DECISION NOTICE
RENNIC STARK PROJECT
U.S. FOREST SERVICE
NINEMILE RANGER DISTRICT, LOLO NATIONAL FOREST
MISSOULA COUNTY, MONTANA

DECISION

Based upon my review of the Rennic Stark Environmental Assessment (EA), I have decided to implement Alternative 2. Land management activities will include:

- Commercially harvest ponderosa pine/Douglas-fir stands and mixed conifer (western larch, Douglas-fir, ponderosa pine and lodgepole pine) stands on approximately 1,976 acres primarily using ground-based (tractor) harvest with lesser amounts of skyline yarding. This may be followed by thinning or slashing non-commercial understory trees, chipping, handpiling slash, and/or prescribed burning. Harvest methods may include thinning from below, single tree selection, creating openings, and removing individual dead, dying, or diseased trees.
- Non-commercially thin young stands and then handpile and burn or underburn approximately 1,975 acres.
- Ecosystem maintenance burn approximately 5,250 acres. Of the 5,250 acres, approximately 2,813 acres (54%) is located within the Stark Mountain IRA.
- Decommission about 28.6 miles of road and store about 22.4 miles.
- Build about three segments of temporary road totaling about 1 mile to access commercial harvest units and obliterate it after use.
- Apply haul-related maintenance/reconstruction and BMP work to about 34.3 miles of road.
- Replace three high-priority culverts on FS Road 5515 to allow for fish passage: one undersized culvert in Cromwell Creek; the culvert associated with the Cedar Creek Trailhead improvements; and an undersized culvert in Duff Creek.
- Complete one stream channel reclamation project; an old road/skidding operation in Cromwell Creek.
- Reconstruct and re-gravel the Cedar Creek Trailhead in order to provide parking and space to park vehicles and trailers as well as turn trailers around.
- Conduct ground-based weed treatments on haul routes, decommissioned roads, landings and other areas where ground-disturbance occurs as a result of this project. In addition, the following units, which have either been surveyed for rare plants and none were found

or do not include potential habitat for rare plants, may be treated with herbicides: 1a/b, 2, 3, 4, 5a, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18, 19, 21, 22 and 60. Also, all of the Bonneville Power Administration (BPA) roads and the following NFS roads would be treated with herbicides: FS Rd. #s 380, 5510, 5511, 5515, 5471, 16472, 17415, 18055, 18056, and 18057.

- Implement the 68 resource protection measures and planned monitoring, which are integral parts of this project, to avoid or minimize environmental harm.

The Rennic Stark Project Environmental Assessment (EA) and FONSI are incorporated by reference in this decision notice. More information about the approved activities can be found at EA pages 11 and 15 to 38.

DECISION RATIONALE

In selecting Alternative 2, I have determined that my decision is consistent with all laws, regulations, and agency policy. I have considered the potential cumulative effects with past, present and reasonably foreseeable activities. I believe that my decision provides the best balance of management activities to respond to the purpose and need, environmental concerns, social issues, and public comments while complying with all applicable laws and regulations. The considerations I relied upon to make my decision on this project included:

- Achievement of the project's purpose and need.
- Relationship to environmental concerns, social issues, and public comments.

My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of public input and responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

Meets Project's Purpose and Need

I believe Alternative 2 meets all five of the project objectives well and moves the Rennic Stark area toward desired conditions. Alternative 2 is designed to: 1) reduce crown fire potential and restore fire as an ecological process focusing on low intensity, high frequency and mixed severity fire regimes; and increased resilience to surface fire and bark beetles; 2) maintain or increase the species composition of fire-resistant shade-intolerant species (western larch, ponderosa pine); and to retain large diameter, old ponderosa pine and western larch trees and create stand conditions that could provide large trees in the future; and, 3) provide for age class and species structural diversity to reduce vulnerability to stressors (fire, insects, and disease).

Restore functioning ecosystems by enhancing natural ecological processes

- Maintain and enhance resilience and resistance of vegetative communities while maintaining naturally appearing scenery.
- Maintain or increase shade-intolerant fire-resistant species (western larch, ponderosa pine).

Alternative 2 will promote resilient stands by focusing on removing small diameter trees; thinning; and using prescribed fire to modify fire behavior, while maximizing the retention of large trees as appropriate for the forest type.

Alternative 2 will reduce stand basal area, and increase vigor and resilience to bark beetle attack. It will result in or maintain low susceptibility to bark beetle attack through density reduction on about 4,473 acres or 13% of the landscape while also reducing disease resulting in much healthier stands (EA, page 44 Table 10 and page 48).

Large-scale thinning to reduce stand density to minimize drought effects, reduce the impact of large wildfire events, manage the potential for increased insect and disease outbreaks, and ensure a wide variety of species and age classes diversity, while managing for processes are approaches to facilitate adaption in the face of the changing climate (Joyce et al., 2008; Millar et al., 2007).

The residual stands will have less competition and will be more resilient to drought, insects, disease and fire.

The average DBH of the residual stand would go up as would the proportion of ponderosa pine and western larch trees.

Alternative 2 would not affect the quantity of old-growth in the project area, and could help protect old-growth and stands that could mature into old-growth. The guideline for 8 percent of an ecological management unit to be managed for old growth would continue to be exceeded.

Non-commercial thinning followed by handpiling and burning would maintain and protect old-growth characteristics in Units 15, 16, 22 and 103, which currently meet old-growth criteria. This would be assured by retaining all trees greater than 10" diameter at breast height and by reducing fuels in the vicinity of old trees prior to prescribed burns to reduce fire intensity (Kolbe et al., 2007). The slashing, thinning and prescribed fire treatments will likely hasten diameter accretion and stands may potentially provide the large tree component of old growth habitat in the future.

Re–establish fire as a natural process on the landscape.

- Reduce potential for crown fire initiation and intensity at the fireline in stands that are within 1.5 miles of private property and infrastructure (e.g., power line corridor and communication sites).
- Enhance firefighter efficiency and public safety.
- Rearrange and reduce continuity of fuels and provide for age class diversity within the Stark Mountain IRA along the Ninemile Divide.

Alternative 2 treatments will reduce ladder fuels, raise crown base heights, reduce surface fuel loadings, and create a mosaic of size and age classes within the treatment area. By reducing hazardous fuels, ladder fuels, and surface fuel loadings in multistoried mixed conifer stands, these treatments will aid in reducing wildfire hazard over the long term by rendering stands more resilient to natural fire occurrence and disturbances. The treatments will reduce the chance of a stand-replacing fire and increase the effectiveness and safety of initial attack resources. Removing these fuels and separating tree crowns will decrease the chance of crown fire initiation. As a result, fire intensity at the fireline will be lowered creating a fire behavior

manageable by initial attack ground resources. This will be particularly important within 1 ½ miles of private ownership, the powerline corridor, and communication sites.

Prescribed fire treatments on about 4,787 acres in designated areas along the Ninemile Divide and within the Stark Mountain Inventoried Roadless Area will rearrange and reduce fuel continuity and provide for age class diversity (EA, page 11 Table 2). Targeting concentrations of dead and down fuels and pockets of pine beetle mortality will create a mosaic pattern on the landscape resulting in discontinuous fuels and a reduction in the probability of large crown fire becoming established. This area is functioning wildlife habitat and is used for various recreational activities, which would be maintained by the prescribed fire treatments.

Improve terrestrial habitat and connectivity.

- Maintain or improve terrestrial and aquatic habitat and landscape connectivity for wide ranging wildlife and fish species including big game and carnivore species.
- Increase the diversity of the understory to improve cover/forage conditions for snowshoe hare in potential lynx habitat.
- Improve forage quality and plant species diversity on big game winter range.
- Promote development of large trees (as well as snags and down wood) for flammulated owls, northern goshawks and pileated woodpeckers.
- Create stand conditions that would retain and enhance resilience of large diameter (>=21 dbh) ponderosa pine and western larch.

Treatments included in Alternative 2, both vegetative and those addressing the road system, will have varying effects on wildlife and fish species depending on the species' specific habitat requirements (e.g., treatments that promote the development of large old trees will favor species such as flammulated owls, northern goshawks and pileated woodpeckers, while treatments that result in younger stands of trees would favor species dependent on that type of habitat). No one condition on the landscape would meet the needs of all the species present which is one reason why a mosaic of structural stages and composition is desirable.

In Alternative 2, all vegetation treatments will maintain a mosaic of forested cover providing habitat connectivity; this along with the substantial reduction in total and open road densities will benefit wildlife in the long term.

With regard to Canada lynx, the analysis area is not located in designated critical habitat, but the area is managed as occupied lynx habitat. As such direction from the Northern Rockies Lynx Management Direction (NLRMD) applies to this project, including Standard VEGS6 which limits vegetation management activities that reduce winter snowshoe hare habitat in multistory mature or late successional forests. For that reason, during project design mature and older stands with a spruce-fir/multi-story component were intentionally *not* proposed for treatment (0 acres of mature multi-story, winter snowshoe hare habitat would be impacted). All stands of mature and old growth that will receive thinning/burning treatments are located in non-lynx habitat outside the LAU at lower elevations or in non-lynx habitat comprised of drier forest types (including mixed ponderosa pine, Douglas-fir, western larch, and lodgepole pine stands) on

south aspects in the LAU, ensuring that the project is consistent with Standard VEG S6. However, there are small scattered patches of lynx winter foraging habitat, in the stand initiation stage, totaling about 32 acres (surrounded by drier habitat types) within unit 102, a 3,290-acre ecosystem maintenance burn unit, a large portion of which is in the inventoried roadless area (IRA). There are 7,034 total acres of winter foraging habitat available in the LAU, including mature multi-story and stand initiation. All other treatments in potential lynx habitat would occur in small scattered patches of forest in the understory reinitiation or stem exclusion phase, with little or no canopy layering that are surrounded by drier forest types; including portions of Units 14a/b, 24, 84, 101, 102, and 103. These units will be treated with improvement cuts (understory thinning and burning) or ecosystem maintenance burning. All treatments will stimulate shrub production and improve structural diversity across the project area potentially increasing the foraging potential for lynx and snowshoe hare in the long-term.

Habitat connectivity for lynx and other forest carnivores will be maintained because treatments will maintain a mosaic of forested cover to provide for lynx travel. Road decommissioning/storage is expected to increase habitat security and landscape connectivity for lynx in the short- and long-term.

The higher elevations in the analysis area encompass a portion of the Ninemile Divide, which provide other wide-ranging carnivores such as grizzly bears, wolverines, fishers, and big game with some unroaded security habitat with stringers of alpine/subalpine coniferous forest that connect via a ridgeline corridor to larger unroaded areas north and west of the analysis area, northeast to the Reservation Divide and beyond, as well as south to the Clark Fork River. Because of this, part of the project purpose and need included improving habitat connectivity along the divide. Resource protection measures (RPM) included project design standards, and vegetation prescriptions to ensure adequate canopy cover and visual screening is maintained in units and adjacent to open roads to provide for forested connectivity. Thinning and burning treatments in Alternative 2 will increase grass/forb/shrub production and maintain forested connectivity that may provide a grizzly bear or other wide-ranging animal moving through the area with foraging opportunities and cover. The project will measurably reduce total and open road densities which reduces impacts to species sensitive to human presence such as grizzly bears and wolverines. Road decommissioning and storage in Alternative 2 will increase habitat security for carnivores and big game, particularly during the big game hunting and furbearer trapping seasons, when the risk of mortality to animals from human/animal interactions is high. A Forest-wide food/wildlife attractant storage order is in place on all NFS lands to further reduce the chance for human/wildlife (particularly grizzly bear) interactions.

For wolverine, the analysis for the project was completed based on the threats identified by the U.S. Fish and Wildlife Service in Federal Register / Vol. 75, No. 239 /Tuesday, December 14, 2010, which added the U.S. Distinct Population Segment (DPS) of wolverine to the candidate species list. The primary threats included the risk of eventual habitat and range loss due to climate warming (Factor A), with secondary threats from B (trapping/wolverine harvest), D (disturbance associated with human developments and transportation corridors), and E (loss of genetic stochasticity due to isolation between snowy habitats due to climate change). After careful analysis, the Forest found that implementation of the Rennic Stark Project would have no measurable direct or indirect effect on the sensitive wolverine because: wolverine are not known

to use the analysis area, potential denning habitat is very limited to small patches near the Stark Mountain Lookout in the Inventoried Roadless Area, project activities would occur a long distance from any potential denning habitat; the analysis area would provide only a portion of one wolverine home range; the potential for disturbing even one individual is low; motorized use, including snowmobiling is restricted in wolverine habitat (IRA status); the decrease in road densities in the project area would reduce hunter/trapper access and increase security to wolverine moving through or using the analysis area in the long-term; forest cover would be retained on the landscape to provide habitat connectivity; and roadless areas occur in close proximity to the project area and provide for suitable displacement and security habitat.

In January 2013, after the Rennic Stark EA went out for public comment, a District Judge for Montana suspended all wolverine trapping in the state of Montana. On February 4, 2013, the USFWS published a proposed rule to list the U.S. DPS of wolverine as a threatened species (78 FR 7863-7894). The USFWS also proposed a Section 4(d) rule (78 FR 7890) that would prohibit take of wolverine from trapping, hunting, shooting etc. Primary threats to wolverine were once again identified with climate change the number one factor followed by loss from trapping shooting. Forest management, including recreation, timber harvest, etc. is not considered a threat. Therefore, the project as proposed will not have measurable direct or indirect effects on wolverine and will not jeopardize the wolverine (see Appendix A, FS Response to Comment 27).

FWP identified a decline in forage plants for elk on NFS lands in the analysis area. The decline has been attributed to a lack of disturbance in areas where shrub fields, created by past fires and timber harvest, have grown in with conifers. The thinning treatments, ecosystem maintenance burning, and invasive plant treatments included in Alternative 2 are expected to maintain or enhance forage quality and quantity for big game, especially on critical winter range, while maintaining a balance of forested cover.

Large trees, both live and dead (snags), are important to a variety of species including flammulated owls, northern goshawks, and pileated woodpeckers. The stand treatments included in Alternative 2 were designed, to maintain or increase the species composition of fire-resistant shade-intolerant species (western larch, ponderosa pine); retain large diameter, old ponderosa pine and western larch trees; and, create stand conditions that would provide large trees in the future. Treatments in mature and old growth stands are consistent with the habitat needs of all species considered in the analysis by retaining adequate canopy cover and understory structure consistent with current management recommendations, including those identified in the Forest's 2008 Old Growth Monitoring Report.

Improve aquatic habitat and connectivity.

- Protect and improve overall watershed health, including stream health, soil quality and function, and riparian function.
- Improve and maintain watershed and aquatic conditions by improving hydrologic function, water quality, aquatic species passage, and habitat.

- Improve aquatic habitat connectivity, reduce sediment production and delivery, and reduce road density while providing the most efficient system for long-term management goals.

The road upgrades, maintenance, storage, decommissioning, and culvert removals and/or replacements in Alternative 2 will help to reduce road surface sediment inputs into streams in the long term. Resizing of culverts, culvert removals, and road decommissioning will minimize the long-term risk of mass failure and major sediment delivery. Three culverts will be replaced with structures that accommodate fish passage and 100-year flood flows. Removing an additional 11 crossing structures will reduce the risks of sediment addition and downstream habitat impacts. Reducing road densities will also contribute favorably towards improvement in shading, large woody debris input, and floodplain and stream structure and function. The silvicultural and fuel treatments will reduce potential wildfire intensities and contribute to managing for more natural water yields.

Alternative 2 includes design criteria and site-specific resource protection measures that will allow for soil development, forest floor rebuilding, and increasing soil organic matter over time. This alternative meets the Lolo NF Forest Plan, the R1 Soils Quality Standards, and the National Forest Management Act for the management of soil resources. It includes opportunities to close or decommission roads as well as perform rehabilitation work associated with old landings and at recreation sites which will enhance soil function (Soil Rehabilitation Plans are found in EA Appendix G).

Integrate restoration with socio-economic well-being.

- Provide opportunities to maintain the forest industry infrastructure (forest products, watershed improvement workforce, and fuels reduction workforce) for future management needs, while benefiting local communities.
- Provide recreation opportunities.

My decision to re-gravel and reconstruct the Cedar Creek Trailhead will improve the recreational experience of users by giving them a level place to park and turn around. The improvements will also improve drainage and the condition of the trailhead.

The vegetation treatments will result in a more varied landscape allowing Forest visitors to experience a variety of vegetative communities and a diversity of wildlife. They will also reduce the threat of severe wildfire enhancing recreational experiences by preserving areas that many users value.

Finally, implementing Alternative 2 will generate jobs and labor income associated with the timber harvest, reforestation, and restoration activities.

In summary, I have selected Alternative 2, in part, because it achieves in a very satisfactory way the objectives of this project and will address needs identified by the Forest and the community in this portion of the Lolo National Forest.

Environmental concerns, social issues, and public comments.

While any management action has effects, I have considered the project information and I have concluded that Alternative 2 would have no significant impact on the human environment (FONSI).

Implementation of this project would be responsive to several of the 13 restoration principles developed by the Montana Forest Restoration Committee (MFRC) (EA page 11; Project File Item 1-2). The MFRC is a non-profit, consensus-based collaborative group that found common ground in supporting restoration activities conducted to accelerate the recovery of ecological processes and to enhance societal and economic well-being.

During the EA comment period, we received four letters from members of the public. Some comments expressed concerns about environmental impacts from implementing the Rennic Stark project. I respect the opinion of these individuals, and I have considered their comments. My staff has responded to all of these comments (Appendix A) and I conclude that the project design and resource protection measures assure no significant environmental impact. I will elaborate on some of my considerations.

Wildlife

The majority of comments are related to wildlife and wildlife habitat. There were several comments concerning old-growth and old-growth associated species. Some of these concerns were also raised during the initial scoping for this project in 2010. The specific concerns that were raised at that time were addressed by modifying the proposed action to incorporate design criteria (EA, page 12). Numerous resource protection measures were also developed to address old growth and snags and the species associated with these habitat features (EA, page 29).

Questions related to effects to management indicator species (northern goshawk, elk, and pileated woodpeckers) were also raised. In reviewing the project record I conclude that the Wildlife Biologist provided evidence that these species are using the project area, conducted habitat analysis including consideration of habitat quantity and quality at the project and Forest level for context, and analyzed the impacts of the project actions. She provided evidence of consistency with Forest Plan standards and monitoring requirements. Her determination that there is sufficient habitat available to support management indicator species requirements is scientifically based and logically presented.

Various concerns were further raised that the analysis did not adequately address federally threatened (Canada lynx, grizzly bear) and several Forest Service Sensitive species (wolverine, fisher, flammulated owl, black-backed woodpecker, boreal toad) or habitat connectivity along the Ninemile Divide. I have read the Wildlife Biologist's Report and Biological Assessment, her detailed consideration of Forest Plan standards and other regulatory authority, and her response to public comments. I conclude that for all species considered in the analysis, she provided detailed population (status, distribution, and trend) as well as habitat (quality and quantity) information at the project area and Forest levels, and conducted a scientifically based analysis of project impacts to individuals, populations, and associated habitats. I find the methods used for the analysis were adequately detailed and based in science. I find that she carefully considered and presents evidence that the Forest is more than providing for these species needs. She further provides evidence that the project meets or exceeds Forest Plan objectives, standards, and

guidelines, is consistent with management direction provided in regulatory authorities, improves landscape linkage along the Ninemile Divide and throughout the project area; maintains or improves habitat for many species; and provides resource protection measures to adequately remove or avoid project impacts. Her determination of effects for threatened and sensitive species are also well supported by the analysis, scientifically based, and logically presented.

Fire and Fuels

Some of the concerns raised regarded fire and fuels addressing the uncertainty over the effects of fuel reduction on the potential for WUI fire destruction and the effectiveness in preventing losses by treating fuels outside of the immediate vicinity of homes. The project's Fire and Fuels Specialist has read and is familiar with the literature that the commenters provided on this subject. The project's fuels management objectives include managing fuels to alter fire behavior to reduce the source of firebrands, decrease the chance of fire threatening structures, and provide safer environments for fire suppression personnel. Reducing the potential severity of fires when they do occur within this wildland-urban interface is desirable and analysis shows that Alternative 2 will help to modify fire behavior.

In Summary

I have selected Alternative 2 (Modified Proposed Action) because it provides the best balance of achieving the project's objectives, meeting the Forest Plan goals, and it will not have significant negative impacts on the environment.

Public Involvement

This action was originally listed as a proposal on the Lolo National Forest Schedule of Proposed Actions and updated periodically during the analysis. We invited interested parties through direct mailings and web site postings to review and comment on the proposal before the EA was drafted. We also circulated and posted the EA and specialist reports on the Forest web site for review and comments.

The EA lists agencies and people consulted in Appendix A: Consultation and Coordination.

Findings Required by Other Laws and Regulations

A Finding of No Significant Impact (FONSI) and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared.

I have reviewed this decision for compliance with laws, regulations, and policies. My decision is consistent with all laws, regulations, and policies. Findings required by major environmental laws are summarized below. Compliance with other laws, regulations, and policies are listed in the EA, specialist reports, the project file, and the Forest Plan.

1. National Forest Management Act (16 U.S.C. 1600 et seq.) and consistency with the

Forest Plan:

The National Forest Management Act (NFMA) and accompanying regulations require several specific findings be documented at the project level. I reviewed Alternative 2 and found the following:

Consistency with the Forest Plan (16 U.S.C. 1604(i)): The Lolo Forest Land and Resource Management Plan establishes management direction for the Lolo National Forest. This direction is described in Forest-wide and Management Area-specific standards. Designing and implementing projects consistent with this direction is the means to move the Forest toward the desired future condition as described in Chapter II of the Forest Plan. Management Area and Forest-wide direction in the Forest Plan established sideboards for the development of alternatives to the proposed action while responding to public issues. NFMA requires all resource plans and projects to be consistent with Forest Plan standards, guidelines, management area goals, and objectives.

After reviewing the EA, specialist reports and the project file, I find my decision is in full compliance with the Lolo National Forest Land and Resource Management Plan standards, guidelines, goals, and objectives, as amended.

Timber Harvest: All proposals that involve timber harvest for any purpose must comply with the four requirements found in (16 USC 1604(g)(3)(E)). I find that the prescribed timber harvest will only occur on lands where:

- *soil, slope, or other watershed conditions will not be irreversibly damaged.* The interdisciplinary team fully assessed the potential effects of timber harvest on soil and water resources and determined that there will be no measurable effect to water quality and that Regional soil quality guidelines and Forest Plan standards will be met. Their analysis is documented within the Soil, Hydrology, and Fisheries Specialists' Reports in the Project File and summarized in the EA on pages 135-136; 130-133; and 127-130, respectively.
- *there is assurance that such lands can be adequately restocked within five years after harvest.* This conclusion is based on experience and regeneration status reports within stand compartments 09, 10, 11, 45, and 46 (Project File Item K7-45). Even-aged regeneration harvests [16 U.S.C. 1604(g)(3)(F)]: a two-aged seedtree regeneration harvest of Unit 1B, 8, and 23 are appropriate to meet the objectives and requirements of the Forest Plan.
- *protection is provided for streams, streambanks, shorelines, lakes, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment, where harvests are likely to seriously and adversely affect water conditions or fish habitat.* Alternative 2 will implement resource protection measures (43 through 51) to protect all bodies of water from detrimental changes. Although a short-term pulse of sediment is expected from culvert replacements, sedimentation will be reduced from current conditions after completion of Alternative 2. The selected action will comply with the Clean Water Act, Montana State Water Quality standards, and the Lolo National Forest Plan.

- *the harvesting system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber.* The purpose of this project is to restore functioning ecosystems by enhancing natural ecological processes; re-establish fire as a natural process on the landscape; improve terrestrial habitat and connectivity; improve aquatic habitat and connectivity; and integrate restoration with socio-economic well-being. Some commercial sized timber will be removed to meet these goals.

Suitability of Timber Production: *No timber harvest other than salvage sales or sales to protect other multiple use values, shall occur on lands not suited for timber production (USC 1504 (k).* Identification of lands generally suitable for timber harvest and timber production is made at the land management plan level; however, these identifications are estimates that are validated at the project level (36 CFR 219.12(a)(2)(D)(ii)). Project level suitability determinations were made during silvicultural diagnoses; final suitability determinations on lands proposed for commercial timber harvest will be documented in a site-specific silvicultural prescription prepared or reviewed by a Certified Silviculturist. Timber harvest on lands not suitable for timber production can occur when harvest is necessary or appropriate for other multiple use purposes and to achieve the desired vegetation conditions (16 U.S.C. 1604(k), 36 CFR 219.12(a)(2)(D)(ii)). This is consistent with 16 U.S.C. 1604(k) and 36 CFR 219.12(a)(2)(D)(ii) the implementing regulations of the National Forest Management Act of 1976.

Clearcutting and Even-aged Management: (16 USC 1604(g)(3)(F)) *When timber is to be harvested using an even-aged management system, a determination that the system is appropriate to meet the objectives and requirements of the Forest Plan must be made, and, where clearcutting is to be used, must be determined to be the optimum method.*

It is Forest Service policy to prescribe a regeneration harvest when a salvage/sanitation entry will begin the regeneration of even-aged stands (FSM 2471.31). Alternative 2 will result in stand conditions suitable for forest regeneration of about 153 acres. Forest Service policy is to normally limit the size of harvest openings created by even-aged silviculture systems in the Northern Region to 40 acres or less. However, when catastrophic events such as fire, windstorms, or insect and disease attacks have occurred, 40 acres may be exceeded (FSM 2471.1). Both alternatives (No Action and Alternative 2) would result in regeneration openings larger than 40 acres due to the effects of insect and disease attacks. Regeneration harvest activities will occur in three units (1B, 8, and 23) where insect and disease induced mortality has led to or contributed to high mortality within the stand. Fuels reduction, followed by planting of root disease resistant species will also occur. The high level of mortality in some units would result in even-aged silvicultural regeneration methods. Two-aged regeneration silvicultural systems will be applied to the units specified as regeneration. Each treatment is supported by a silvicultural diagnosis and a detailed prescription will be written or reviewed by a Certified Silviculturist. In addition, No Action (Alternative 1) would result in openings consistent with the levels outlined in Alternative 2 due to mortality within the stands; however, regeneration planting would not occur.

Necessity of roads: NFMA requires that *"all roads are planned and designed to re-establish vegetation cover on the disturbed areas within a reasonable period of time, not to exceed 10 years...unless the road is determined necessary as a permanent addition to the national Forest Transportation system." (16 USC 1608(a)). It also requires that road construction be designed*

to "standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources." (16 USC 1608(b)).

About three segments of temporary road totaling about 1 mile will need to be built to access commercial vegetation treatment areas. These roads will be constructed to the appropriated standards for the intended use and will be obliterated at the end of their use.

2. National Environmental Policy Act (NEPA):

My decision is in full compliance with NEPA. Forest Service regulations for implementing NEPA have been followed as required under 40 CFR 1500 in the development of the Rennic Stark EA and this Decision Notice and FONSI. The EA analyzes a reasonable and acceptable range of alternatives, including a "no action" alternative. It also discloses the expected impacts of each alternative and discusses the identified issues and concerns.

3. Endangered Species Act:

This project is in full compliance with the Endangered Species Act. In accordance with Section 7(c) of the Endangered Species Act, as amended, the Lolo National Forest prepared Biological Assessments addressing potential impacts to federally listed wildlife and fish. The Forest received written concurrence from the USFWS dated 06/18/12 and 11/21/12 (Fisheries and Wildlife supporting documentation located in the Project File, Section J). There are no federally listed plant species that would be affected (Botany Specialist's Report, page 1).

4. Migratory Bird Treaty Act

The project record shows that neotropical migratory birds are considered in accordance with the MOU with the USFWS on the Migratory Bird Treaty Act (Wildlife Specialist's Report, page 12). The analysis of the bald eagle, black-backed woodpecker, flammulated owl, northern goshawk, and pileated woodpecker, all species protected under the Migratory Bird Treaty Act also demonstrates compliance.

5. Clean Water Act and Montana State Water Quality Standards:

Upon review of the Rennic Stark EA, specialist reports and project file, I find that activities associated with Alternative 2 will comply with State of Montana water quality standards, BMPs, and associated monitoring requirements. All appropriate permits will be acquired prior to project implementation. Montana Streamside Protection Act (SPA) 124 permits would be obtained for any activity that would disturb stream channels.

6. Environmental Justice Order:

Executive Order 12898 requires fair treatment and meaningful involvement of all citizens regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. We have treated all citizens fairly and allowed meaningful involvement to every person regardless of race, color, national origin, or income. I find that this project and its NEPA analysis comply with the Environmental Justice Executive Order.

7. Clean Air Act:

Prescribed burning activities will be coordinated to meet the requirements of the State Implementation Plans, Smoke Management Plan, and Federal air quality requirements.

8. National Historic Preservation Act:

Known cultural resource sites will be protected by resource protection measures (EA, page 32). In addition, if any new sites are located during project implementation they will be protected.

9. 2001 Roadless Rule

The Selected Alternative's ecosystem maintenance burning and road decommissioning in the IRA will meet the 2001 Roadless Rule. The actions will maintain or restore one or more roadless characteristics. Specifically, it is expected that the activities would have either have no effect or maintain the natural or undeveloped characteristics as well as the other wilderness attributes of special features and manageability (EA, page 144). Alternative 2 is expected to improve soil and water quality and plant and animal diversity by reintroducing fire to the landscape.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is subject to appeal pursuant to 36 CFR 215. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the *Missoulian*. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Paper appeals must be submitted to:

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
P.O. Box 7669
Missoula, MT 59807

or

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
200 East Broadway
Missoula, MT 59802
Office hours: 7:30 a.m. to 4:00 p.m.

Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us

Faxed appeals must be submitted to: (406) 329-3411

In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF).

It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant's name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C.
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the comments; and
- How the appellant believes the decision specifically violates law, regulation or policy.

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service: http://www.fs.fed.us/r1/projects/appeal_index.shtml .

IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of the decision may begin on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th day following the date of the last appeal disposition.

CONTACT

For additional information concerning this decision, contact: Chad Benson, Ninemile District Ranger, Lolo National Forest, 20325 Remount Road, Huson, MT 59846, (406)626-5201. Information is also available at http://www.fs.usda.gov/goto/lolo/projects .

3/22/13

Deborah L. R. Austin
Forest Supervisor
Lolo National Forest

Date