



# Notice of Intent to Prepare an Environmental Impact Statement— Roadless Area Conservation; National Forest System Lands in Idaho

**CAT**  
Content  
Analysis  
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## Summary of Public Comment

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**June 2007**

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# Summary of Public Comment

## Introduction and Overview

This document is a summary of public comment received by the U.S. Department of Agriculture (USDA) Forest Service (Forest Service) regarding a notice of intent (NOI) to prepare an environmental impact statement (EIS) for the proposed management of inventoried roadless areas (IRAs) on National Forest System (NFS) lands in the State of Idaho, and request for comment. The Forest Service is initiating this public rulemaking process in response to a petition submitted by Governor James Risch requesting specific regulatory protection and management flexibility of 9.3 million acres of IRAs on NFS lands in Idaho. The comment period was April 10, 2007 to May 10, 2007. The Forest Service has received 37,588 responses. Of these, approximately 32,167 are form letters, while the remaining letters consisted of original responses or form letters with additional original text.

A *response* is a single, whole submission that may take the form of a letter, email, fax, presentation at an organization-sponsored public meeting, etc. Each response may contain anywhere from one to several hundred comments.<sup>1</sup> Although many of the responses were *original responses*, which include both those submitted by individuals and those from agencies and organizations, the majority of the responses were *form letters*. Form letters are five or more letters that contain identical text but are submitted by different people. Several letters were outside of the scope of the proposed rule; these letters primarily address National Park management issues and conditions of public lands in general.

Each original letter and an example of the form letter were analyzed to ensure that the concerns of all respondents were considered. In addition, if a respondent added information to a form letter, this content was also analyzed. No out-of-scope letters were analyzed. This *Summary of Public Comment* captures concerns in a narrative analysis.

Although this analysis attempts to capture the full range of issues raised, it should be used with caution. The respondents are self-selected; therefore, their comments do not necessarily represent the sentiments of the entire population. This analysis attempts to provide fair representation of the wide range of views submitted, but makes no attempt to treat input as if it were a vote or a statistical sample. In addition, many of the respondents' reasons for voicing these issues are varied, subtle, or detailed. In an effort to provide a succinct summary of all of the issues raised, many subtleties are not conveyed in this *summary*.

This *Summary of Public Comment* is divided into the following sections:

- Introduction and Overview
- Content Analysis Process
- Project Background
- Summary of Issues

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<sup>1</sup> Responses refer to single, whole submissions from respondents—(e.g., letters, emails, faxes, presentations at public meetings). Comments refer to identifiable expressions of concern made within responses.

The appendices to this document provide more detailed descriptions of the process used to analyze the comment received, the coding structure used by the analysts, demographic data about the respondents, and information about the organized responses (i.e., form letters):

- Appendix A, *Content Analysis Process*
- Appendix B, *Coding Structure*
- Appendix C, *Demographics*
- Appendix D, *Organized Response Report*

## Content Analysis Process

The goals of the content analysis process are to:

- Ensure that every response is considered.
- Identify the issues raised by all respondents.
- Represent the breadth and depth of the public's viewpoints and concerns as fairly as possible.
- Present those concerns in such a way as to facilitate the Forest Service's consideration of comments.

Content analysis is a method developed by a specialized Forest Service unit, the National Environmental Policy Act (NEPA) Services Group (NSG), for analyzing public comment. This method employs both qualitative and quantitative approaches. It is a systematic process designed to provide a mailing list of respondents, extract concerns from each letter, evaluate similar concerns from different responses, and identify specific issues. The process also provides a relational database capable of reporting various types of information while linking comments to the original letters.

Throughout the content analysis process, the team strives to identify all relevant issues, not just those represented by the majority of respondents. Breadth and depth of comment are important. In addition to capturing relevant factual input, NSG identifies the relative emotion and strength of public sentiment behind particular viewpoints.

This *Summary of Public Comment* attempts to capture all significant concerns and issues related to a project. However, it is only a summary. Content analysis summaries and reports are not intended to replace original letters. As noted above, the database reports are linked directly to individual letters.

## Project Background

This section summarizes the project background information supplied in the NOI published in the *Federal Register* on April 10, 2007 (72 FR 17816). Some passages are quoted directly from that publication.

The Forest Service provides direction for management and use of the Nation's forests, rangeland, and aquatic systems, and engages in cooperative collaboration with the States regarding use and management of NFS lands.

The Forest Service, in cooperation with the State of Idaho, is initiating a public rulemaking process regarding the management of roadless areas on NFS lands in the State of Idaho. The action is in response to a petition submitted on September 20, 2006 by Governor James Risch on

behalf of the State of Idaho, to promulgate a Federal rule to manage 9.3 million acres of IRAs within Idaho.

The Petition of Governor James E. Risch for Roadless Area Management in the State of Idaho was initiated under the State Petitions Rule, which allowed governors to voluntarily request that land management plans guide the management of IRAs. Idaho was concerned that individual areas could not be uniformly regulated under one set of standards to regulate timber harvest and road construction and reconstruction. In the process of developing its petition for roadless area management, the State of Idaho undertook an extensive public comment process to assess management objectives and define where, and under what circumstances, road construction and timber harvest should be prohibited. The State sought input from the commissioners of those counties affected by rulings regarding IRAs, and from the general public through 50 public meetings and requests for comments.

Idaho’s petition was submitted to the Secretary of Agriculture for consideration on September 20, 2006. After the State Petitions Rule was set aside on September 20, 2006, and the Roadless Rule was reinstated, Idaho, under the Administrative Procedure Act and USDA regulations (7 CFR 1.28), petitioned for repeal of the rule. The Roadless Area Conservation National Advisory Committee (RACNAC) reviewed the petition and on December 19, 2006, issued a unanimous recommendation to the Secretary of Agriculture that the Forest Service and the State of Idaho, as cooperating agency, proceed with the rulemaking.

The Petition of Governor James E. Risch for Roadless Area Management in the State of Idaho applies five management themes to IRAs in Idaho; requests that road construction, timber management, and mineral extraction be managed according to these themes; and allows most appropriate uses to be decided through the forest planning process in accordance with the National Forest Management Act. The five management themes are listed in Table 1.

**Table 1. Management Themes and Regulated Road and Timber Activities  
 Proposed by the State of Idaho Petition**

Management Theme and Area Characteristics	Approximate Acres (million)
<b>Wild Land Recreation Area</b> (little evidence of historic or human use; natural processes predominate; outstanding recreation opportunities for exploration, solitude, risk, and challenge)	1.3
<b>Primitive Area</b> (reflects primitive characteristics of Wild Land Recreation Areas, but does not meet wilderness suitability criteria recommended by Forest Service)	1.7
<b>Backcountry/Restoration Area</b> (increased evidence of management activities but roadless character is retained; recreation opportunities are balanced with management activities to maintain forest health)	5.5
<b>General Forest, Grassland, and Rangeland Area</b> (high levels of human use, including roads, facilities, vegetative manipulation, and mineral exploration/extraction)	0.5
<b>Area of Cultural, Historic, and Tribal Significance</b> (Pilot Knob, Mallard-Larkins Pioneer Area, and Lewis and Clark Trail)	0.25

The State of Idaho engaged in a significant public outreach effort during the development of this petition. This effort included 60 public meetings and the active participation of 30 of Idaho’s 44

counties. As a result of these efforts, 1662 individual responses were received, most of which were unique/non-form responses. These were summarized and a database was created for the original, unsummarized comments. Both the summaries and the comment database were reviewed and used by the Idaho Office of Species Conservation (OSC) in the development of their recommendations to the Governor. These recommendations were made by IRA and in a separate summary by forest.

Publication of the NOI in the *Federal Register* on April 10, 2007, initiated the scoping process in compliance with the NEPA and implementing regulations (40 CFR part 1500). The content analysis for this summary of public comment pertains to scoping comments on the NOI.

The NOI lists three alternatives—the proposed rule based on the Idaho State Petition, roadless management as set forth in the Roadless Rule, and roadless management direction as set forth in current Land and Resource Management Plans. In several instances, respondents on the NOI provide voluminous comments that are the same as those they provided during the public involvement process for the petition’s development. The Forest Service has reviewed the comment database and the recommendation documents that the State created during the public involvement process for the petition’s development and, where appropriate, incorporated this previous analysis into the database record for the NOI.

## Summary of Issues

The following is a summary of the comment received on the NOI and reflects public sentiment on a variety of issues both diverse and interrelated regarding the proposed rule (i.e., the Idaho State Petition). These issues range in nature from the strictly procedural to the technically specific. Public comment on these issues demonstrates the interest, feelings, and concern Americans have regarding the management of NFS lands (including grasslands). In fact, many of the issues raised by respondents on the NOI for the Idaho State Petition are similar to those raised by respondents during earlier roadless public involvement processes, particularly for the 2001 Roadless Rule, the 2005 State Petition Rule, and the petition development process undertaken by the State of Idaho. These comments reflect the convictions many respondents have about the National Forests, roadless areas, and how the Forest Service should best manage these resources.

This section begins with a general analysis and proceeds with identification and discussion of respondents’ main areas of concern. It is divided into the following parts:

- General Analysis
- Access
- Environmental Effects
- Public Involvement
- Economic/Social Issues
- Management Themes
- Alternative and Issues to be Analyzed in the Environmental Impact Statement
- Compliance with Other Laws and Regulations

Attempts have been made to group comments according to resource or issue, but some sections contain comments that span all issues (e.g., “Alternatives and Issues To Be Analyzed in the EIS”).

## **General Analysis**

The Idaho State Petition is the latest stage in national debate on the appropriate way to manage roadless areas within NFS lands. Many comments received on this rule reflect this continued debate, and many of the issues raised during this comment period were raised as part of the earlier rulemaking efforts for the 2001 Roadless Rule and the 2005 State Petitions Rule. Most respondents who favor the 2001 Roadless Rule also oppose the Idaho State Petition, and many of the opponents of the 2001 Roadless Rule express support for the Idaho State Petition. Likewise, the concerns raised during the current process are often the same concerns that were raised during earlier processes. For example, supporters of the 2001 Roadless Rule often favored that rule because it protected roadless areas from additional road building and they now oppose the Idaho State Petition because they believe it undermines those protections.

Many commenters are also clearly aware of the earlier debates and often refer to earlier rules, earlier public involvement processes, and the various court cases and rulings that surround these earlier proceedings. Thus, what often separates the proponents and opponents of the proposed rule is an honest difference in perspective regarding the fundamental nature and role of NFS lands.

Many respondents favor a multiple-use or active management strategy for NFS lands and appreciate that the proposed rule would allow greater local participation and influence in management decisions regarding NFS lands within the State. They praise the proposed rule because it would provide a greater “level of certainty” as to how the National Forests will be managed. Many believe that lands within Idaho are best managed by Idahoans for the benefit of Idahoans. One elected official, for example, requests that management of Federal lands be “transferred to local governments and consensus groups” to ensure that the lands are “managed for the benefit of the rural counties and schools.”

Opponents often express a preference for the 2001 Roadless Rule, which they believe provides greater protections for roadless areas and sets a national standard for the management of roadless areas within National Forests. The concern voiced by several opponents is that the proposed rule would give local governments and agencies too much authority over national resources and that these local entities too often prefer “development and exploitation over conservation.”

Respondents frequently note that NFS lands in Idaho are there for all Americans and should not be managed for the benefit of residents from a single State. They assert that roadless areas are best managed at the national level because the lands are paid for by taxpayers throughout the country, not just those living in Idaho. Further, some assert that State governors have no jurisdiction over NFS lands, that the Federal government cannot cede its authority over public lands to those governors, and that the attempt to do so is unconstitutional. Another related argument is that these lands should be managed with greater concern for natural ecosystem boundaries rather than political State boundaries.

Supporters of the Idaho State Petition often identify themselves as persons who engage in motorized recreation on public lands or who, due to age or disability, depend on motorized access. Some of those who oppose the proposed rule describe themselves as “lover(s) of the outdoors” and often refer to specific times they have spent in the National Parks, National Forests, and on other public lands. For many of these respondents, protection consists of leaving roadless areas alone to evolve naturally through their own dynamic processes. They believe roadless areas should be protected for their own intrinsic value as undisturbed wildland, for the

benefit of wildlife, and for the benefits these areas offer humans. These places are important, opponents note, as sources of clean drinking water and clean air, as a curb on climate change, and as places of solitude and spiritual renewal. They also note that Idaho has the largest number of roadless areas of any State other than Alaska, and that these areas are an important part of the Northern Rockies, which is the “last place in the lower 48 States where nearly all the wildlife species that historically characterized the region can still be found.”

Many who support the proposed rule see NFS lands in terms of the resources they offer for human use and as ecosystems capable of providing a host of goods for human well being, including numerous recreational opportunities. For these people, protection consists of managing these lands to ensure access, healthy forests, and sustained economic benefits. Hence, roads are necessary for management activities (fuel thinning, prescribed burns, treatment for insects and disease, etc.); responsible, sustainable resource extraction; emergency access; and meeting increasing recreational demands. The failure to actively manage NFS lands, some respondents argue, would subject these lands to insect infestations and catastrophic fire. They further note that active management is in fact necessary to counteract the effects of years of fire suppression activities, which have increased the risk of catastrophic fires and insect infestations.

Some opponents are not insensitive to the competing concerns of those whose sources of enjoyment and/or livelihood depend on more active uses of NFS lands. However, they believe both that the need for roadless protection outweighs those other concerns and that many of the impacts from shifting to less active management of NFS lands can in fact be minimized or mitigated. Examples of the types of mitigating actions they cite include development of alternative construction and paper materials, development of alternative energy resources, increased use of recycled and reused building materials, promotion of eco-tourism and other recreation-based economic development, and the designation of less sensitive areas for motorized recreation. They argue that these new industries would create more sustainable jobs while protecting national natural resources.

Some proponents see opponents as well financed and highly influential, and they sometimes see themselves as the underdogs; they ask why non-motorized recreationists “gain in every action” while motorized recreationists “lose in every action.” They consider themselves as less powerful than the environmentalists who try to ban the activities that some supporters see as genuinely necessary, such as motorized recreation, which for many proponents has become a family tradition. These commenters note that no matter how hard they fight, more and more areas are closed to motorized recreation.

Interestingly, some opponents of the rule also feel discriminated against by the current Administration, which they perceive to be unduly influenced by “corrupted mining and logging interests.” They argue that the extraction industries have been the “most vocal, most organized, and most funded” and that they have exerted significant influence over both the Federal and State governments. This influence is seen as being derived primarily from the ability of these industries to monetarily support “political campaigns and agendas.”

Commenters often express concerns over the alternatives that should be presented in the EIS and considered in development of the rule. In a sense, comments on the alternatives do not make up a separate category of concern, as these comments are tied inextricably to respondents’ concerns over other major issues. However, it is just as true that all of the issues of concern to respondents are interrelated and do not easily give way to independent discussion. Nevertheless, for purposes

of analysis there are useful distinctions to make; therefore, the following seven categories of concern will each be discussed in turn—access, environmental effects, public involvement, economic and social issues, management themes, alternatives and issues to be analyzed in the EIS, and compliance with other laws and regulations. These discussions often reflect competing views, which, as noted above, may be motivated by different assumptions and beliefs regarding the nature and role of NFS lands and the role and credibility of government.

One final point is worth making before moving on to these major categories of concern. Of all the responses received by the Forest Service, by far the majority have been form letters; to many of these the respondent has only added his or her signature, but to many others respondents have added personal comments. In addition to original letters, these form letters represent some of the strongest positions taken by respondents. Many form letters opposing the proposed rule typically ask that the public comment period be extended, public hearings be held, Idaho's roadless areas be managed in accordance with the 2001 Roadless Rule, and roadless areas be protected for the sake of wildlife. Some also make requests for evaluation of additional alternatives and request that the EIS carefully evaluate the environmental impacts of the General Forest management theme. The personal comments often added to form letters frequently indicate the depth of emotion respondents feel over these issues.

## **Access**

Among issues discussed regarding the Idaho State Petition, concerns over access to NFS lands for recreation, timber harvest, and mining are among the most prominent. Many opposing the proposed rule believe that access must be restricted for the good of NFS lands. Because of the negative impacts human uses have on the environment, opponents claim access for these uses should bow to the greater need for protection. These respondents call on the Forest Service to either ban or restrict a number of activities in roadless areas, including timber harvest, mining (particularly phosphate mining), development of oil and gas reserves, and motorized recreation, including use of snowmobiles. These activities, several opponents argue, cause destruction, erosion, and pollution and contribute to a general degradation of the natural environment. Many respondents favor restricted access for human uses either within roadless areas or within NFS lands at large. They point to the environmental damage done by these activities and the environmental benefits (such as better air quality, better water quality, and increased biodiversity) to be derived from limiting them.

Many proponents of the proposed rule point out that further restrictions are not necessary because damage caused by human activity can be avoided through stricter monitoring and enforcement, as well as improved maintenance of existing roads. Proponents' arguments frequently follow one of two lines of reasoning with respect to access. One perspective is that active forest management activities are vital to maintaining healthy forests and that roaded access is essential to carrying out those activities. Another perspective is that a well managed forest is capable of supplying a number of goods to fill the legitimate needs of human beings—from forest products to recreational opportunities—and that roaded access is essential to taking advantage of those goods. Some also argue that roads, combined with effective forest management, can contribute to improved air quality (because prescribed burns have fewer impacts than uncontrolled wildfires) and improved water quality (because erosion following large uncontrolled wildland fires is more significant than erosion resulting from the roads used to manage those lands). Interestingly, some oppose the rule because they feel the petition does not

allow active management on enough of the roadless areas within Idaho; they request that active management be allowed on several additional IRAs, including Chimney Rock, Crystal Mountain, Big Creek Fringe, Cottontail Point/Pilot Peak, French Creek, and Secesh.

### **MINING/TIMBER HARVEST/FIRE MANAGEMENT**

Many respondents express dismay that the Forest Service is proposing opening IRAs to potential mining and timber harvest. In addition to the impacts they believe are attendant with the timber harvest and mining activities, they are very concerned about the roads that would be constructed to support these activities. While some recognize that selective timber harvesting might be needed at wildland-urban interfaces to reduce fire risks, they disagree with other letter writers who argue that active management and selective harvesting is needed in other areas to improve forest health. In fact, several comment that areas that were subject to past catastrophic fires now provide excellent habitat for many species and that such fires have always been a part of the natural ecosystem. Others note that roads increase the risk of fires by increasing access to areas where people can ignite fires. They also argue that lightning-caused fires are more likely to occur in a roaded area than in a roadless area.

There is the opinion among some respondents that mining and timber activities create much higher paying jobs than are created by recreational uses and that areas of the National Forest should therefore be opened to these uses. These respondents are concerned that too many areas have been closed in the past and that this has had significant negative economic impacts on local communities. This is countered with the argument that the short-term benefits of mining and timber harvest do not outweigh the long-term impacts on human health and the environment. Some respondents further argue that many of the past mining operations have required significant cleanup costs that have been borne by taxpayers rather than the mining companies.

Many proponents of the rule support opening some of the IRAs to timber harvest because, they argue, selective harvesting helps create healthier forests and reduces fire risks.

There is agreement among a number of opponents and proponents of the rule regarding their opposition to additional phosphate mining, particularly within the Caribou-Targhee National Forest. Some proponents of the rule indicate that this is their one area of disagreement with the proposed action. Some note that the costs of cleanup associated with phosphate mining vastly outweighs the value to taxpayers. Respondents note that 17 separate phosphate mines (eight of which are located within the Caribou-Targhee National Forest) have been designated as Superfund sites, and that the environmental impacts on aquatic, terrestrial, and air resources are significant. Further, they argue that there is no evidence that phosphate mining can be conducted in a safe manner. They assert that selenium, which is a by-product of the process, has poisoned streams, threatened human health, killed domestic livestock, and threatened Yellowstone cutthroat trout populations. Concern is expressed by some that the rule is not clear regarding its impact on phosphate extraction, and they specifically request that the proposal be modified to clarify whether the proposal would allow phosphate mining or the construction of roads to support phosphate mining.

Some also request that access to private property and valid mining claims be allowed and that road building may be required to ensure that adequate access is available.

Respondents also remark that roads are essential to provide adequate access for fire fighting activities and argue that many fires have been more damaging because firefighters did not have roads to access areas quickly and effectively.

### **MOTORIZED RECREATION**

Those who count on motorized recreation tend to focus on the 2001 Roadless Rule, specifically the limitations it would place on their recreational enjoyment of NFS lands. These respondents express concern over limited access for all kinds of recreation, though particularly for motorized recreation. They often explain that off-road vehicle (ORV) use has become a family tradition—one that family members of all ages and physical ability can enjoy. It is also an activity, most of these writers point out, they engage in responsibly. They stay on approved trails and are sensitive to their impacts on wildlife. While admittedly there are irresponsible ORV users, respondents point out that the vast majority are responsible and should not be restricted because of the actions of a few. They suggest that education on proper backcountry etiquette is preferable to closing more roads. They note that their organizations have codes of conduct and provide educational programs that promote responsibility and respect for the land and other National Forest users. While some feel that increased enforcement could correct some of the infractions committed by off-road users, others argue that this is not a workable option because the Forest Service does not have the funds for increase enforcement and local courts do not take these charges seriously.

Some commenters suggest that the many roads that have been closed because they cannot support full-sized vehicles could be open to other motorized vehicles that are better suited for the terrain. While many of these users acknowledge that some negative environmental impacts may result from the use of some types of motorized recreation, they argue that this is not true of snowmobiles. Therefore, even roads that are appropriately closed to summer use should be open in the winter for snowmobile use. They further argue that because snowmobile use is low impact, it does not affect potential Wilderness designation; therefore, restricting snowmobile access in proposed Wilderness areas is unwarranted.

The concern among motorized recreationists is that more roads would be closed to motorized use if the proposed rule is not implemented and the 2001 Roadless Rule is left to govern management of roadless areas on NFS lands. These respondents request that whatever management guidelines the Forest Service finally adopts should result in “no net loss” of trails available for motorized access. To this end, respondents suggest that the Forest Service develop a statewide recreational trail system that would connect rural communities. Such a system would benefit motorized users by increasing the number and attractiveness of trail destinations, and would provide economic benefits to the rural communities. Others note that there are many roads and trails no longer listed on Forest Service maps and they ask that these decommissioned/closed/reclassified roads and trails be reopened to ORV use. In fact, some argue that the term “roadless” is misleading and inaccurate since most of these areas have historic roads that predate the creation of the National Forests.

A number of proponents of the proposed rule are concerned that if the Idaho State Petition is not approved then the 2001 Roadless Rule will remain in effect. They point out that restricted access under the 2001 Roadless Rule would concentrate use and cause greater environmental damage in nonrestricted areas. In addition, some proponents express concern that the 2001 Roadless Rule would unfairly shut off roadless areas to the very young, the very old, and the disabled—that roadless areas would be open only to the physically fit and the wealthy, those with the physical

stamina to allow for extended trips into the backcountry or access to private airplanes. Some respondents request that access to all roadless areas, except those areas in designated Wilderness, be allowed for mechanized (i.e., bicycle) recreation because, they argue, the impacts from this use are minimal.

Others request that dirt bikes be eliminated from many areas of NFS lands because they have a negative impact on game species, cause significant erosion, and provide easy access to sensitive habitats. Several note that the increased popularity of motorized recreation has led to increased impacts by users who ignore road closures or restrictions, create new trails through sensitive areas, disturb wildlife, and leave their trash in backcountry areas. They note that these vehicles, even when used on approved trails, contribute to noise and air pollution. For all these reasons, they ask that roadless areas not be opened up any further to motorized recreation.

On the other hand, some opponents argue that the roadless rule is not the appropriate venue for consideration of expansion or reduction in motorized access and that these concerns should be addressed by the Forest Service when it conducts its travel planning process.

### **OTHER NEEDS FOR ROADS**

Some respondents writing in support of more active management of roadless areas argue that roads are necessary to ensure adequate emergency access. They note that although the 2001 Roadless Rule would allow use of roads in roadless areas for this purpose, the roads would not be maintained and thus, this exception would not be useful. If roads were kept open to motorized recreation, they argue, they would remain passable should emergency access be needed. These respondents do not always support the Idaho State Petition as written, but do support the direction toward greater access and active management that the petition represents. Still others note that access to private property and valid mining claims must be permitted and that road building may be required to ensure that adequate access is available.

In summary, proponents of the proposed rule are concerned that access must be maintained for forest management activities, extraction activities, and recreation.

## **Environmental Effects**

Respondents differ greatly in their views on how the proposed rule would affect the environment. These differences are rooted in the views people have on the nature and role of NFS lands.

### **FOREST HEALTH**

Forest health is a broad term representing a wide array of more specific issues. Many who oppose the proposed rule believe the rule would open a significant amount of acreage to development, timber harvest, and mining. They believe these areas would be healthier if left intact and undisturbed. Some note that forest health within Idaho's roadless areas also contributes to forest and environmental health on lands outside of the roadless areas and even outside the State of Idaho. This includes the positive impact forests have on climate change and in slowing the spread of invasive species. Some note that road construction leads to increased fire danger because it tends to lead to "drying biomass" and because roads bring more humans—who are primary instigators of fires—into remote areas. In addition, some respondents remark, roads create more forest "edge" zones, which tend to create opportunities for invasive species to

take hold. Others observe that salvage of timber is included among the forest health activities that could be conducted under the proposed rule. They note that the objective of salvage logging is timber extraction for “economic purposes” and that there is no ecological reason for such activity.

Some respondents also note that the four threats identified by the Forest Service (non-native invasive species, loss of open space, fire and fuels management, and unmanaged recreation) are all closely related to resource extraction, active management practices, and the road construction activities related to these practices. They argue that the problems the Forest Service says need to be addressed would be exacerbated by the proposed management themes proposed.

Others believe that active management is essential to maintaining forest health. These respondents argue that fuel management and fire suppression are necessary to prevent large, catastrophic fires and that roaded access is needed to carry out these activities, as well as to treat for insects and disease. They state that years of fire suppression policies have left the forests in an unnatural state and that to correct human interference in the natural fire regime, active management is now required to ensure healthy and safe forests.

#### **WILDLIFE/FISHERIES**

Those who disapprove of active management refer to its negative effects on wildlife and aquatic species. Most often these respondents point to roads, motorized recreation, and all forms of timber harvesting as having the most detrimental effects on wildlife. Roads, some argue, fragment forest areas, thereby interrupting natural wildlife corridors necessary for maintaining species diversity. They also argue that this habitat fragmentation and the decrease in water quality resulting from increased erosion can have a negative impact on the migration needs of many species, including anadromous fish, large carnivores, and ungulates. At the same time, they state, road-induced sedimentation in rivers and streams compromises water quality, and thus the viability of aquatic species. Many respondents are concerned about the impact on both native fish species and sport-fish species, and they frequently note that Idaho is a destination for many anglers because of the excellent fisheries that are supported by the roadless areas. They note that the healthy fish populations require clean water and that roadless areas contribute significantly to ensuring an adequate supply of clean water. Concern is specifically expressed about the impacts on native trout populations, including those in the Salt, Teton, Central Bear, Palisades, and Bear Lake watersheds.

Many respondents elaborate on this theme, stating that roadless areas provide much needed habitat for many special-status species, including the grizzly bear and grey wolf. In addition, respondents note that these areas provide important habitat for lynx, wolverine, caribou, mountain lions, mountain goats, bighorn sheep, deer, moose, blue grouse, western tanagers, blue birds, hawks, black bears, eagles, owls, goshawk, pine martin, land snail species, migratory birds, and sage grouse. Some note that in addition to the benefits provided to these species, roadless areas provide habitat for important game species, including elk and mule deer. They point out that Idaho is particularly known for its excellent hunting resources and that roadless areas “sustain healthy herds,” in some cases at levels “three times as high as areas with roads,” which can support longer hunting seasons. Many hunters express concern over the proposal to increase roaded areas, noting that the habitat fragmentation caused by roads leads to decreased numbers of game species. They also point out that increased roaded access allows more hunters to enter these areas, which results in an increase in the annual take. This soon depletes the

population of game species, resulting in a reduction in the quality of hunting in the area as fewer animals reach maturity.

Others argue that roads and active forest management activities can enhance habitats for wildlife by providing a more diverse set of habitats, including thinned areas, established areas, and areas nearing harvesting. They also note that roads may facilitate migration for many species.

### **SUSTAINABILITY**

Of those who believe greater protection of roadless areas is needed to ensure that NFS lands are managed in a sustainable manner, some argue that greater use of renewable and alternative sources for energy and building materials would reduce the need to use NFS lands for these resources. They state that once damaged, these areas never fully return to their original condition. Respondents often tie this to a belief that we should preserve these roadless areas for the benefit of future generations.

Others also support sustainability but argue that active management of NFS lands and the roads required to engage in that management reduce forests' susceptibility to catastrophic fires and insect infestation.

### **WATER QUALITY**

A number of respondents express concern that additional roads, along with timber harvest, mining, and the increased recreation activities that would be allowed under the proposed rule, would result in increased erosion and sedimentation in streams and rivers. One opponent indicates that the dredging that is now being undertaken in some reservoirs in the northwest is "due to the complications of erosion caused by the roads [the Forest Service] creates [for timber harvest]." Several note that the reduction in water quality that results from these activities could have negative effects on both native and sport-fishing species of fish. Commenters note that clean water is key to the economy of Idaho and that the roadless areas contribute to the clean water that supports both "agricultural and recreational users downstream." They also express concern about the impacts of sediment on drinking water supplies and aquatic habitats.

Respondents note that increased sedimentation and turbidity as a result of increased erosion caused by roads can affect drinking water supplies and may lead to "substantial operational and upgrade costs" for towns and municipalities. Activities that can contribute to the problem include clear cutting, road building, use of herbicides, and spills or other releases of fuels and hazardous wastes. Others argue that unroaded, unlogged forests help reduce and retard flash floods and landslides by absorbing significant amounts of water during the rainy seasons. In addition, some note that this water absorption helps supply aquifers.

Respondents specifically mention Poison Creek as an area deserving of retention as a roadless area, because the nearby reservoir has already been negatively affected by development in the area. Some proponents of the rule argue that active management results in improved water quality because the erosion following catastrophic fires is much greater than the erosion caused by roads and management activities. They assert that this reduction in silt and debris entering the streams would have a beneficial impact on water quality.

## **AIR / CLIMATE CHANGE**

Some respondents opposing the Idaho State Petition point to the contribution trees make to clean air as an especially important reason to protect roadless areas from development. They note that trees help clean the air and reduce carbon dioxide. They further argue that forests make significant contributions to reversing or slowing down the current trend in climate change and that it would be irresponsible to ignore this benefit from intact forests by increasing timber harvests. In addition, they argue that opening these areas to development not only would reduce the capacity of forests to convert carbon dioxide to oxygen, but also would increase the sources of carbon dioxide pollution. Some also request that NFS lands be preserved to provide carbon-reserve management.

Some note that areas of Idaho have already been designated by the EPA as having some of the worst air quality in the United States and therefore oppose additional development in IRAs that might increase air pollution.

Others take an opposite view. They argue that controlled burns would release fewer pollutants into the air than would the catastrophic fires that they believe are inevitable if NFS lands are not actively managed. They point to the fact that uncontrolled fires release large amounts of pollutants into the air, and believe that active management of these lands would allow forest managers to make informed decisions about when and how often to engage in controlled burns.

## **Public Involvement**

Many respondents comment on the adequacy of the public involvement process. Many of those who support the proposed rule often comment favorably on the public involvement undertaken by the state of Idaho during the development of the petition. On the other hand, many who do not support the rule feel that a number of aspects of both the Idaho State Petition process and the NOI process are deficient.

It is in this context that trust and integrity issues arise. Many comments that touch on trust and integrity come from respondents who do not support the proposed rule and believe it is being pushed through either illegally or in a manner that wholly ignores the needs and concerns of large segments of the population.

## **COLLABORATION WITH GOVERNMENTS/AGENCIES**

A number of respondents believe that Idaho should have much less say over the management of NFS lands within the State than the petition would allow. These opponents feel that the Federal government's decisions and initiatives are unduly influenced by extractive industries and State governments and do not take into account the needs of the larger, national population. These writers believe local jurisdictions are overly influenced by corporate interests and cannot be trusted to do what is best for the land.

On the other hand, many of the respondents support the greater role that the State has had in development of the petition, and they advocate that State and local governments should have a similar role or greater role in management decisions regarding NFS lands within the State. They argue that local interests should take precedence and that the Forest Service should continue its collaborative process as implementation of the rule moves forward. They ask that forest counties in particular continue to have a significant voice in the implementation of the rule, as these counties are the most affected by the management of NFS lands. Adams County specifically

requests to be involved in implementation of the final rule. Some respondents request that roadless areas be held in trust by the Federal government but that the management of the lands be turned over to local governments so that the lands can be managed for the benefit of local counties and schools.

It is the request of one elected official that the Forest Service include Idaho's forest counties in the rulemaking process and cites the Initial and Final Regulatory Flexibility Analyses (IRFA/FRFA and SBREFA). The respondent goes on to note that no other entity is better equipped to express the economic impacts on forest counties and schools. The respondent, a State senator representing these counties, asks to be granted cooperating agency status.

### **ROLE OF CITIZENS**

Respondents on both sides of this issue believe the voice of the public should count—with some noting that the Forest Service should take into account majority opinion. Respondents differ, however, on what the majority opinion is. Some supporters of the proposed rule point to polls that they claim show that the majority of people oppose closing public land, and that the popularity of motorized recreation is increasing. Some in opposition to the rule point to the volume and nature of the comment that was received on previous rules (2001 Roadless Rule and 2005 State Petitions Rule) as an indication that most people support increased protection of roadless areas. Some opponents also point to polls that they claim show that the majority of Americans support increased protection of roadless areas.

Just as respondents on both sides of the issue believe citizens' voices should count, they also believe that some voices should not count more than others. Both sides express resentment over what they believe to be undue influence coming from special interest groups on the other side. Some insist that corporate interests should not be allowed undue influence over management decisions, while others feel that environmental groups should not be allowed undue influence.

Respondents also disagree over the appropriate role of Idahoans in the determination of how Federal lands within the State should be managed. Some who disagree with the rule argue that citizens of Idaho should not have a greater say in management decisions than any other citizen of the Nation. They object to the public involvement process undertaken on the petition because it did not involve input from citizens of other States. They ask that public meetings/hearings be held in representative locations throughout the Nation to ensure that citizens from other States also have a voice. Some also argue that the Idaho State Petition does not necessarily reflect the majority opinion of Idahoans and express concern that those who expressed a desire to protect roadless areas were ignored during the development of the Idaho State Petition process. Some supporters of the Idaho State Petition argue that Idahoans appropriately have had a greater voice in the management of NFS lands within the State, and they request that their voices continue to guide decisions in the implementation of the rule. These respondents object to what they see as the interference of outsiders in the management of their State.

### **LOCAL VERSUS NATIONAL DECISION-MAKING**

As noted above, proponents and opponents of the proposed rule are often divided on whether management decisions for NFS lands should be made at the local level or at the national level. Proponents of the rule believe that decisions should be made at the local level. They argue that a Washington-based, one-size-fits-all approach is not in the best interest of individual forests; they believe that decisions should be made by local managers in concert with local governments and

public involvement, so that solutions can be tailored to specific problems and the specific needs of local communities. They are concerned that land management decisions made at a national level have caused economic harm to the States and local forest counties and communities. As a result, they believe that local citizens, and local forest counties in particular, should have more say than others over how NFS lands in their State are managed. Some, however, also complain that the proposed rule essentially codifies the management prescriptions included in the existing forest management plans, which were created by Federal, not State, officials. Thus, they complain that even this rule, which purports to rely on local input, actually represents the management vision of the Federal government.

Many in opposition to the Idaho State Petition, however, believe that management decisions should be made at the national level. They do not believe that local managers can be trusted to do what is best for the land because these managers can be influenced by local businesses and politicians who make financial benefits a priority. They argue that these are NFS lands, not State forest lands, and that management decisions should take into account the needs of the Nation as a whole, not just the local needs of Idahoans. Some bolster this argument by noting that more populous areas of the Nation, such as the East Coast, contribute significantly to the tax base and that all States, including the less wealthy or populous states, such as Idaho, benefit from that contribution. Therefore, they argue, citizens from other regions should be allowed a voice in the management of public lands in Idaho.

#### **DECISION-MAKING PROCESS/AUTHORITY**

Some respondents make a point to say they approve of the process through which the proposed rule is being considered, and they approve of the Forest Service's response in formulating the proposed rule. Others, however, take a different view. Many of them complain that the whole decision-making process for this rule is moving too fast, and they are therefore suspicious of the intentions behind it. Several note that the 2005 State Petitions Rule, which was the mechanism for allowing the Idaho State Petition process, was rejected by the courts. They argue, "continuing to accept Idaho's and other state petitions, you [the Forest Service] are actually flouting the law of the land and the U.S. District Court's ruling." They suggest that further action should at least be postponed until the courts rule on the Administration's appeal. In addition, some complain that the fragmented State-by-State process would result in the production of many expensive and unnecessary environmental impact statements.

Some express concern about the scope of the petition, as it appears to require the Forest Service to take into account the management themes proposed for the State of Idaho when managing other NFS lands outside of Idaho.

#### **TRUST AND INTEGRITY**

Some commenters express distrust in both the Administration and the national leadership of the Forest Service, citing the following concerns:

- The rule is politically motivated.
- Unfair or illegal consideration was given to extractive industries.
- Public input is not fully solicited or considered.

Some request that all action be postponed until the current Administration has left office because the Administration no longer reflects the true will of the people. Respondents express frustration that extractive interests and politicians often request that small percentages of public land be

opened up to development. Because of the cumulative impacts of these incremental changes, they believe “in just a few decades the wilderness is lost.” Some also note that the current Administration has a poor record regarding the use of public comment and that they have not once “altered their plans in response to public outcries.”

Other respondents decry what they see as the dishonesty of the U.S. Department of Agriculture. They note that the Department promised to uphold the 2001 Roadless Rule but, in fact, has repeatedly attempted to undermine the protections provided by that rule. These respondents see the Idaho State Petition as just the latest attempt to weaken the 2001 rule.

The validity of the Idaho State Petition’s public outreach effort is questioned by some respondents because the comments of those citizens who supported roadless protection were ignored and many citizens were shut out of the process. Some opponents of the proposed action express dismay that the Forest Service is moving forward with this action in spite of the courts’ recent ruling that rejected the 2005 State Petitions Rule. Respondents also question whether public comment during the Idaho State Petition process was handled properly, and they note that the contract for analyzing public comment was “awarded to an industry lobbying group” that was not qualified to do the analysis and that produced biased outreach materials.

In contrast, other respondents are appreciative that the Administration and Forest Service initiated this proposal. They are particularly pleased with the close interaction between the Forest Service and State government in developing the proposed rule. They also recognize and appreciate the role that Idaho counties had in drafting the petition.

#### **ADEQUACY OF PUBLIC MEETINGS/OUTREACH**

Many opponents complain that the Forest Service did not hold public meetings on the NOI. Many request that the Forest Service hold such meetings “at representative locations around the country” before the end of the comment period. Some also compare this NOI unfavorably to the NOI for the 2001 Roadless Rule and the 187 public meetings that were held at that time. They also note that the process undertaken during the development of the Idaho State Petition included less than half the population of Idaho. They complain that the paperwork was unwieldy and that the comments from counties without roadless areas were given less weight. Others note that the process excluded all non-Idahoans from the process. Further, some complain that the comments of Idahoans who support the protection of roadless areas were ignored, even when those comments represented the majority view. Respondents complain that the NOI validates the State outreach process, when in fact that process was significantly flawed.

Some respondents, many of whom are proponents of the rule acknowledge and praise the large public involvement process that was undertaken by the State of Idaho in preparing the petition. In contrast, some mention that they felt they had been left out of that process, either due to their location within the State or because the outreach process “discouraged many ... from participating” because the paperwork they were asked to fill out was “both cumbersome and confusing.”

Respondents also note that the proposed action differs from both the 2001 Roadless Rule and the petition filed by the State of Idaho, and so believe that another round of public meetings is required to comply with NEPA guidelines. Some suggest that these hearings/meetings could be held over the Internet and might include both blogging and video.

### **ADEQUACY OF COMMENT PERIOD**

A few respondents believe the comment period on the NOI was adequate and should not be extended. A far larger number expressed concern that it was inadequate and should be extended. The most common reason for requesting an extension is that the comment period does not provide sufficient time to allow for public meetings, in order to evaluate the proposed management changes for a significant national resource that covers vast areas, and thus to provide adequate comment. Writers most commonly asked for a 60-day extension. Some noted that the State of Idaho itself had complained about the shortness of the comment period for the 2001 Roadless Rule NOI, when that comment period was twice as long as the comment period provided for this NOI. Some note that the short comment period gives the impression that the Forest Service has a bias towards groups favoring overturning the 2001 Roadless Rule. Others argue that because of the short comment period, combined with the timing, respondents cannot access affected roadless areas during the comment period due to snow, thus precluding meaningful and specific comment about some IRAs.

## **Economic/Social Issues**

### **PAYMENTS IN LIEU OF TAXES**

One issue that comes up in the context of impacts to forest-dependent communities is the funding that these communities receive from the Forest Service. Because the Federal government owns land (in this case, NFS land) which, if owned privately, would generate tax revenues to counties and States, the Forest Service makes payments in lieu of taxes (PILT) based on 25% of timber receipts. Many supporters of the proposed rule argue that it could have the effect of reversing the recent trend of limited timber harvest, which has seriously affected an important source of revenue for rural communities. They argue that the leaders of forest counties should have a significant voice in the management of these lands, because they are the best representatives of these forest-dependent communities. They also note that it was Congress's intent to hold rural counties harmless for the creation of Federal lands and ask that the rule take this into account.

### **ROAD MAINTENANCE**

Acknowledging that the Forest Service has a significant road maintenance backlog, some respondents argue that the Forest Service is not in a position to incur greater responsibility for roads and should be looking to reduce the number of roads that require maintenance. They note that the failure to maintain roads, which leads to increased erosion, contributes to the negative impact these roads have on the environment. They also note that the inability of the Forest Service to maintain these roads was one of the original rationales for developing the 2001 Roadless Rule, which was supposed to help resolve this issue.

Other commenters suggest that the Forest Service should apply for available grant funds to pay for road maintenance. They also note that many of the motorized recreation clubs encourage and coordinate road maintenance activities and that they would be more than willing to work with the Forest Service to extend those volunteer activities if the Forest Service would only avail themselves of these alternatives. Some also suggest that the Forest Service could find ways to tap into the funds that motorized recreation generates to help alleviate the budget shortage.

### **ECONOMIC STIMULATION FROM RECREATION OPPORTUNITIES**

Both those respondents who support the proposed rule because of the potential for increased motorized recreation and those who are concerned that the rule does not provide enough access for motorized recreation argue that motorized recreation “stimulates Idaho’s economy” and that the number of motorized users is growing rapidly. They further note that these recreationists bring “much needed financial support to many smaller towns.” They also argue that the revenue generated by motorized users far exceeds that generated by non-motorized recreationists, and that for some communities, the primary source of revenue during the winter months are snowmobilers.

On the other hand, some opponents argue that roadless areas are “tourist hot spots” and that they support local economies through increased non-motorized recreation, including backpacking, guided backcountry hunting, angling, bird watching, kayaking, river rafting, and camping. These activities contribute sustainable economic benefits to local communities. They believe the development of roadless areas provided under the petition would have a “negative net economic impact to many rural communities.” Opponents also note that real estate values in these areas increase year to year because of “the high environmental quality” of the roadless areas.

### **ECONOMIC EFFECTS OF EXTRACTIVE USES**

Many of those who oppose the proposed rule argue that the costs of extractive uses (e.g., road maintenance, negative impacts on environmental resources, and cleanup from resource extraction activities) greatly exceed any economic benefit from extractive uses. They note that the costs to construct and maintain roads greatly exceed the revenue received from timber sales, that cleanup costs from mining exceeds revenue from those activities, and that the costs of degrading the quality of NFS lands has serious effects on recreation, downstream water users, and the greater ecological well-being of the earth. Some remark that the cost of extracting timber in marginal areas, such as roadless areas, is greater than the economic benefit. They also assert that much of the timber that is harvested in the United States is sent overseas for processing, which results in jobs being sent overseas as well. They argue that these uses should therefore be banned in roadless areas. One respondent offers the following suggestion to help mitigate for the economic losses associated with such a ban on extractive uses: allow companies to offset carbon dioxide emissions by contributing to the preservation of the NFS lands; this would create a way to compensate for the economic impact of prohibiting mining and logging in these areas.

Other respondents, who include proponents, believe that significant economic benefits are realized from using local products instead of imports from other countries. The benefits they cite include high-paying jobs for local communities, increased funding for local schools and counties, and national economic security. Proponents also point out that emergency needs for large quantities of timber, like those resulting from Hurricane Katrina, cannot be met by the timber harvest on private lands.

## **Management Themes**

Of the five management themes described in the proposed rule, the most controversial is the General Forest theme. Both proponents and opponents of the rule were most likely to comment on the General Forest management theme. Some respondents applaud the adoption of this management theme because it allows for more management flexibility, increased motorized

recreation opportunities, and a variety of economic benefits. On the other hand, other respondents are concerned that this theme opens large areas to timber harvest, mining, and motorized recreation. Many respondents also are concerned that most of the areas designated as General Forest are located within the Caribou-Targhee National Forest.

The second largest concern expressed is that recreational opportunities are being limited in areas recommended for management as Wilderness. While the petition itself does not actually propose that lands be managed as Wilderness, respondents are unclear about this issue. Some may simply be confusing the term Wilderness for Wild Land Recreation (which is one of the proposed management themes), but it may also be the case that these respondents see no meaningful difference between some of the more protective management themes and official Wilderness designation and are trying to amplify their arguments by referencing Wilderness designation.

The concern that recreation opportunities are limited in the more protective management themes is expressed mostly by proponents of the proposed rule because they see this rule as an opportunity to stem this trend. Some respondents favor opening these areas to motorized recreation as long as that does not degrade the land or hinder future wilderness designation. Others simply oppose any more areas being designated as Wilderness or being managed as such. These respondents would like the Forest Service to develop an expanded statewide trail system that would provide motorized access to many of the areas currently designated as roadless, and they suggest that this might be funded through gas and recreational fees. They also object to any of the management themes that restrict or limit access to existing roads or trails.

Some respondents are concerned about specific boundaries within roadless areas. One respondent requests that the roadless area encompassing Palisades Creek and Big Elk Creek be expanded and that additional areas in the Swan Valley be designated roadless to help protect wildlife and simplify regulations. Another respondent raises boundary issues by noting that the petition maps created by the State of Idaho seem to remove thousands of acres from the roadless inventory. This respondent requests that the EIS include analysis of the impacts associated with the removal of these lands from roadless designation, and that a mechanism be put in place to allow for adding previously uninventoried roadless areas to the roadless base in Idaho. Others note that the maps seem to be inconsistent with the verbal description provided in the Idaho State Petition. Still others find the definition of roadless areas in the petition to be inconsistent with the 2001 Roadless Rule, thereby excluding from the petition some IRAs, which would presumably receive no protection at all. They further argue that a reinventory of roadless areas is required.

Respondents also request that a number of IRAs no longer be designated as IRAs because, in their view, these areas do not meet the definition of an IRA. These IRAs include: Bridge Creek Fringe, Caton Lake, Chimney Rock, Council Mountain, Crystal Mountain, French Creek, Hells Canyon/Seven Devils, Horse Heaven, Indian Creek, Meadow Creek, Patrick Butte, Placer Creek, Rapid River, Snowbank, and Cottontail Point/Pilot Peak. In addition, respondents specifically request that certain IRAs not be considered for Wilderness designation because they believe that these areas do not meet the definition of Wilderness. These IRAs include: Secesh, smaller IRAs within Payette National Forest, Crystal Mountain, Cuddy Mountain, Council Mountain, Poison Creek, Sheep Gulch, Smith Creek, Patrick Butte, and Cottontail Point/Pilot Peak. Others request that certain areas be classified as Wilderness, such as the Caton Lake IRA.

Respondents request a clear definition of each management theme, the reasons why each IRA is placed in a particular theme, a clear definition of boundaries, and the creation of a single

consistent reference/database to track which areas are assigned to each management theme. Some note that inconsistencies between the petition, the RACNAC letter, and the NOI make it unclear what each management theme entails and how areas would actually be managed. Some request that the Forest Service ensure that the final rule incorporate the clarifying remarks made by Governor Risch at the RACNAC meeting in November 2006. In addition, others request that clarifications be made to the Wild Land Recreation, Primitive Areas, and General Forestry Management Themes regarding mineral development. They ask that these areas be managed consistently with the 2001 Roadless Rule.

Some respondents provide lists of specific IRAs that they believe should be shifted from one management theme to another. Others suggest entirely new management themes or significant revisions to the definitions of management themes. For example, one organization asks that roadless areas be renamed as “Primitive Multiple Use” to better reflect what they believe to be the true nature of these areas and their preferred management philosophy. They argue that most roadless areas actually have old, primitive roads that should be open to those types of vehicles that can navigate them, such as motorcycles and ATVs.

Respondents ask whether the “special area designation” that was mentioned in the petition but was not described in the NOI has been eliminated and, if so, what management direction would be applied to the areas that the petition identified as special areas.

#### **GENERAL FOREST AREAS**

Some respondents suggest that General Forest Areas be actively managed to maintain forest health. They suggest that this theme covers only a small percentage of the roadless areas and that this reflects a balanced approach allowing commercial timber management and motorized recreational use. They note that local communities would benefit from the creation of good jobs, improved forest health, and a reduction in catastrophic wildfires.

Others debate that this management theme should be eliminated from the petition. Some argue that opening these acres to mining, road building, and timber harvest is not in the best interest of Idaho or the Nation. Some express particular concern about the impact of the petition on the Caribou-Targhee National Forest because it is part of the Yellowstone ecosystem and provides unique recreation values.

#### **PRIMITIVE AREAS**

Respondents request that specific IRAs be reclassified in the Primitive Area theme rather than the Backcountry theme. Respondents also mention specific IRAs that they believe are correctly classified as Primitive Areas. These include Smokey Mountains and Cottontail Point. Some request that other IRAs be added to this management theme, including Snowbank and Poison Creek.

Some commenters suggest that primitive roads within areas designated as Primitive Area be re-listed for public use and access. Others request that the Primitive Area Management Theme be changed to Primitive Multiple Use Area to allow for:

- Year-round motorized access.
- Reopening of primitive trails and roads to motorized use.
- Management of NFS lands within these areas for timber harvests, reduced fuel loads, sustainable economic benefits, and habitat diversity.

- Habitat restoration efforts, which could include prescribed fire, stream barrier removal, and reforestation.
- Management and enhancement of high-use developed recreation sites.

On the other hand, others request that the Primitive Area Management Theme be modified to prohibit emergency timber salvage harvest, emergency restoration harvest, or road construction for timber harvest activities.

#### **BACKCOUNTRY/RESTORATION**

Several proponents of the rule request that areas recommended for Wilderness be managed to allow for recreation uses (especially motorized recreation) that do not degrade the land for future designation. These respondents would like development of a statewide recreational trail system that would provide motorized access. They suggest that this could be funded through gas and recreational fees. Further, they suggest that proposed Wilderness areas be classified as Backcountry areas because this would allow both active management and motorized access of these areas.

Some respondents request that the Backcountry/Restoration theme be modified so that only temporary road construction is permitted. Others express concern that these areas would be managed to restore areas to a previous condition, and that this might result in the removal of existing roads, trails, and routes. They suggest that these areas be managed to allow for increasing motorized and mechanized use.

#### **WILD LAND RECREATION**

While some respondents express approval of the Wild Land Recreation management theme, others ask that this theme be modified to permit use of existing routes and creation of new routes for motorized access. Some specifically approve of certain IRAs, including Secesh and Needles, being classified under this theme, and some request that IRAs be added to this theme, including Patrick Butte and Rapid River IRAs. Respondents also request that specific IRAs be protected from development because of their ecological values; these include wildlife and fish habitat, land unsuited for timber harvest (due to steepness), and habitat for special-status species. The request is also made that those IRAs identified as key habitat for Endangered Species Act-listed salmon and trout species be categorized under the Wild Land Recreation or Primitive management themes.

Clarification is also requested on how this designation would affect future wilderness designation.

## **Alternatives and Issues To Be Analyzed in the Environmental Impact Statement**

The NOI lists three alternatives—the proposed rule based on the Idaho State Petition, roadless management as set forth in the Roadless Rule, and roadless management direction as set forth in current Land and Resource Management Plans.

### ALTERNATIVES LISTED IN THE NOTICE OF INTENT

Several respondents take issue with the range of alternatives listed in the NOI and ask for clarification of the alternatives, revisions to them, or additions to the list. Some argue that the list does not meet the requirement of NEPA that “a range of reasonable alternatives be considered.” They argue that the list should include options that would include reducing as well as increasing protection for roadless areas. They further note that the alternatives listed in the NOI follow the same path as the alternatives in the RARE II EIS, which was rejected by the courts for not having considered an adequate range of alternatives.

Others question the legality of the alternative allowing management of roadless areas to follow the direction of the current Land and Resource Management Plans and express alarm that this alternative appears to leave over 5 million acres of roadless areas open to road building and timber harvest. Others argue that an honest and thorough analysis would result if the Forest Service selected the 2001 Roadless Rule as the preferred alternative. Some commenters assert that the 2001 Roadless Rule Final EIS, combined with the Interior Columbia Basin Ecosystem Management Project (ICBEMP) and other scientific studies, provides ample scientific justification for complete protection of roadless areas.

### NEW PROPOSED ALTERNATIVES

Some respondents request a number of new alternatives be considered. These requests reflect a general belief that the list of alternatives provided in the NOI is not adequate. Respondents therefore suggest a number of different alternatives that reflect their various values and preferred management options. The proposed alternatives also reflect the concern of both proponents and opponents about the level of analysis the EIS will include for motorized access in the General Forest management theme. Among responses are suggestions to included an alternative that that would:

- Provide strong conservation measures for the areas recommended as General Forest management.
- Reduce the acres in the General Forest designation.
- Protect special-status species.
- Prohibit new mineral leases (hard rock, oil and gas, and phosphate).
- Limit timber harvest to only those activities related to fuels reduction within the wildland-urban interface (WUI).
- Limit road building.
- Protect municipal watersheds.
- Convert roads closed to full-sized vehicles to ATV routes.
- Allow for greater motorized access in roadless areas.
- Incorporate the proposed actions identified through the development of the Northern Region Restoration Strategy.

Respondents also suggest that the 2001 Roadless Rule be included as an alternative.

Those requesting an alternative that permits greater motorized access in roadless areas recommend that this alternative could include:

- Conversion of all roads that are currently closed to full-sized vehicles to ATV routes.
- Designation of all existing single-track trails on multiple-use lands as open to motorcycle use.

- Mitigation for impacts from the loss of motorized access and motorized recreational opportunities.
- Maintenance of the existing level of motorized access and recreation.
- Motorized access to historic mines and cabins.
- Provision for an adequate number of dispersed campsites and trailheads.
- Development of a travel plan that would establish a 50/50 ratio for motorized/non-motorized trails.
- Recognition and mapping of primitive roads, trails, and singletrack trails, and allowing use of these by appropriate vehicles, such as motorcycles and ATVs.

Respondents also request the inclusion of an alternative that moves roadless areas proposed as Backcountry/Recreation into the Primitive or Wild Land Recreation themes.

### REQUESTS FOR IMPACT ASSESSMENT

Both proponents and opponents of the rule specifically request a full analysis of the environmental and economic impacts on the areas that are proposed for General Forest management. Issue areas that should be analyzed in detail for General Forest areas include impacts:

- On fish and game species.
- On threatened and endangered species.
- On State Species of Concern.
- On species of special importance to the public.
- On habitat connectivity/fragmentation.
- On water quality.
- From hard rock mining, oil and gas leasing, phosphate development, and ski area expansion.
- From development of new roads and trails.

In addition, respondents request that the EIS include a site-specific analysis of impacts on roadless areas proposed for General Forest designation.

Others request that environmental impacts resulting from changes in management on all of the 9.3 million acres of Idaho's NFS roadless lands be analyzed, not just those within the General Forest management theme, with a specific emphasis on the impacts of roads and timber harvest on threatened and endangered species, water quality, and habitat fragmentation. Respondents also request that the EIS include a full vegetation analysis. Additional requests related to all of the proposed alternatives include impact assessments of the following resources and issues:

- Land exchanges.
- Fire management and risks.
- Forest health.
- Wildlife.
- Habitat connectivity.
- Global climate change and impacts to rare resources from climate change.
- Development of new OHV trails.
- Helicopter landings.

- How the Forest Service would handle the deferred road maintenance backlog.
- Accommodation of existing Forest Plan restrictions with the new rule.

Requests also include analyzing the social and economic impacts on local communities resulting from a change in the management of roadless lands. Some commenters recommend conducting a more comprehensive social, economic, and ecological analysis that would include impacts beyond those on local communities. Respondents further ask that if the Idaho State Petition moves forward, then the EIS should show that the benefits of the petition outweigh the benefits of managing the lands in accordance with the 2001 Roadless Rule. Respondents also request that the Forest Service include in the EIS a full inventory of the actions on roadless NFS lands in the last 30 years. This inventory should include the volume of timber harvests and the amount of money the government collected from those sales.

Respondents go on to request that the EIS include a clarification of the purpose and need for the new management categories and why each theme includes the particular lands assigned to it.

Many respondents request that the EIS include an analysis of potential impacts on hunting and fishing opportunities, including an evaluation of the impacts on Idaho's hunting- and fishing-based revenue. They ask that the potential effects on elk and elk habitat be evaluated, especially in roadless areas in the Caribou-Targhee National Forest because those areas are of high importance to elk and are critically important to elk that winter on the Tex Creek Wildlife Management Area. Further, they request evaluation of the effects on winter and summer habitat for deer and elk, and critical winter and summer range for mule deer. They suggest analysis of how potential development would impact the future of hunting in these areas. Respondents request that the EIS consider the Mule Deer Initiative in its analysis. Some respondents also request that the EIS evaluate impacts on big-game habitat security and utilization, and on how the rule might affect hunting seasons. Others ask that the EIS evaluate the impacts on sage grouse habitat and hunting. Still others request that impacts on other species also be fully analyzed; these species include lynx, grizzly bear, mountain lion, grey wolf, wolverine, mule deer, sage grouse, migratory birds, northern goshawk, caribou, and elk.

Respondents express concern about the impacts of the proposed rule on fish and fishing resources. They request that the EIS evaluate the potential impacts on sensitive, anadromous fish, game, and native species. Respondents specifically request that the EIS evaluate possible impacts on trout habitat requirements (such as water temperatures, riparian habitat, aquatic insect populations, and stream flows) and how management categories that might eventually allow road building and commercial development would affect these requirements. Some also request that the EIS evaluate potential effects on cutthroat trout populations in the Blackfoot and Salt Rivers, which contain two of the three largest remaining cutthroat trout populations in their native range in eastern Idaho. They further request that the impacts of potential development on specific fish species, their spawning habitat, and fishing opportunities be analyzed. These species include rainbow trout, westslope cutthroat trout, Yellowstone cutthroat trout, finespot cutthroat, Bonneville cutthroat trout, bull trout, redband trout, Chinook salmon, sockeye salmon, and steelhead trout. Respondents also request that the EIS evaluate the potential effect on the Salt, Teton, Central Bear, Palisades, and Bear Lake watersheds. They note that the headwaters of these watersheds are within roadless areas on the Caribou-Targhee and that these watersheds are among the highest priority in the Greater Yellowstone Ecosystem for conservation actions to protect native trout.

Concern about water quality informs respondents' requests that the EIS include an analysis of potential impairment to watersheds, including discharge of pollutants. They further ask that the EIS include analysis of the impact on public water supplies, as many of the water systems in Idaho receive their water from watersheds located within roadless areas. Respondents specifically ask for an evaluation of impacts on those watersheds located within IRAs proposed as General Forest. In addition, respondents request that IRAs designated as General Forest are evaluated in terms of susceptibility to sediment impacts from road construction.

Respondents also request that air quality, particularly particulate from fires, be analyzed and that impacts related to heavy metals (e.g., in mineral-rich areas such as the Stibnite area, which is known for its concentrations of mercury) also be analyzed.

In addition, respondents request that the impact the rule would have on heritage resources be analyzed to comply with the National Historic Preservation Act. This analysis should include an examination of all activities that could be allowed without further NEPA review and Section 106 via this rule making process. In addition, respondents request that the EIS evaluate the impact of all actions in IRAs on resources listed or eligible for listing on the National Register of Historic Places.

Respondents also ask that impacts on access for motorized recreation be evaluated, especially focusing on the impacts resulting from a reduction in motorized access. Additionally, many respondents request that the cumulative impacts of this rule be analyzed in the EIS. Respondents are concerned that cumulative impacts have not been adequately considered for a number of issues, including the reduction in motorized access and impacts from timber harvest and other extractive uses. Respondents believe that the EIS should consider and evaluate the cumulative impacts of road and trail closures on motorized recreationists.

Along with the environmental impacts of the proposed petition on areas within the State of Idaho, respondents ask that the impacts on adjacent States also be analyzed in the EIS.

Commenters request that the Forest Service rely on scientific evidence and that it allow the data, rather than political pressure, to guide its decision-making process. They recommend the Interior Columbia Basin Ecosystem Management Project EIS as a resource because it reflects some of the best available science on the region and found that roadless areas were in the best ecological condition. They also request that the public record of the public outreach completed as part of the Idaho State Petition process be included in the record of the EIS.

#### **OTHER REQUESTS FOR THE ENVIRONMENTAL IMPACT STATEMENT**

Respondents request that the EIS provide a clear definition of terms used in the NOI and Petition, including what logging and road building for "forest health" means, and "how logging and/or road building accomplishes that end." They note that the EIS should discuss the kinds of forest health activities to be undertaken, and the criteria used to establish a need for those projects.

Others request that the EIS include a clarification regarding whether "temporary roads" as discussed in the petition would be obliterated and rehabilitated or merely closed. Some request that the Forest Service consult with the U.S. Fish and Wildlife Service (USFWS), as required under the Endangered Species Act, and they note that the Forest Service must wait to write and release the EIS until after they have received the required Biological Opinion from the USFWS. Others encourage the Forest Service to continue to work closely with Native American tribes to

ensure that areas with “spiritual, cultural or economic significance to tribes” receive appropriate protections and that treaty rights are upheld. Respondents ask that the Forest Service consult with Tribal Governments and document the consultation. In addition, the Wilderness Society requests to participate in the Section 106 review process as a “consulting party.”

Respondents express concern about the creation of the Implementation Commission and request that a complete discussion and description of the proposed State Roadless Rule Implementation Commission be included in the EIS, including funding, powers, and composition. They also note that the Roadless Area Conservation National Advisory Committee specifically required that the “consensus requirements” of the Resource Advisory Councils (RACs) be adhered to. In any case, respondents are concerned about a local commission having authority over publicly held lands, and suggest that it is “inappropriate to provide authority” that an entity does not represent the American public as a whole.

Others ask that the Forest Service ensure that the EIS is concise; that the process is streamlined and takes full advantage of work already done on roadless management; that the document focuses on relevant issues, including timber harvest, road construction, and saleable minerals; that the EIS includes forest plans; and that the record of the Idaho State public process is part of the record for the EIS.

#### **DEVELOPMENT OF THE FINAL RULE**

Commenters ask that the purpose and need for the new rule be clarified. They also request that the Forest Service ensure that small governments, especially Idaho’s forest counties, are part of the rule-making process. Others request that a larger public involvement process be undertaken as part of the rule-development process and that the EIS be postponed until that process has been completed. Others request a clarification regarding how “temporary roads” would be treated and whether they would be obliterated and rehabilitated or merely closed.

### **Compliance with Other Laws and Regulations**

Respondents note that the proposed rule should comply with several laws and regulations. These include NEPA, Executive Order 13272, National Fire Plan, Healthy Forests Initiative, State and County Fire Mitigation Plans, Roadless Area Review and Evaluation (RARE) rules, Initial and Final Regulatory Flexibility Analysis, R.S. 2477, the National Historic Preservation Act, Endangered Species Act, the Multiple Use and Sustained Yield Act, the National Forest Management Act, and the Clean Water Act.