to help strengthen the local bull trout population (Forest Plan, p. III-262).

**Objective 1420** Cooperate and participate with the State of Idaho for implementation of the TMDL for the Middle Fork of the Payette River (Forest Plan, p. III-262).

**Objective 1458** Reduce road-related impacts to wildlife, fish, soil, and water resources through road reconstruction and rehabilitation, or decommissioning, with emphasis on the Anderson Creek, Cow Creek, Wetfoot, Sixmile, and Scriver Creek drainages (Forest Plan, p. III-265).

**SWOB18** Reduce road-related effects on soil productivity, water quality, and aquatic/riparian species and their habitats. Refer to the Watershed and Aquatic Recovery Strategy (WARS) for mid-scale prioritization indicators to assist in fine and site/project restoration prioritization planning (Forest Plan, p. III-21).

**FROB04** During fine-scale analyses, identify opportunities to reduce road-related degrading effects to help achieve other resource objectives (Forest Plan, p. III-58).

**FROB06** Identify roads and facilities that are not needed for land and resource management, and evaluate for disposal or decommissioning (Forest Plan, p. III-59).

**Objective 1442** Evaluate and incorporate methods to help prevent weed establishment and spread from off-road ATV/motorbike use in the Pyle Creek, Scriver Creek, Anderson Creek, and Sixmile Creek subwatersheds. Consider annual weed inspection and treatment of trailheads, campgrounds, and other high-use areas; and posting educational notices in these areas to inform the public of areas that are highly susceptible to weed invasion and measures they can take to help prevent weed establishment and spread (Forest Plan, p. III-263).

Salvaging hazard trees threatening users and use of the Sixmile road (NFS road 670) would further:

**FRGO01** Provide and maintain a safe, efficient Forest transportation system that meets resource management and access needs, while mitigating degrading resource effects (Forest Plan, p. III-58).

**FROB03** Identify safety hazards on Forest classified roads, establish improvement priorities, correct or mitigate the hazard (Forest Plan, p. III-58).

**REGO05** Manage motorized and nonmotorized travel and travel-related facilities to:

- a) Provide for public safety,
- b) Meet resource objectives and access needs,
- c) Mitigate road and trail damage, and
- d) Minimize maintenance costs and user conflicts (Forest Plan, p. III-62)

## **1.8 DECISIONS TO BE MADE**

Based on public comment and analysis documented in the EA developed following this EA, the Forest Supervisor will make decisions about this project, which include:

- Which, if any, areas will be salvage harvested and associated authorized roads maintained to facilitate harvest activities?
- Which, if any, burned areas will be reforested?
- Which, if any, roads will have adjacent hazard trees salvaged to improve public safety?
- Which, if any, authorized roads and unauthorized roads should be decommissioned to improve watershed conditions, reduce long-term sedimentation, and reduce impacts to wildlife, fish and soil?
- Which, if any, authorized roads should be closed, except for administrative use, year-long to motorized traffic to improve watershed conditions, reduce long-term sedimentation, and reduce impacts to wildlife, fish and soil?
- Which, if any, authorized roads should be converted to nonmotorized trail?
- Based on the completed Lightning Fire Roads Analysis, which roads within the Lightning Fire analysis area should be adopted as the minimum transportation system?
- What design features and/or mitigation measures should be applied to activities to reduce unacceptable environmental impacts?

## **1.9 REGULATORY REQUIREMENTS AND REQUIRED COORDINATION**

The Proposed Action was developed to meet the pertinent laws, regulations, and requirements relating to federal natural resource management. Several of the design features presented in Chapter 2 were developed and incorporated to insure these requirements are met. The Interdisciplinary Team found the Proposed Action to be consistent with all the pertinent laws, regulations, and coordination requirements. Although all requirements would be met, the following summarizes the results of the analysis for key regulatory requirements. Appendix A summarizes all pertinent laws, regulations and coordination requirements.

### **1.9.1 Clean Air Act**

Under Alternatives B and C, smoke from the prescribed burning of activity fuels would temporarily reduce air quality. Burning landing files would likely occur in the fall months and would be scheduled to occur when fuel moistures and atmospheric conditions are conducive to meeting resource objectives. Both the

Lucky and Lightning project areas were modeled for a day of landing slash pile burning without wind offset to estimate a “worst case” scenario. Because of the limited amount of prescribed burning that would occur, modeling indicated that the project-generated particulates, combined with average ambient pollutants, would remain below regulatory thresholds (i.e., EPA established standards) in sensitive areas.

### **1.9.2 Clean Water Act**

Project activities are expected to meet all applicable State of Idaho water quality standards. Implementation of Alternative B or C would have an immeasurable increase in sediment delivery to project area streams in the temporary and short-term timeframes (during and immediately following project activities) and in the long-term would have an immeasurable decrease in sediment delivery to streams. BOISED modeling indicated a reduction of management induced sediment in the long-term in both the Sixmile and Anderson subwatersheds. The modeled sediment yield reduction would be attributable to amelioration of wildfire effect over time and benefits from project activities including road maintenance, yearlong road closures to motorized access, and road decommissioning activities. Municipal watersheds and designated beneficial uses would not be degraded by project activities with application of design features and BMPs.

### **1.9.3 Threatened, Endangered, and Sensitive Species, and Forest Watch Plants**

Either Alternative B or C “may affect, but is not likely to adversely affect” (NLAA) unknown individuals, populations or habitat for the listed species, *Spiranthes diluvialis*. This project may impact individuals or habitat of the sensitive species *Botrychium lineare*, *Douglasia idahoensis*, and *Phacelia minutissima* but “would not likely contribute to a trend toward Federal Listing or cause a loss of viability to the population or species” (MIIH). There would be no impacts to potential habitat for any other Candidate, Sensitive or Proposed Sensitive plant species. This project “may impact individuals but is not likely to cause a trend to federal listing or loss of population viability” (MIIH) to potential populations or individuals of *Botrychium simplex*, *Lewisia sacajawana*, *Allium validum*, *Botrychium crenulatum*, *Botrychium multifidum*, *Botrychium virginianum* and *Epipactis gigantea*. There should be no loss of population viability or habitat for any other Forest Watch plant species.

Under Alternative B or C, there would be “no effect” to the threatened Canada lynx or the threatened northern Idaho ground squirrel, and “no impact” to the candidate yellow-billed cuckoo or southern Idaho ground squirrel. Alternative B or C “may impact individuals but is not likely to cause a trend to Federal listing or loss of viability” for the following sensitive species: gray wolf, flammulated owl, white-headed woodpecker, and wolverine. Alternative B or C would result in a beneficial effect for mountain quail. Alternative B or C would have “no impact” on bald eagle, peregrine falcon, northern goshawk, boreal owl, great gray owl, greater sage-grouse, three-toed woodpecker, spotted bat, western big-eared bat, and Columbia spotted frog.

Alternative B or C “may affect but is not likely to adversely affect” bull trout.

### **1.9.4 Idaho Forest Practices Act**

Rules pertaining to the Idaho Forest Practices Act would be implemented. In addition, logging operations and road maintenance activities would be supervised and monitored on the ground to ensure compliance with the timber sale contract.

### **1.9.5 Migratory Bird Treaty Act**

All alternatives would comply with the Migratory Bird Treaty Act. This project may however result in an “unintentional take” of individuals during proposed activities. However the project complies with the U.S. Fish and Wildlife Service Director’s Order 131 related to the applicability of the Migratory Bird Treaty Act to federal agencies and requirements for permits for “take.” In addition, this project complies with Executive Order 13186 because the analysis meets agency obligations as defined under the January 16, 2001 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service designed to complement Executive Order 13186. Migratory bird species will be analyzed and discussed in Chapter 3 of the EA. If new requirements or direction result from subsequent interagency memorandums of understanding pursuant to Executive Order 13186, this project would be evaluated to ensure that it is consistent.

**1.9.6 National Forest Management Act (NFMA)**

None of the alternatives propose harvest activities on physically unsuited lands. No even-aged silvicultural prescriptions would be applied under any alternative.

As documented in the project record, this project has been determined to be consistent with the goals, objectives, standards, and guidelines in the 2003 Forest Plan.

**1.9.7 National Historic Preservation Act**

Alternatives B and C would have no direct or indirect effects on historically important sites. Any previously identified sites would be protected under both alternatives. The Forest will consult with the State Historic Preservation Officer before a decision on the Middle Fork Salvage project is made. Activities implementing either action alternative would be governed by contracts containing provisions designed to prevent adverse impacts to any unknown sites discovered during implementation.

**1.9.8 Idaho Stream Alteration Act**

All action alternatives would adhere to the requirements of the Idaho Stream Alterations Act and the 404 Permit Process of the U.S. Corps of Engineers. The goals of Executive Orders 11988 and 11990 would be met.

**1.10 PUBLIC INVOLVEMENT**

Shoshone-Paiute tribal representatives were presented the Middle Fork Salvage Project's proposed activities at the September 13, 2007 Wings and Roots meeting. Tribal Chairs of both the Nez Perce and Shoshone-Bannock Tribes were mailed project proposals on December 13, 2007.

During September and October 2007 the Emmett District Ranger presented aspects of the proposed salvage project to representatives of the Idaho Conservation League and The Wilderness Society while conducting field trips for them to the Middle Fork Complex fire area.

The proposed Middle Fork Salvage Project has been listed in the Boise NF Schedule of Proposed Actions (SOPA) since October 2007.

On February 5, 2008, Forest Service representatives presented specific proposed project activities to U.S. Fish and Wildlife Service and NOAA Fisheries personnel at a scheduled level 1 meeting.

In addition to legal notices published in the *Messenger Index* (December 12, 2007), *Idaho World* (January 24, 2007), *Long Valley Advocate* (December 12, 2007), and *Idaho Statesman* (December 12, 2007), a scoping package describing the Proposed Action was mailed to 41 individuals, agencies, and/or groups on December 13, 2007. Seven interested parties responded. Respondents expressed a variety of concerns and opinions expressing both support and opposition to the road decommissioning aspects of the project. One respondent was adamantly opposed to all fire salvage harvest in all situations. Two other commenters were conditionally amenable to salvage logging on lands assigned to MPC 5.2 lands provided road decommissioning and achievement of Forest Plan direction for other resources occurred.

The planning record contains all written comments received during scoping and discloses how the Interdisciplinary Team addressed those concerns.

Following the scoping efforts, but prior to completion of the EA, a legal notice announcing the 30-day opportunity to comment on the project pursuant to 35 CFR 215 was published in the *Idaho Statesman* (the newspaper of record) on May 13, 2008. As a courtesy, notification of the 30-day opportunity to comment was also published in the *Idaho World*. In addition, a copy of the Proposed Action Report was mailed to those who had expressed an interest in the project.

Five commenters responded within the 30-day notice and comment period. These comments and the associated Forest Service response are included in Appendix D.

**1.11 IDENTIFICATION OF ISSUES**

The public and other agencies presented seven responses to the initial Middle Fork Salvage Project scoping request for comments. These responses contained statements supporting, opposing, or neutral

to the specific activities composing the entire Proposed Action. Each statement or comment was evaluated with the following criteria to help the interdisciplinary team respond to the expressed concerns and suggestions, and to help it identify unresolved concerns with a proposed activity that could prompt development of an alternative to the Proposed Action.

- Has the concern been addressed by implementation of Forest Plan direction or in a previous site-specific analysis, or through legislative action?
- Can the concern be resolved through mitigation (avoiding, minimizing, reducing or eliminating, or compensating for the proposed impact) or project-specific design features?
- Will the concern be addressed during the routine analyses performed to determine project effects? If so, these concerns will be addressed within the EA or accompanying Specialist's Report in the project record.
- Is this an unresolved concern about the proposed action? If, after further analysis, a concern within both the scope of the project and the decision to be made remains an unresolved issue, it may initiate development of either an alternative considered but not analyzed in detail or an additional alternative studied in detail.
- Is the comment a generic comment of support or opposition but without the presentation of any specific issue?
- Is the concern or comment within the scope of the project and relevant to the decision to be made?

### **1.11.1 Significant Issues**

Significant issues are specific unresolved concerns about the Proposed Action (Alternative B) that cannot be successfully addressed with mitigation or project design, yet are within the project's scope and would allow accomplishment of at least part of its stated purpose. These types of concerns are identified through preliminary analysis, internal discussions among resource specialists, and analysis of scoping comments. One significant issue with the Proposed Action was identified.

One commenter requested that the project not plant tree seedlings on burned areas within the Peace Rock IRA (MPC 4.1c), because the commenter believes that by not planting seedlings, the variability of the composition, structure, and age of vegetation within the Peace Rock IRA vegetation would be enhanced. This commenter was also concerned about future management activities that might be necessitated by a plantation within the IRA. In order to clearly display the effects of such activities and the tradeoffs if this planting were eliminated, Alternative C, which does not include planting in the Peace Rock IRA, was developed.