

Payette NF Level 1 Meeting
Payette NF Supervisors Office
March 3 1030 – 1630, March 4 0800-1500, 2009

Tuesday March 3, 2009

Attendees: Mary Faurot, Ana Egnew, Rodger Nelson, Gina Bonaminio, Ally Turner(USFWS), and Rick Edwards (NOAA)

Visitors: Jim Egnew (Minerals), Pete Grinde (range), Maura Lavery (range), Tom Crawford (watershed), Mike Dixon (engineering), Ben Hipple (engineering), Jon Almack (wildlife)

April Topics:

- Sediment monitoring adjustments
- Trail Ford to Bridges programmatic
- EFSF Bridge
- SFSR/EFSFSR Emergency Consultation wrap-up

List of projects needing consultation

- Warren Wagon BA submitted
- Brundage Placer Mine NE agreed
- Walla Walla Mine possibly NE
- Winter Travel Plan
- Big Creek Ford
- Golden Hand Mine
- Unity Mine
- Reed Ranch NE agreed
- EFSF Bridge
- Grazing LAA (Burgdorf)
- Smokey Boulder

Maybe:

- Big Creek Roads
- Big Creek WUI
- Brundage Sno-Cat Guides 2010
- Upper Hard Creek Sheep grazing reopening 2010

List of Addenda to the Ongoing BAs:

- Clarify in description of the action under fire suppression that BAER activities do not need consultation if completed according to the description of watershed improvement actions (see notes under Tom Crawford's power point).
- Update the number of BAER actions that typically occur on the PNF, since this has increased in the last few years.
- Some reforestation? (acreage limit?)
- MSSW Rx burn acreages need to be revised (see discussion below)

- The Noxious Weed design features (table) in the SFSR BA do not match the design features agreed to in the SFSR Noxious Weed EIS. Someone needs to compare the two documents and decide what takes precedent – likely the design features in the BA. A note should be sent to all those working with noxious weed treatments of the revised (BA) design features. The note should also go in the project file for the SFSR Noxious Weed analysis.
- SFSR says no use of adjuvants – this does not SFSR EIS description and should be rectified as described above.
- Saltbox corral?

Mike Dixon presented power point on 2008 culvert replacement/upgrades.

- Initially, the PNF completed a BA for replacement of the bridge decking – no in-stream work was anticipated. Based on the BA, the PNF issued the contract for the decking work. Further analysis has shown that the entire structure needs to be replaced. Valley County is proposing to complete the work and the Army Corps of Engineers (Greg Martinez) has agreed to write the BA. Greg needs to cooperate with FS since the FS and county actions are linked.
- Timing is essential. Although it is possible to replace the decking (super structure) and later go back and replace abutments, this would not be ideal. While replacement of the decking is covered under the FS BA., the linked action of replacing the abutments is not covered and will be addressed in the BA that Greg is writing. Until the BA is completed and a BO (likely) issues, the instream work can not go forward.
- Army Corp of Engineers does not have a streamlining agreement with NMFS or FWS. To expedite consultation, the L1 team agreed that after Greg writes the BA (as soon as possible), that the FS submits the BA for consultation under the streamlining process..
- Mary will work with Greg to expedite the BA.
- See notes on conference call with Greg Martinez

Nasty Creek culvert upgrade power point was given by Mike.

- Concrete box will replace culvert. Needs before and after checklist sheets as required by R1/R4 Programmatic consultation

Nez Perce Tribe Partnership work presented by Mary

- MOU with NP Tribe research division covers the partnership with the watershed restoration group.
- NP Tribe does consultation through BPA.
- Master Participating Agreement (MPA) allows money to be exchanged for work.
- Proposed action to decommission roads is in the NEPA process right now, possibly using the CE route. (either post-fire or wildlife improvement)

- Mary needs to find the 1968 Stabilization Report on SFSSR roads to see if the proposed roads were slated to be closed.
K:\reb\group_folders\fishwild_library\elibrary\H.08\EH.08.0004.pdf
- Mary would like to approach covering this project under existing programmatic BAs. Road management action and Watershed Improvements action.
- Ally and Rick concurred that this would be covered by programmatic actions.
- Field trip will take place this summer and would like to have Rick and Ally there.
- Work won't begin until August.
- Mary noted that the Nez Perce Tribe, at a joint NPT and PNF meeting on 2/24/09, expressed interest in attending Level 1 meetings and asked if the NP Tribe should be invited to Level 1 meetings. The L1 Team discussed that in most cases the Nez Perce Tribe would be best involved through project-oriented meetings with the PNF. Infrequently, there may be a reason for the Nez Perce Tribe to attend a L1 meeting to discuss a project they are involved with that requires consultation. The partnership work described by Mary is covered by the ongoing BAs..

Amended consultation process presented by Rodger

- Payette given RO and WO direction to keep consulting using the amended regulations with optional consultation as defined in ESA implementing regulations.
- New administration opens the door abolish the amended consultation regulations, which seems likely at this time.
- Rodger presented Walla Walla and Brundage Placer Mines as examples of combining a BA and Specialist's Report as a possible new document that is in alignment with the new consultation decision, which would allow use of any environmental document that contains the required information to suffice as a biological assessment.
- Brundage Placer is an example of an action that might have minimal but immeasurable effects to listed fishes because they are so distant and the project has little potential to cause off-site disturbance.
- This format could work for projects that have minimal effects.
- Rodger and Mary think there would be quite a few projects that could fit under this format for consultation. Others: Winter Travel Plan, Unity Mine, Reed Ranch.
- Ally and Rick both agree that they agree to a No Effect determination for Brundage Placer Mine.
- Walla Walla- drill pads will be established on road surface. Two drainages cross the road to the east, which will be covered with bridges. Streams that will be crossed by equipment (on bridges) ultimately drain into Maxwell Creek, after going subsurface at least once.
- Maxwell Creek has been designated as Steelhead habitat nearly to its headwaters but, in fact, all listed fishes are several miles from the project area.
- Rodger is close to calling it a NE because potential effects to species or designated critical habitat are probably realistically zero because of project design features.

- Rick and Ally will look at the Specialist Report Rodger gave them and comment.

Reed Ranch Airstrip presented by Rodger

- Reed Ranch is considered Restricted but there is a request to open it up; however, it's been in more or less continuous use because when it was private, the owner typically allowed use.
- Concern that there maybe a slight increase in number of anglers and pilots.
- Rodger sees no effect to fish by opening the air strip because the strip is well removed both horizontally and elevationally from the SFSR and take of salmon is covered by IDFG and will not change.
- Rick and Ally agree with that determination.
- Land was acquired with Fish and Wildlife dollars for Fish and Wildlife habitat improvement.

Conference call with Greg Martinez

- The L1 Team called Greg Martinez to discuss concerns about completion of consultation for the two linked EFSFSR Bridge projects (see discussion above)
- Greg said he has talked with Valley Co. and is waiting for a construction description.
- Payette is worried about getting the consultation completed in time for work to get started. Greg hasn't started consultation and won't until he gets the documentation from Valley Co. Greg thinks he could get the BA completed by end of April if the County gets documentation to him in the next couple of weeks. Rick is concerned that consultation initiated by COE wouldn't allow for a June 1 start date.
- Greg is looking at a July 1 start date as the earliest.
- Possible for Greg to write the BA and the Payette could submit it jointly for a 60 day turn around (under streamlining process).
- Dwight (from the county) told Ben in a conversation today that he is working on a letter to Greg with the description.

Patrick Butte, amended Rx burn acres for MSSW presented by Dale Olson

- Project is strictly Rx fire.
- Project is being analyzed using a CE for wildlife habitat improvement.
- Project is proposed for around 15,000 acres
- The programmatic action description for prescribed fire in the MSSW watershed only estimated 1,000 acres of treatment per year. Dale is asking to change acres covered in BA. In other watersheds, the estimated treatment acres are larger (i.e., 3,000 to 5,000 acres). Ally and Rick don't think it will be a big deal to amend the number of acres to possibly 5,000. .
- Rodger will email Rick and Ally asking to change the allowable acreage from 1,000 to 5,000 acres a year. This change will also be recorded in an addendum to the MSSW BA. Dale will help Rodger write the addendum.

McCall Angler Outfitter and Guide issue presented by Dale Olson

- McCall Angler O&G concern was whether fishing take was covered by IDFG. Rick confirms that take is covered under IDFG. This would be considered a NE from the Forest.
- This led to a discussion about how the biologists can best track outfitter and guide (and other) activities that are determined “NE”. We need to do this so that when we update the programmatic BAs, we don’t “forget” to review the actions that were previously considered “NE.” Some actions may be NE for one species, but may be NLAA or even LAA for another species. Ally created a table to track NEs actions. The table is attached to the end of the notes. All biologists should add their NE actions to this table.
- Need to create an electronic placement for this table that all Bios can access. Call it “Wooden Drawer.”

Emergency Consultation Wrapup

Cabin Creek Fire- Mary

- Emergency consultations would be added as amendments to the current BAs.
- Dipping occurred in Big Creek under the statute that life and property were at stake.
- Rodger initiated Emergency consultation on August 6, 2008.
- Mary put together a document that gives a description of emergency actions taken, description of monitoring actions, summary of emails that were exchanged, and determination of LAA
- Rick indicated that all emergency consultations with NMFS must be LAA.
- Ally would like a paragraph of how baseline would have been affected or not affected. Was there a change?
- Rick would like a rough estimation of the pool dimensions.
- Add temporal information.
- Rick and Ally will give suggestions for final document.
- Similar format could be used for SFSR emergency consultation.
- Rick would like final to be sent electronically

SFSR/EFSFSR –Rodger

- Reason there are two emergency consultations, Greg Martinez decided he needed to consult after contracts had been let. Emergency consultation was initiated to allow COE to issue permits before concluding consultation.
- EFSFSR emergency consultation had already been initiated before the SFSR one was initiated.
- These will be done as addendums to the ongoing SFSR BA. Rodger will have a draft document by the April meeting.

Weeds BO

In hands of General Counsel, will complete review and will be signed by the end of the week.

Wednesday March 4, 2009

Ana has created a table with Activities, PDFs (Project Design Features), Conservation Measure and T&Cs. This will be given to biologists to use with ID Teams. This could be given to other program managers as reference when designing projects.

Draft FWS BOs- PNF comments

All bios should send track changes to Rodger (place in folder on J drive) by Friday March 13

SFSR- Mary

- Distribution information might want to add the bull trout fish distribution map to this section. (c. South Fork Salmon River Watershed p.45)
- Suggested also including Brook trout map
- Mary also included verbiage from the Bull trout White paper.
- Ally asked for a CD of the changes Rodger and Mary have suggested.
- Any additional information can be sent to Ally for her to go through them.
- Boise National Forest streams were listed in section A. Status of the Bull Trout within the action area. These were highlighted to be corrected.
- Mary suggested citing the most recent sediment reports.
- Ally would like CDs with comments by the March 10 meeting or end of the week
- The final due date of March 31, 2009 will probably need to be bumped back.
- Grazing issue of sheep in Lake Creek and Grouse Creek. Rodger showed map of exclosures that will be part of the permits. Annual operating instructions have been changed to reflect this. Infractions will result in letters on file.
- Ally has requested new AOIs to have on file.
- Need to change statement that monitoring has shown no impacts. Current information will be sent to Ally to include in BO. Mary will get this to Ally with her comments on the BO
- Pete Grinde met with the permittee in Burgdorf area. The permittee does not feel he could adhere to the exclusions in the Sand Creek area. . Lisa Klinger, McCall District Ranger is requiring a field trip with Pete, Mary, herself, the permittee and a NP Tribe representative. The AOIs will stay the same, the field trip would be to determine how they could be implemented.
- Need to reinitiate consultation on permitting grazing in Burgdorf area to get take protection. Only need to reinitiate with NOAA. Need to do this soon.
- Need to work with Ally about wording where the take issue is only addressed from Nethker Creek when, in fact, there is probably a small amount of take (mainly potential for harrassment) occurring in other streams as sheep move around the allotment in Draft BO.
- Ana brought up a disconnect between SFSR BA and NEPA EA on Noxious weed treatment of reseeding. Could this be amended like the number of Rx fire acreages will be amended in MSSW BA.

Power point of Watershed Restoration Program presented by Tom Crawford

- Gave handout of projected work for FY 2009
- Ana wants to know how to continue to update the baseline. How can the Forest track the decommissioning of roads? Rodger and Mary both think Framework will be the method for this tracking.
- Tom showed map of Burgdorf area and all the roads proposed for obliteration in FY09.
- Tom's power point covers what has been done and what is proposed to be done under the watershed improvement purpose and need in the SFSR BA.
- Description under fire suppression, BAER actions would be covered if they met the design features under watershed improvement action (i.e. culvert removal, gully stabilization, etc.)

Golden Hand/ Unity Mines presented by Jim Egnew

- Unity Mine Drilling Project: Required mitigation bridges
- What the miners did was dig a sump in the creek instead of bridging since they dropped the drill holes.
- Rehabilitation work was done on the sump by FS.
- Other issues: "private" land at mouth of Smith Cr is actually BLM land. FS maps are in error. BLM issued cease and desist order for unauthorized uses and improvements: construction of bridges, use of ford, sewer system, fuel storage, explosives storage, boarding stock, occupancy. BLM is working with Unity Gold to get a notice in place to get authorization to do what they've been doing.
- Rick asked Jim for a one page write up of what occurred last year. Jim Egnew will provide this to Mary
- Bear Lake Gold is proposing two additional drill holes and open a section of road on FS property. New NEPA analysis will be done, possibly a CE. May not need to consult on new proposal.
- Golden Hand Mine new proposal (Claims 1&2) will require NEPA.
- Conway Ivy is the main contact, Jack Walker has limited involvement in this proposal
- Smith Creek, NF Smith Creek, Coin Creek (Beaver Creek watershed) are the three main streams that would be affected by the proposed activities.
- Bridge was required for mitigation on first action consulted on (GH 3&4).
- In the wilderness the first ford is on a tributary to Coin Creek. There is another ford on Coin Creek that would need mitigation. Coin Creek has blown out considerably since the 2006 fires.
- New action would reopen ~3miles of roadbed in wilderness and reopen ~4800' of existing roadbed on claims. The company has agreed to find equipment that would be compatible with existing roads and conditions.
- The company would also like to open the Ella Mine adit (Claim 1). This could be the most surface disturbing. They've been asked to submit plans on how the hillside would be stabilized. Timbers would need to be brought in from outside the wilderness.
- Issues: mechanized equipment in wilderness, motorized access, mineral development in wilderness, effects to aquatic habitat, potential lynx habitat.

- NOI published in November, Scoping in April, NEPA in 09, Draft EIS winter 09/10, Draft BA winter 09/10 and ROD winter/spring 2010.
- Need to schedule field trip with Level 1, Forest, NP Tribe and Mining Co. representatives.

Summit Gulch Project and mitigation measures to protect NIDGS – Jon Almack

- Project is to improve squirrel habitat (228 ac and 90 ac).
- Decision Notice was not signed due to Bear Tornado Recovery project.
- New information and project changes were outlined in document Jon gave to Ally.
- NIDGs changes are listed in the document Jon handed out.
- Ally thinks using mortality language may be risky. Insinuates expectation of mortality. Jon isn't expecting it but would like it to be in the document so that if something does occur it would have to be reported to the agency. This language will be deleted.
- Speed reduction outside of project site will be advised but cannot be enforced. Discussion about how best to address the issues of limiting speeds on county roads when hauling out of project areas.
- Option to keep NLAA if all haul was after Aug 15. Could potentially tie the potential take to the Travel Plan or the Council Cuprum BA.
- Ally feels the Forest is meeting the Conservation Measures indicated in the BA.

Range Monitoring, Noxious Weed Program Implementation- Pete Grinde/Maura Laverty

- Maura presented documentation of Bull trout Stubble Height to Rick and Ally. Results at headwaters of Anderson Creek, outside of the enclosure concerns Maura. She will verify if the cattle are hanging around the enclosure trying to access forage inside, and if so, remind permittees to not let cattle linger near the enclosures.
- Did not get to Sheep Creek in 2008 to monitor. Maura will make sure crew gets there this fall.
- Maura gave a copy of non-compliance table to Rick and Ally. Spreadsheet tracks action with non-compliance incidents. Maura will be suggesting to new District Ranger that a letter would only be written if action is not taken within 72hrs, to be consistent with the Forest Service non-compliance policy. Maura will continue with the spreadsheet but will not be writing letters until there is a non-compliance issue (post 72hr).
- 2008 allotment long-term site summary spreadsheet was presented to Rick and Ally by Maura.
- Document describing noxious weed target acres was presented to Rick and Ally from Maura.
- Ally's analysis is based on no surfactants/adjuvants being used. This is in conflict with what Maura is implementing. Maura has been reporting the amount of surfactant used each year, and it was not brought to light until now that it may

- have been in areas with listed species. Note that surfactants/adjuvants will no longer be used in areas with listed species.
- Maura shared that a noxious weed site within the buffer of a NIDGS colony was inadvertently sprayed with 2-4,D. It was discovered this winter that the district didn't have the the buffer layer, just the actual colony layer. No adverse effects were noted, but Maura plans to avoid any future problems by no longer using 2-4,D because of the numerous NIDGS colonies on the Council District.
 - Ana asked if Pete and Maura could track when they are treating in NIDGS areas (with other approved chemicals). They said they are doing this and would share the information each year with the L1 team.
 - Ana noted that most road easements the FS has given to counties contain a clause that requires the county to follow FS noxious weed treatment protocols. Maura coordinates with Adams and Washington counties each year. Pete will initiate contact with Valley County weeds coordinator to make sure they are following our required treatment methods on Forest easements; this is particularly important in the SFSR Watershed where chemical weed treatment was only recently approved.
 - Pete presented report on 2008 noxious weed management activities. Gives actual treated acreages. Maps attached show treated areas. Mostly road areas being treated.
 - 2008 Study sites (anadromous allotments) monitoring results were presented by Pete.

Hard Creek Meadows grazing reintroduction - Dale Olson

- Handout given by Dale gives mitigation measures for allotment areas that have been closed.
- Grassy Mtn allotment has been closed since 1993.
- If proposed to reopen, would need to consult. See list at beginning of notes.
- Proposal not for this year but in the near future.
- Need to find historical data as to why it was closed.

Boulder Creek Rec Project

- There was a discussion on the BA for the project. It was agreed upon that it would be covered under the programmatic BA under either the "Trails, recreation, and administrative site operation and maintenance" or "Watershed and fish habitat improvement and maintenance" federal action. Rick asked that we ensure no outhouse is placed in an RCA.

Saltbox shipping

- Sulens has proposed just using Saltbox shipping corral and discontinuing use of Lodgepole shipping corral.
- Two corrals were implemented after the 1993 BO.
- Pete would like to know if it could be added as an addendum.
- Need to look at why the decision was made in 1993.

- Rodger’s opinion is that it would move it farther away from listed fish and that if the sheep numbers were reduced that one shipping point would probably produce similar effects to when there were more sheep and two were used.

Table X. Outfitter Guide Actions the Payette National Forest has determined may affect, but are not likely to adversely affect bull trout, Canada lynx, or northern Idaho ground squirrels. Page numbers refer to the Biological Assessment for aquatics (A) or wildlife (W). No Outfitter Guide Permits are in issuance in the Weiser River Drainage.

Project	Watershed	Determination for			Federal Action Description	Rationale for effects determination
		Bull Trout	NIDGSs	Canada lynx		
Heavens Gate Outfitters	Brownlee	NLAA	NE	NE	A. Vol. 7 (p 59-60)	A. Vol. 7 (p 90; 92; 95)
Seven Devil’s Lodge	Brownlee	NLAA	NE	NE	A. Vol. 7 (p 59-60)	A. Vol. 7 (p 90; 92; 95)
Heaven’s Gate Outfitters	Deep Creek	NLAA	NE	NE	A Vol. 5 (p50)	A Vol. 5 (p80)
Heaven’s Gate Outfitters	Little Salmon River	NLAA	NE	NE	A Vol. 21 (p. 86-87)	A Vol. 21 (p. 140-141)
Pony Creek Outfitters	Main Salmon River	NLAA	NE	NE	A. Vol. 19 (p. 60-61)	A. Vol. 19 (p. 93; 99)
Big Creek Lodge	Middle Fork Salmon River	NLAA	NE	NLAA	A. Vol. 11 (p. 60-61; 64-65)	A. Vol. 11 (p. 105)
Idaho Outdoor Wilderness Company	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60-62; 64-65)	A. Vol. 11 (p. 105)
Mile High Outfitters of Idaho	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 62; 64-65)	A. Vol. 11 (p. 105)
River Odysseys West	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 62; 64-65)	A. Vol. 11 (p. 105)
Elk Springs	Middle Fork	NLAA	NE	NE	A. Vol. 11 (p.	A. Vol. 11 (p.

Outfitters	Salmon River				60; 62; 64-65)	105)
Wapiti Meadows Ranch	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 63; 64-65)	A. Vol. 11 (p. 105)
Adventure Guides	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 63-65)	A. Vol. 11 (p. 105)
Pineland Outfitters	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 63-65)	A. Vol. 11 (p. 105)
Flying Resort Ranches	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 63-65)	A. Vol. 11 (p. 105)
Salmon River Lodge	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 63-65)	A. Vol. 11 (p. 105)
Mackay Bar Corporation	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 64-65)	A. Vol. 11 (p. 105)
Hettinger Outfitters	Middle Fork Salmon River	NLAA	NE	NE	A. Vol. 11 (p. 60; 64-65)	A. Vol. 11 (p. 105)
Elk Springs Outfitters	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.61-63)	A. Vol. 28 (p.110-111)
Wapiti Meadows Ranch	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.61-63)	A. Vol. 28 (p.110-111)
Pineland Outfitters	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.62-63)	A. Vol. 28 (p.110-111)
Wiley Ranch Outfitters	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.62-63)	A. Vol. 28 (p.110-111)
Idaho Anglers	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.62-63)	A. Vol. 28 (p.110-111)
Pacific Crest Outward Bound	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.62-63)	A. Vol. 28 (p.110-111)
Pony Creek Outfitters	South Fork Salmon River	NLAA	NE	NE	A. Vol. 28 (p.62-63)	A. Vol. 28 (p.110-111)