



**FOREST SERVICE MANUAL
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OGDEN, UT**

FSM 1900 - PLANNING

CHAPTER 1920 - LAND AND RESOURCE MANAGEMENT PLANNING

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New Document	id_1920-2011-1	12 Pages
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Digest:

1920 - This Interim Directive (ID) clarifies direction regarding Delegation of Authority pursuant to Title 36, Code of Federal Regulations, Part 294—Special Areas , Subpart C—The Idaho Roadless Rule which was published in the Federal Register (73 FR 61456), October, 16, 2008.

1925 - Adds a new section entitled Idaho Roadless Areas.

1925.01 - Revises the definition of the term Idaho Roadless Areas to match that codified at 36 CFR 294, Subpart C, Idaho Roadless Area Management.

1925.02 – Describes the policy for Idaho Roadless Areas.

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Digest--Continued:

1925.03 – Describes the overall responsibilities for activities in Idaho Roadless Areas, subject to the Idaho Roadless Rule.

1925.03a – Describes authorities reserved to Regional Foresters.

1925.03b – Describes authorities reserved to Forest Supervisors or District Rangers.

1925.03c – Describes authorities reserved to Regional Foresters, Forest Supervisors, or District Rangers.

1925.04 – Describes the process for corrections and modifications.

1925.05 – Describes the review process by the Regional Foresters of all activities governed by the Idaho Roadless Rule in Idaho Roadless Areas.

1925.06 – Describes consultation requirements for projects in Idaho Roadless Areas within the Cabinet Yaak and Selkirk Grizzly Bear Recovery Zones that may affect grizzly bears.

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1925 – MANAGEMENT OF IDAHO ROADLESS AREAS

1925.01 – Definitions

Idaho Roadless Areas. Areas designated pursuant to the Idaho Roadless Rule (36 CFR Subpart C § 294.29), and identified in a set of maps maintained at the national headquarters office of the Forest Service. Any subsequent update or revision of those maps shall be through the correction and modification process at §294.27.

1925.02 – Policy

The Regional Forester will review project proposals in Idaho Roadless Areas to ensure consistency in applying the specific exceptions or conditioned permissions and decision-making within the context of the Idaho Roadless Rule. Certain decisions for road construction and reconstruction, timber cutting, sale or removal are reserved to the Regional Forester in Wild Land Recreation, Primitive, Backcountry/Restoration, and Special Areas of Historic or Tribal Significance as provided in FSM 1925.03a.

1925.03 – Responsibility

Line officers are responsible for ensuring that projects and activities in Idaho Roadless Areas conform to the Idaho Roadless Rule (36 CFR 294, Subpart C).

1925.03a – Regional Forester

The Regional Forester reserves the following authorities as described in tables 01 and 02.

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Table 01. Regional Forester Authorities Regarding Road Construction or Road Reconstruction in Idaho Roadless Areas

Reference	Management Classification	Description
294.23(a)	Wild Land Recreation, Primitive or Special Areas of Historic and Tribal Significance	Serves as the Responsible Official for road construction/reconstruction in an area designated as Wild Land Recreation, Special Area of Historic or Tribal Significance, or Primitive if pursuant to statute, treaty, reserved or outstanding rights, or other legal duty of the United States.
294.23(b)(1) (i-v)	Backcountry/ Restoration	Serves as the Responsible Official for road construction or road reconstruction where a: <ol style="list-style-type: none"> i. A road is needed to protect public health and safety in cases of an imminent threat of flood, wildland fire, or other catastrophic event that, without intervention, would cause the loss of life or property; ii. A road is needed to conduct a response action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or to conduct a natural resource restoration action under CERCLA, section 311 of the Clean Water Act, or the Oil Pollution Act; iii. A road is needed pursuant to statute, treaty, reserved or outstanding rights, or other legal duty of the United States; iv. A road realignment is needed to prevent irreparable resource damage that arises from the design, location, use, or deterioration of a road and cannot be mitigated by road maintenance. Road realignment may occur under this subsection only if the road is deemed essential for public or private access, natural resource management, or public health and safety; v. Road reconstruction is needed to implement a road safety improvement project on a road determined to be hazardous based on accident experience or accident potential on that road.
294.23(b)(3)	Backcountry/ Restoration outside community protection zones	Serves as the Responsible Official to approve temporary road construction or road reconstruction to reduce hazardous fuel conditions outside a community protection zone where in the Regional Foresters judgment the circumstances set out below exist. Temporary road construction or road reconstruction to reduce hazardous fuel conditions under this provision will be dependant on forest type and is expected to be infrequent. <ol style="list-style-type: none"> i. There is a significant risk that a wildland fire disturbance event could adversely affect an at-risk community or municipal water supply system pursuant to § 294.24(c)(1)(ii). A significant risk exists where the history of fire occurrence, and fire hazard and risk, indicate a serious likelihood that a wildland fire disturbance event would present a high risk of threat to an at-risk community or municipal water supply system. ii. The activity cannot be reasonably accomplished without a temporary road. iii. The activity will maintain or improve one or more roadless characteristics over the long-term. <p>As described in §294.23(d)(1) temporary road construction must be conducted in a way that minimizes effects on surface resources, is consistent with land management plan components as provided for in §294.28(d) and may only be used for the specified purpose.</p> <p>As described in §294.23(d)(2) temporary roads must be decommissioned upon completion of the project or expiration of the contract or permit, whichever is sooner. A road decommissioning provision will be required in all such contracts or permits and may not be waived.</p>

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Table 02. Regional Forester Authorities Regarding Timber Cutting, Sale, or Removal in Idaho Roadless Areas

Reference	Management Classification	Description
294.24(b)(1) (i-iii)	Primitive and Special Areas of Historic or Tribal Significance	<p>Serve as Responsible Official for timber cutting, sale, or removal:</p> <ul style="list-style-type: none"> i. To improve threatened, endangered, proposed, or sensitive species habitat; ii. To maintain or restore the characteristics of ecosystem composition, structure and processes; iii. To reduce the risk of uncharacteristic wildland fire effects to an at-risk community or municipal water supply system. <p>As described in §294.24(b)(2) timber cutting in these circumstances must:</p> <ul style="list-style-type: none"> i. Maintain or improve one or more of the roadless characteristics over the long-term; ii. Use existing roads or aerial harvest systems; iii. Maximize the retention of large trees as appropriate for the forest type, to the extent the trees promote fire-resilient stands; iv. Be consistent with land management plan components as provided for in § 294.28(d);
294.24(c)(1) (ii-v)	Backcountry/ Restoration	<p>Serve as Responsible Official for timber cutting, sale, or removal:</p> <ul style="list-style-type: none"> ii. To reduce hazardous fuel conditions outside the community protection zone where there is significant risk that a wildland fire disturbance event could adversely affect an at-risk community or municipal water supply system. A significant risk exists where the history of fire occurrence, and fire hazard and risk, indicate a serious likelihood that a wildland fire disturbance event would present a high risk of threat to an at-risk community or municipal water supply system; iii. To improve threatened, endangered, proposed, or sensitive species habitat; iv. To maintain or restore the characteristics of ecosystem composition, structure, and processes; v. To reduce the risk of uncharacteristic wildland fire effects. <p>As described in §294.24(c)(2) timber cutting, sale, or removal shall be limited to situations that in the Regional Foresters judgment:</p> <ul style="list-style-type: none"> i. Maintains or improve one or more of the roadless characteristics over the long-term; ii. Maximizes the retention of large trees as appropriate for the forest type to the extent the trees promote fire-resilient stands; iii. Are consistent with land management plan components as provided for in § 294.28(d).

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1925.03b – Forest Supervisor or District Ranger

The Forest Supervisor or District Ranger may be the Responsible Official as described in tables 03, 04 and 05. The determination of who is the responsible official is based on other authorities.

Table 03. Forest Supervisor or District Ranger Authorities Regarding Road Construction or Road Reconstruction in Idaho Roadless Areas

Reference	Management Classification	Description
294.23(b)(2)	Backcountry/ Restoration (community protection zone)	<p>Serves as the Responsible Official to approve temporary road construction or road reconstruction for community protection zone activities pursuant to § 294.24(c)(1)(i) if in the official's judgment the community protection objectives cannot be reasonably accomplished without a temporary road.</p> <p>As described in §294.23(d)(1) temporary road construction must be conducted in a way that minimizes effects on surface resources, is consistent with land management plan components as provided for in 294.28(d) and may only be used for the specified purpose.</p> <p>As described in §294.23(d)(2) temporary roads must be decommissioned upon completion of the project or expiration of the contract or permit, whichever is sooner. A road decommissioning provision will be required in all such contracts or permits and may not be waived.</p>
294.23(c)(1)	General Forest, Rangeland and Grassland	<p>Serves as the Responsible Official for forest road construction or reconstruction, or a temporary road construction, unless prohibited in §294.25(e).</p> <p>As described in §294.23(c)(2) forest roads constructed or reconstructed must be conducted in a way that minimizes effects on surface resources and must be consistent with land management plan components as provided for in §294.28(d).</p> <p>As described in §294.23(d)(1) temporary road construction must be conducted in a way that minimizes effects on surface resources, is consistent with land management plan components as provided for in §294.28(d) and may only be used for the specified purpose.</p> <p>As described in §294.23(d)(2) temporary roads must be decommissioned upon completion of the project or expiration of the contract or permit, whichever is sooner. A road decommissioning provision will be required in all such contracts or permits and may not be waived.</p>
294.23(e)	All management classifications: Road Maintenance	Serves as the Responsible Official to approve the maintenance of temporary and forest roads in Idaho Roadless Areas.

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Table 04. Forest Supervisor or District Ranger Authorities Regarding Timber Cutting, Sale or Removal

Reference	Management Classification	Description
294.24(a)	Wild Land Recreation	Serve as Responsible Official for timber cutting, sale, or removal: 1. For personal or administrative use, as provided for in 36 CFR 223; or 2. Where incidental to the implementation of a management activity not otherwise prohibited by this subpart.
294.24(b)	Primitive and Special Areas of Historic or Tribal Significance	Serve as Responsible Official for timber cutting, sale, or removal: 1. For personal or administrative use, as provided for in 36 CFR 223; or 2. Where incidental to the implementation of a management activity not otherwise prohibited by this subpart.
294.24(c)(1)	Backcountry/Restoration	Serve as Responsible Official for timber cutting, sale, or removal: (i) to reduce hazardous fuel conditions within the community protection zone if in the responsible official's judgment the project generally retains large trees as appropriate for the forest type and is consistent with land management plan components as provided for in § 294.28(d).
294.24(c)(1) (vi-viii)	Backcountry/Restoration	Serve as Responsible Official for timber cutting, sale, or removal: vi. For personal or administrative use, as provided for in 36 CFR 223; or vii. Where incidental to the implementation of a management activity not otherwise prohibited by this subpart; or viii. In a portion of an Idaho Roadless Area designated as Backcountry/Restoration that has been substantially altered due to the construction of a forest road and subsequent timber cutting. Both the road construction and subsequent timber cutting must have occurred prior to the effective date of this rule.
294.24 (d)	General Forest, Rangeland, and Grassland	Serve as Responsible Official for timber cutting, sale, or removal: Within Idaho Roadless Areas designated as General Forest, Rangeland, and Grassland. Such activities shall be consistent with the land management plan components as provided for in § 294.28(d).

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Table 05. Forest Supervisor or District Ranger Authorities Regarding Discretionary Minerals

Reference	Management Classification	Description
Road construction or road reconstructions for discretionary mineral leases.		
294.25(e)(1)	General Forest, Rangeland, and Grassland	<p>Serves as the Responsible Official: For mineral leases, contracts, permits, and other associated activities authorized after October 16, 2008, the Forest Service may authorize road construction or reconstruction in association with phosphate deposits as described in Figure 3-20 in section 3.15 Minerals and Energy in the Roadless Area Conservation; National Forest System Lands in Idaho Final Environmental Impact Statement.</p> <p>As described in §294.25(e)(3) road construction or reconstruction associated with mining activities permissible under subsection 294.25 may only be approved after evaluating other access option.</p> <p>As described in §294.25(e)(4) road construction or reconstruction associated with mining activities permissible under subsection §294.25 must be conducted in a manner that minimizes effects on surface resources and must be consistent with land management plan components as provided for in § 294.28(d). Roads constructed or reconstructed must be decommissioned upon completion of the project, or expiration of the lease, or permit, or other authorization, whichever is sooner.</p>
Surface Use And Occupancy.		
294.25 (d)(1) and (e)(1)	Backcountry and General Forest, Rangeland, and Grassland	Serves as the Responsible Official to authorize surface use or occupancy without road construction or reconstruction for all mineral leasing unless prohibited in the applicable land management plan.
Common Variety Minerals.		
294.25(e)(2)	General Forest, Rangeland, and Grassland	Serves as the Responsible Official to authorize the use or sale of common variety mineral materials, and associated road construction or reconstruction to access these mineral materials, in Idaho Roadless Areas designated as General Forest, Rangeland, and Grassland only if the use of these mineral materials is incidental to an activity otherwise permissible in General Forest, Rangeland, and Grassland under this subpart.

1925.03c – Regional Forester, Forest Supervisor, or District Ranger

The Regional Forester, Forest Supervisor or District Ranger may be the Responsible Official for decisions relating to common variety minerals as described in table 06. The determination of who is the responsible official is based on who has the authority to approve any associated road construction or road reconstruction as described in Tables 01 and 03.

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Table 06. Common Variety Minerals

Reference	Management Classification	Description
294.25(d)(2)	Backcountry/ Restoration	Serves as the Responsible Official to authorize the use or sale of common variety mineral materials, and associated road construction or reconstruction to access these mineral materials, only if the use of these mineral materials is incidental to an activity otherwise permissible in Backcountry/Restoration.

1925.04 – Corrections and Modifications of Boundaries of Idaho Roadless Areas

1. Correction or modification of designations made pursuant to this directive may occur under the following circumstances as described in § 294.27(a) and (b):

- a. Administrative corrections to the maps of lands identified in § 294.22(c) include, but are not limited to, adjustments that remedy clerical errors, typographical errors, mapping errors, or improvements in mapping technology. The Chief may issue administrative corrections after a 30-day public notice and opportunity to comment.
- b. Modifications. The Chief may add to, remove from, or modify the designations and management classifications listed in § 294.29 based on changed circumstances or public need. The Chief shall provide at least a 45-day public notice and opportunity to comment for all modifications.

2. All requests for correction or modification of Idaho Roadless Area boundaries and designations shall be forwarded to the Regional Forester. Each request should include:

- a. A narrative description of the proposed correction or modification and the rationale for change; and
- b. A map consistent with the Idaho Roadless Area maps displaying the proposed change superimposed over the existing boundaries and designations.
- c. A table describing the acreage changes of proposed corrections and modifications delineated by Forest, Idaho Roadless Area, and management classification.

1925.05 – Process for Review and Approval of Projects in Idaho Roadless Areas

1. All road construction and road reconstruction projects, timber cutting, sale, or removal activities and discretionary mineral activities proposed by the Forests in Idaho Roadless Areas, regardless of decision authority shall be reviewed by the Regional Forester prior to initiation of public scoping. Forests will submit a briefing paper for review to the Idaho Roadless Area coordinator. The briefing paper shall include:

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- a. Purpose and need for the project
 - b. Proposed action
 - c. If road construction/reconstruction is proposed, a description of what management classification the activity is in and the rationale for why it is allowed under the roadless rule.
 - d. If timber cutting, sale, or removal is proposed, what management classification the activity is in and describe the rationale for why it is allowed under the roadless rule.
 - e. If the permissions include conditions for use, such as the retention of large trees, describe how those conditions will be met.
 - f. If the request is for a correction or a modification, the reason a correction or modification is needed.
 - g. A map identifying the Idaho Roadless area affected, including the management classifications involved.
2. Forests will be notified to proceed with analysis for projects that are deemed consistent with the Idaho Roadless Rule.
3. Additional review of these projects will occur:
- a. Prior to the release of a draft EA or EIS; and
 - b. Prior to release of a Final EA or EIS.
4. Forests will be responsible for analysis and environmental documentation for those projects and activities where the Regional Forester is the Responsible Official.

1925.06 – Consultation with U.S. Fish and Wildlife Service Regarding Activities in Idaho Roadless Areas that May Affect Grizzly Bears

All decisions that would have a “likely to adversely affect” grizzly bear determination in Idaho Roadless Areas within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones shall be deferred, except when the project is designed to provide long-term benefits to grizzly bears, until the Record of Decision for the Wheeled Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones (Access Amendment) is signed. Sometimes, to achieve long-term benefits to grizzly bears it is necessary to have a short-term adverse effect, such as risk of displacement (Biological Opinion, Modified Idaho Roadless Rule). This direction does not defer decisions on projects where short-term effects result in habitat gains that substantially benefit bears and bear management.

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This direction applies to road construction and road reconstruction, or timber cutting, sale or removal activities in Idaho Roadless Areas that are in core habitat within grizzly bear management units. This direction applies only to Forest Service initiated activities; activities on National Forest System lands within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones that are initiated by third parties shall continue to be governed by normal consultation procedures and requirements for such activities under the Endangered Species Act.