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FSM 1900 – PLANNING

CHAPTER 1920 – LAND AND RESOURCE MANAGEMENT PLANNING

Interim Directive No.: 1920-2004-1

Effective Date: July 16, 2004

Duration: This interim directive expires on January 16, 2006.

Approved: GLORIA MANNING
Associate Deputy Chief

Date Approved: 04/08/2004

Posting Instructions: Interim directives are numbered consecutively by title and calendar year. Post by document at the end of the chapter. Retain this transmittal as the first page(s) of this document. The last interim directive was 1920-2001-1, which has expired.

New Document	id_1920-2004-1	6 Pages
Superseded Document(s) Interim Directive Number and Effective Date:	None	

Digest:

1920 - This Interim Directive (ID) reinstates, with two changes, the direction previously issued in ID No. 1920-2001-1 to implement the Chief's 1230/1920 letter of June 7, 2001, regarding Delegation of Authority/Interim Protection of Roadless Areas. A notice of issuance of this ID has been published in the Federal Register (69 FR 42648), July 16, 2004. This roadless area direction is being reinstated because of the continued legal uncertainty of implementing the Roadless Area Conservation Rule at 36 CFR part 294 (66 FR 3244).

1925 - Adds a new section entitled Inventoried Roadless Areas.

1925.03 - Adds policy to provide flexibility to the Chief to grant exceptions to the reservations of authority set out in this ID on a project-specific basis.

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Digest--Continued:

1925.04a - Reserves to the Chief the authority to approve certain proposed road construction or reconstruction projects in inventoried roadless areas until a forest-scale roads analysis is complete and incorporated in the forest plan (para. 1). Also, reserves to the Chief the authority to approve certain proposed timber harvests in inventoried roadless areas until a revision of a forest plan or adoption of a plan amendment that has considered the protection and management of inventoried roadless areas (para. 2). In the last paragraph, revises the date regarding when the Chief's review does not apply.

1925.04b - Delegates to the Regional Forester the authority and the responsibility to serve as the Responsible Official for certain decisions on road construction, reconstruction, or timber harvest projects in inventoried roadless areas. Revises the responsibilities of the Regional Forester for decisions on a road construction or road reconstruction project in an inventoried roadless area to include all lands associated with any mineral lease, license, permit or approval issued for mineral leasing operations (para. 1c).

Requires the Regional Forester to review and determine whether to recommend to the Chief a decision for any road construction, reconstruction, or timber harvest project in inventoried roadless areas within the Chief's decision authority.

In those cases where it has been determined that an Environmental Impact Statement (EIS) is necessary, requires the Regional Forester to review and agree to the purpose and need statements for any notice of intent to prepare an EIS that will consider road construction, reconstruction, or timber harvest in an inventoried roadless area.

1925.05 - Defines the term Inventoried Roadless Areas.

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1925 - MANAGEMENT OF INVENTORIED ROADLESS AREAS

1925.03 - Policy

Inventoried roadless areas contain important environmental values that warrant protection. Accordingly, until a forest-scale roads analysis (FSM 7712.13b) is completed and incorporated into a forest plan, inventoried roadless areas shall, as a general rule, be managed to preserve their roadless characteristics. However, where a line officer determines that an exception may be warranted, the decision to approve a road management activity or timber harvest in these areas is reserved to the Chief or the Regional Forester as provided in FSM 1925.04a and 1925.04b. On a project-specific basis, the Chief, for good cause, may grant exceptions to the reservations of authority set out in this interim directive, upon the written request of a Regional Forester or Forest Supervisor.

1925.04 - Responsibility

1925.04a - Chief

The Chief reserves the following:

1. The authority to approve or disapprove road construction or reconstruction in inventoried roadless areas (FSM 1925.05) except those decisions delegated to the Regional Foresters at FSM 1925.04b, paragraph 1.

This reservation remains in effect until a forest-scale roads analysis is completed and incorporated into each forest plan (FSM 7712.13b). When an inventoried roadless area road construction, road reconstruction, or timber harvest decision falls under the Chief's authority, the Chief, for purposes of administrative efficiency and timeliness, may designate, on a case-by-case basis by official memorandum, the Associate Chief, a Deputy Chief, or an Associate Deputy Chief to serve as the Responsible Official.

2. The authority to approve or disapprove proposed timber harvest in inventoried roadless areas, except for the following:

- a. The timber is generally small-diameter material and the removal of timber is needed for one of the following purposes:

- (1) To improve habitat for listed or proposed threatened and endangered species, or for sensitive species (FSM 2670), or

- (2) To maintain or restore the desirable characteristics of ecosystem composition and structure, for example, to reduce the risk of uncharacteristic wildfire effects.

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- b. The cutting, sale, or removal of timber is incidental to the implementation of a management activity and not otherwise prohibited under the land and resource management plan.
- c. The cutting, sale, or removal of timber is needed and appropriate for personal or administrative use as provided for in part 223 of Title 36 of the Code of Federal Regulations (36 CFR part 223).
- d. The harvest is in a portion of an inventoried roadless area where construction of a classified road and subsequent timber harvest have previously taken place, and the roadless area characteristics have been substantially altered by those activities.

This reservation applies until revision of a land and resource management plan or adoption of a plan amendment that has considered the protection and management of inventoried roadless areas (FSM 1923). If a Record of Decision for a Forest Plan revision has been issued as of July 16, 2004, the requirement for the Chief's review does not apply. By official memorandum, the Chief may designate, on a case-by-case basis, the Associate Chief, a Deputy Chief, or an Associate Deputy Chief to serve as the Responsible Official.

The delegation of authority at FSM 2404.2 to approve or disapprove timber harvest projects remains unchanged by the direction in this Interim Directive set out in the preceding paragraphs 2a through 2d.

1925.04b - Regional Forester

It is the responsibility of the Regional Forester to:

1. Serve as the Responsible Official for any of the following decisions on a road construction or reconstruction project in an inventoried roadless area:
 - a. A road is needed to protect public health and safety in cases of an imminent threat of flood, fire, or other catastrophic event, that without intervention would cause the loss of life or property.
 - b. A road is needed to conduct a response action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or to conduct a natural restoration action under CERCLA, section 311 of the Clean Water Act, or Oil Pollution Act.
 - c. A road is needed in conjunction with any mineral lease, license, permit, or approval issued for mineral leasing operations.
 - d. Road access is needed pursuant to reserved or outstanding rights or as provided by statute or treaty.

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- e. A road is needed for critical resource restoration and protection.
 - f. Road realignment is needed to prevent resource damage by an existing road that is deemed essential for public or private access, management, or public health or safety, and where such damage cannot be corrected by maintenance.
 - g. A road is needed to restore wildlife habitat.
2. Review and determine whether to recommend to the Chief a decision for any road construction or reconstruction project in an inventoried roadless area within the Chief's decision authority (FSM 1925.04a, para. 1).
 3. For road construction, reconstruction, and timber management projects in inventoried roadless areas where it has been determined that an environmental impact statement (EIS) is required, review and agree to the purpose and need statements for the notice of intent to prepare an EIS.
 4. Review and determine whether to recommend to the Chief a decision for any timber harvest project in inventoried roadless areas within the Chief's decision authority (FSM 1925.04a, para. 2).

1925.05 - Definitions

Inventoried Roadless Areas. Those areas identified in a set of inventoried roadless area maps, contained in Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000, which are held at the National headquarters of the Forest Service, or any update, correction, or revision of those maps.