

Brebner Flat

Draft Decision Notice and Finding of No Significant Impact



Forest Service

Idaho Panhandle National Forests
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St. Joe Ranger District

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Introduction

The 11,779 Brebner Flat project area is located on National Forest System lands on the St. Joe Ranger District of the Idaho Panhandle National Forests within Shoshone County, Idaho. Although private land is located within the project boundary, the activities described in this decision will only occur on National Forest System Lands. The project is located directly south of Avery, Idaho (Figure 1). The legal description is within all or portions: T45N, R5E, Sections 13,14,16,22,24,26,28,34,35,36 T44N, R5E, Sections 1,2,11,12 and T17N, R32W, Sections 30, 31 Boise Meridian. Management activities will occur on approximately 1,719 acres within the Theriault Creek, Kelly Creek, Williams Creek, and Siwash Creek drainages.

As described in the Brebner Flat Environmental Assessment (EA), existing and desired conditions in the project area indicate a need to:

- Improve forest health and increase vegetation resilience to large disturbances such as severe fire and insect or disease outbreaks.
- Provide sustainable use of natural resources and benefits for local communities.
- Reduce hazardous fuels to lessen the severity of wildfires and to enable safe fire suppression efforts.

This decision notice describes my decision to proceed with the Brebner Flat project, information about the project, and the rationale supporting my decision. This document includes my finding of no significant impact (FONSI) to the human environment, which means that no further environmental analysis is necessary in order to proceed with this project.

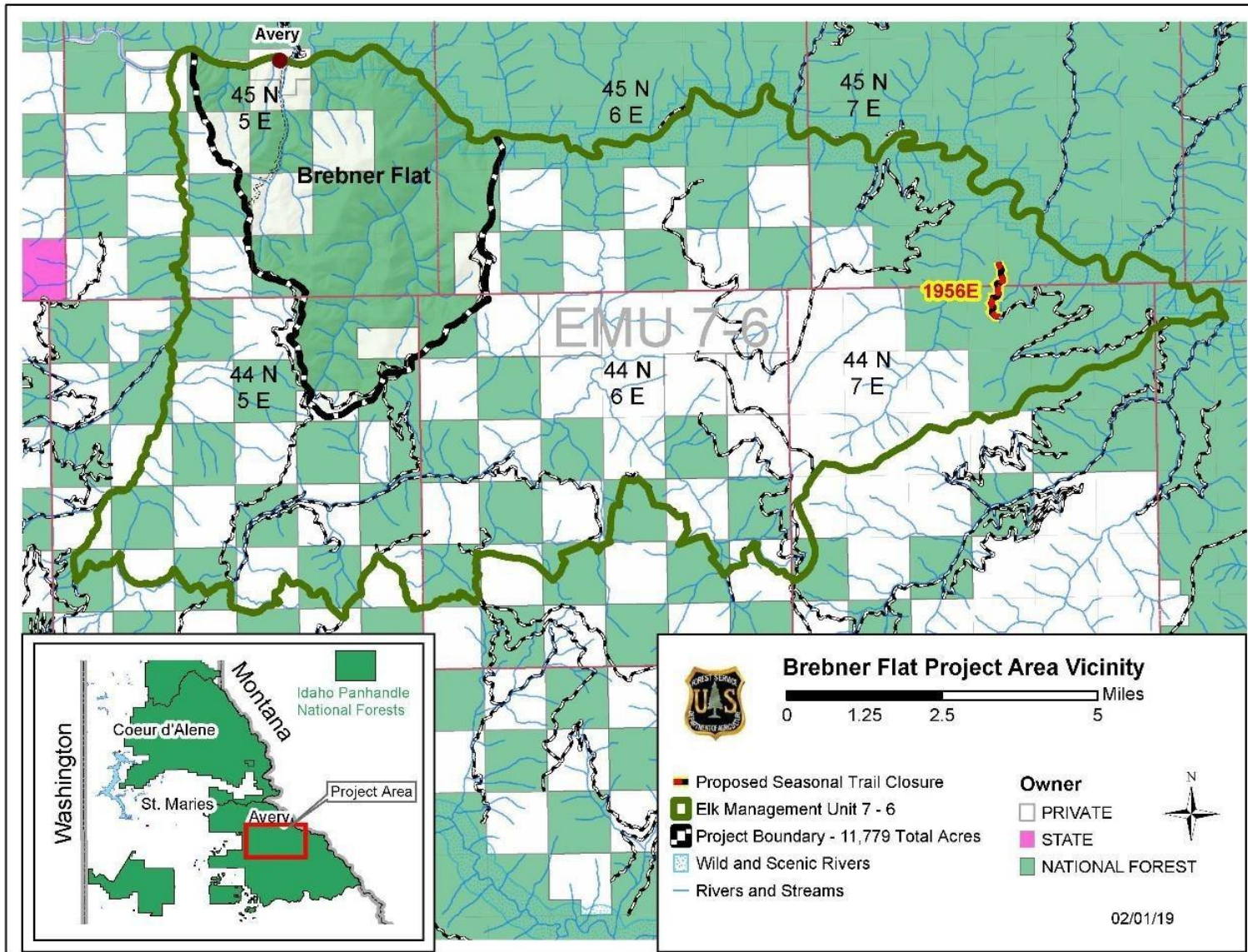
The Brebner Flat Project EA and supporting resource reports are incorporated by reference in this document. The EA, resource reports, maps and this decision notice are all available to view or download from the Idaho Panhandle National Forests' website at:

<https://www.fs.usda.gov/project/?project=53048>.

This decision and the project EA are tiered to the Forest Plan Record of Decision and incorporate by reference the Forest Plan FEIS.

Decision and Reasons for the Decision

Based upon my review of the effects analysis, information contained in the planning record and input from interested parties, it is my decision to implement the proposed action described in the updated EA, including design features and mitigation. I believe the activities in the proposed action will best respond to the need (EA, pp. 3-6), Forest Plan, and other legal requirements.



Vegetation Management

This decision includes 1,719 acres of commercial timber harvest. The vegetation management actions are designed to shift forest vegetation conditions toward the desired conditions described in the Forest Plan (FW-DC-VEG-11) and best meet the need to establish and maintain resilient forest stand structure and species composition. Timber harvest, prescribed fire, and planting of more resilient and desired tree species will increase the presence of western white pine, ponderosa pine, and western larch in response to the need identified for this area (EA, pages 3-4).

The timber harvest and prescribed burning will help to reduce flame lengths and lower fire intensity, resulting in the type of fire behavior that can be more easily controlled or suppressed, with safer conditions for firefighters and the public (FW-DC-SES-04, FW-DC-FIRE-01, FW-DC-FIRE-02).

In addition to providing the necessary infrastructure for accomplishing restoration goals, objectives and desired conditions outlined in the Forest Plan, the sale of forest products resulting from management activities on National Forest System lands will contribute to the local economy and to the sustainability of the local forest products industry, responding to the purpose and need (EA, page 5-6) and Forest Plan desired conditions (FW-DC-SES-02, FW-DC-SES-03).

Roads and Transportation

Road-related activities are necessary to access treatment units safely, efficiently and economically while protecting other forest resources (EA, pages 10-11).

The extent and scope of these activities (EA, Appendix Table 20) will depend on actual site conditions found as the area, and could include clearing brush from the road shoulders to improve sight distance, blading and shaping the road, cleaning ditches, maintaining or improving drainage structures, and improving the road surface.

Road construction and reconstruction will be designed to standards appropriate for the intended use while considering safety, costs of transportation, and potential to impact resources, in compliance with (16 U.S. Code 1608(b) and (c)) and to make progress toward achieving forest-wide desired conditions (FW-DC-AR-07). Only the road improvements needed to complete the treatments will be implemented.

Best Management Practices and Standard Operating Procedures

The proposed action was designed by the project interdisciplinary team to minimize or avoid adverse effects during project implementation. Specific design features (Appendix C) for this project are based on law, regulation, policy and Forest Plan direction, best available science, site-specific evaluations, and public input; and would be applied during project implementation.

Application of design features and best management practices (BMPs) are addressed during implementation of vegetation management projects through the initial design of the project and layout of harvest units as well as the subsequent contract(s) administered by a certified Timber Sale Administrator and considered standard operating procedures. Most standard operating procedures and design features are applied through project development and administration of the timber sale contract, which can include both standard and site-specific provisions ([FS 2400-6](#)) and standard specifications for road construction and maintenance associated with the road package of the sale ([FP-14](#)). Specific design features will be implemented through unit-specific prescriptions and/or marking guidelines, identified in Appendix A.

Additionally, applicable best management practices (BMPs) will be applied to activities proposed in the project area. BMPs are practices, techniques, or measures determined to be the most effective, practicable means of protecting soil and aquatic resources. Contract provisions that are requirements in timber sales are the mechanism by which BMPs are implemented during project activities.

BMPs have been developed for the project activities based on the proposed activities, water quality objectives, and site specific conditions in order to avoid or minimize potential adverse impacts to soils, water quality and other aquatic resources, such as aquatic habitats, and watershed function. This project incorporates best management practices (BMPs) as laid out in the R1/R4 Soil and Watershed Conservation Practices Handbook ([FSH 2509.22](#)) to meet the requirements of the Clean Water Act.

Idaho Department of Lands has the authority to administer the Idaho Forest Practices Act (Title 38, Chapter 13, Idaho Code) and the responsibility to ensure compliance with state BMPs to control nonpoint sources of pollutants. Rules pertaining to the Idaho Forest Practices Act and application of BMPs are found at IDAPA 20.02.01 ([Idaho Forestry Best Management Practices Field Guide: Using BMPs to Protect Water Quality](#)).

Overall, I believe the actions in this decision meet the need for action.

Public Comments

I also considered public comments in response to the proposed action the Draft EA. These comments included concerns over opening size, types of treatments, desire to increase the amount of harvest, water quality, and elk security. Although the decision does include openings larger than 40 acres I believe this treatment is necessary to meet forest patch size and pattern, hazardous fuels, and insect and disease hazard (EA p. 4, 16). Limiting opening sizes would not appropriately or effectively address the scale of current insect and disease hazard, or create ecologically desirable patterns of early seral structure, or provide persistent, effective wildfire threat.

I looked closely at the treatment type and have concluded that the decision to treat the stands as proposed best meets the needs of the restoration objects. Intermediate harvest would not be effective because it would exacerbate root disease effects (through buildup in the stumps and root systems of the fungi that cause root disease), lead to heavy blowdown, and encourage advanced regeneration of grand fir and Douglas-fir (EA p. 14).

It was suggested that more acres should be treated through commercial harvest to better accomplish the need and to improve the economic efficiency of the project. Although, 69 percent of the project area (8,129 acres) is designated as MA-6 not all of this acreage met criteria for timber harvest. The proposed action will treat about 21 percent (1,719 acres) of the potentially available land in MA-6. The potential harvestable area was reduced by relatively recent harvests (1,563 acres) and high mass failure potential zones (387 acres). The project area was further reduced to reserve land for elk security (1,785 acres), for riparian habitat conservation areas (RHCA 1,701 acres), and retained existing old growth (583 acres). Approximately 4.8 percent of the MA-6 is miscellaneous retention areas. Of the 8,129 acres of MA-6 land, about 21 percent (1,719 acres) remained potentially available for harvest. I believe that the proposed action would treat a reasonably large “footprint” within the acreage that is currently available for commercial timber harvest at this time.

At the time project was initially proposed, it appeared that the proposed action would result in a loss of 210 acres of elk security in the Elk Management Unit 7-6 due to activities associated with timber harvest such as the construction of roads, tree plantings, and fuels treatments in the project area.

During project development the interdisciplinary team conducted a more thorough analysis of the area and determined that there was an opportunity to create additional elk security in Elk Management Unit 7-6. The seasonal closure of approximately 1 mile of the OHV portion of road 1956E would increase elk security in the elk management unit by 314 acres, leading to a net gain in security of 94 acres. Therefore I believe the decision addresses elk security needs appropriately.

I believe this decision adequately addresses public concerns.

Alternatives Considered but Eliminated

Federal agencies are required by NEPA to evaluate all reasonable alternatives to the proposed action, and to briefly discuss the reasons for eliminating those alternatives that were not studied in detail (40 CFR 1502.14). Alternatives not considered in detail may include, but are not limited to, those that fail to meet the purpose and need, are technologically infeasible or illegal, or would result in unreasonable environmental harm. The following alternatives were considered but were eliminated from detailed analysis:

Limit Forest Openings to 40 acres or less Alternative

The action alternative analyzes in detail the effects of including even-aged regeneration harvest treatments that would create forest openings larger than 40 acres in size. For this project we are seeking approval from the Regional Forester to create forest openings that exceed that size. An alternative was initially considered that limited the size of potential openings to 40 acres or less. This alternative was proposed by the interdisciplinary team as a way to help determine if project goals and objectives could be achieved without exceeding the opening size restriction. This alternative was eliminated from detailed analysis because limiting openings to less than 40 acres would clearly not allow the realization of project goals related to forest patch size and pattern, hazardous fuels, and insect and disease hazard (EA p. 4, 16). It would not appropriately or effectively address the scale of current insect and disease hazard, or create ecologically desirable patterns of early seral structure, or provide persistent, effective wildfire threat.

Intermediate or “Thinning Only” Treatments

Intermediate harvest would not be effective because it would exacerbate root disease effects (through buildup in the stumps and root systems of the fungi that cause root disease), lead to heavy blowdown, and encourage advanced regeneration of grand fir and Douglas-fir (EA p. 14).

More Commercial Harvest

In both the scoping and EA review comment periods, the American Forest Resource Council (AFRC) suggested that more acres should be treated through commercial harvest to better accomplish the need and to improve the economic efficiency of the project. Although, 69 percent of the project area (8,129 acres) is designated as MA-6 not all of this acreage met criteria for timber harvest. The proposed action will treat about 21 percent (1,719 acres) of the potentially available land in MA-6.

Table 1. Retention Areas in MA-6

| Type of Retention | # Acres | % MA-6 |
|-------------------------------------|--------------|-------------|
| Relatively Recent Harvest | 1,563 | 19.2 |
| High Mass Failure Zones | 387 | 4.7 |
| Elk Security Acres | 1,785 | 21.9 |
| Riparian Habitat Conservation Areas | 1,701 | 20.9 |
| Old Growth | 583 | 7.2 |
| Miscellaneous | 391 | 4.8 |
| Total | 6,410 | 78.7 |

The potential harvestable area was reduced by relatively recent harvests (1,563 acres) and high mass failure potential zones (387 acres). The project area was further reduced to reserve land for elk security (1,785 acres), for riparian habitat conservation areas (RHCA 1,701 acres), and retained existing old growth (583 acres). Approximately 4.8 percent of the MA-6 is miscellaneous retention areas. Of the 8,129 acres of MA-6 land, about 21 percent (1,719 acres) remained potentially available for harvest.

I believe that the proposed action would treat a reasonably large “footprint” within the acreage that is currently available for commercial timber harvest at this time.

Amend the Forest Plan for Elk Security within Elk Management Unit Area 7-6

At the time of scoping the Brebner Flat project, it appeared that the proposed action would result in a loss of 210 acres of elk security in the Elk Management Unit 7-6 due to activities associated with timber harvest such as the construction of roads, tree plantings, and fuels treatments in the project area. If elk security was reduced, then a Forest Plan Amendment would have been required. During project development post-scoping, specialists conducted a more thorough analysis of the INFRA roads database and determined that there was an opportunity to create additional elk security in Elk Management Unit 7-6. The seasonal closure of approximately 1 mile of the OHV portion of road 1956E would increase elk security in the elk management unit by 314 acres, leading to a net gain in security of 94 acres. The proposal to amend the Forest Plan was no longer an alternative that needed to be carried forward.

Public Involvement and Scoping

The Brebner Flat Project proposal was developed by resource specialists working collaboratively with the public, private timber landowners, Benewah County Commissioners, Shoshone County Commissioners, County Natural Resource Teams; Shoshone-Benewah Collaborative Group; state (i.e. Idaho Fish and Game); and other federal government agencies (i.e. US Fish and Wildlife Service). The proposal was refined over the course of the project development through interdisciplinary resource discussions and field surveys.

In February 2018, a scoping notice was distributed to solicit comments on the proposed action from the public, various interest groups, tribes, and agencies. A press release was issued, and the project details were listed on the Idaho Panhandle National Forest’s Quarterly Schedule of Proposed Actions.

The interdisciplinary team carefully considered the comments that were received and determined how they would be incorporated into project development.

The EA was completed and released to the public in March 2019. A legal notice was published in the Coeur d'Alene Press on March 15, 2019. The St Maries Gazette, Spokesmen Review and the Coeur d'Alene Press had an article that the Forest Service was seeking comments on the proposed Brebner Flat project. We received seven letters from interested parties. The interdisciplinary team conducted a thorough analysis of the comments and prepared responses to each one (see the Idaho Panhandle National Forests website). The EA was updated to clarify information in response to the comments. Based on a review of the comments, I concluded that there were no substantive issues that weren't already considered and addressed.

Finding of No Significant Impact

The following is a summary of the project analysis to determine significance, as defined by Forest Service Handbook 1909.15_05. "Significant" as used in NEPA requires consideration of both context and intensity of the expected project effects.

Context means that the significance of an action must be analyzed in several contexts (i.e. local regional, worldwide), and over short and long time frames. For site-specific actions, significance usually depends upon the effects in the local rather than in the world as a whole. This project is limited in scope and duration. The project was designed to minimize environmental effects through design features and BMP's.

Intensity refers to the severity of the expected project impacts and is defined by the 10 points below.

Context

The proposed treatments (EA, Appendix A, Figure 7) encompass a limited area of various vegetation (fuels reduction / prescribed burning treatments) and the activities are limited in duration. The project is anticipated to be awarded in 2020 and the completion date for the contract work (roadwork and harvest activity) is expected to be in 2026.

Implementation of roadwork associated with timber sales will begin once the project is awarded. Restoration activities such as prescribed burning for site preparation, tree planting and any road reconditioning/storage activities are generally completed within five years after harvesting a particular unit, depending on the prescribed burning windows of opportunity such as weather, fuel conditions and resource availability.

Effects are local in nature and are not likely to significantly affect regional or national resources. This action is also a continuation of fuel reduction, forest health and similar projects that have occurred for many years on the Idaho Panhandle National Forests and elsewhere across the Northern Region and the nation as a whole. Short-term negative effects will be addressed through implementation of the standards and guidelines in the Idaho Panhandle forest plan, best management practices, and the design measures developed specifically for this project. The project's design features minimize and avoid negative impacts to the extent that such impacts are almost undetectable and immeasurable, even at the local level (see cumulative effects sections of resource reports and design features in the EA and Appendix C).

As discussed in more detail below for the intensity factors of significance, the context of this proposal is largely limited to the locale of the project area. Even in a local context, this proposal would not pose significant short or long-term effects. The proposal's relatively small scale (0.002 percent of the St Joe Ranger District) limits its effects on the natural resource values and uses. The analysis of potential environmental impacts related to project activities demonstrates that no aspect of the proposal would result in any significant impacts. The proposal is a site-specific action that does not have international, national, regional, or statewide importance. The physical and biological effects of the selected actions were analyzed at appropriate scales, such as within the project area, adjacent to the project area, or across a larger landscape. The analysis area differs for each resource and rationale for each analysis area is provided in individual specialist reports.

Intensity

The following factors were considered to evaluate intensity.

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

I considered the past, present, and reasonably foreseeable actions in conjunction with beneficial and adverse impacts associated with activities as presented in the Brebner Flat project EA. These impacts are within the range of effects identified in the IPNF Forest Plan. I conclude that the specific direct, indirect, and cumulative effects of the proposed action are not significant and this action does not rely on beneficial effects to override any adverse environmental effects.

Impacts associated with my decision to implement the proposed action are discussed in the EA and are listed by resource topic. For some resources, implementing the proposed action would exhibit both beneficial and adverse effects, which were discussed in sufficient detail to enable me to make my determination. The environmental assessment focuses more effort on those resource areas where some type of predicted adverse effect(s) are anticipated and provides sufficient information to determine that this project will not have a significant impact (beneficial or adverse).

It is also important to understand that the predicted impacts were identified and mitigated early in the design phase of this project using input from the group, all public stakeholders, and other related agencies.

2. The degree to which the proposed action affects public health or safety.

It is my determination the proposed action will not have significant effects on public health and safety. Warning signs will be placed in areas where logging traffic may interfere with recreational traffic to inform visitors of logging activities. Prescribed burning will only occur when weather and air conditions are favorable for smoke dispersal. No prescribed burning will be initiated when air quality restrictions are in place (EA, Appendix C, p.52). While active logging and prescribed fire operations are occurring, visitors recreating in the area may experience temporary trail closures.

I recognize the value of snags for wildlife habitat, and they will remain standing where possible, see the Forest Plan (FW-GDL-VEG-04, FW-GDL-VEG-05). I also recognize snags may need to be felled for the safety of workers during operations.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

No eligible historic properties have been identified within the proposed harvest units; therefore, the project will result in no historic properties affected (EA, p. 38).

Parts of the northern boundary of the project area falls within the St. Joe Wild and Scenic River Corridor (WSR). There are no activities proposed within the WSR corridor. A Section 7(a) Evaluation for the Wild and Scenic Rivers Act was completed (Project Record).

No long-term, measurable negative effect to riparian areas or wetlands are expected with this project because we will be using riparian habitat conservation area (RHCA) standards which provide shading and sediment filtering as required by the Forest Plan. This activity within the RHCA is not expected to be detrimental to stream temperatures because the natural topography and locations of the proposed unit would protect streams and streamside resources.

Per requirements of the forest plan and based on past forest plan monitoring of similar treatments (<https://www.fs.usda.gov/main/ipnf/landmanagement/planning>) the proposed action does not include activities in old growth stands present in the forest (EA, p7).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Monitoring shows effects of similar projects are consistent with estimated effects of the proposed activities (see monitoring reports on the Idaho Panhandle National Forests website: <https://www.fs.usda.gov/main/ipnf/landmanagement/planning>). Effects of the proposed activities on the quality of the human environment are not highly controversial. This conclusion is based on: the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. Resource reports document the use of the best available science for each resource. The project file includes relevant literature citations, science references, biological assessments, and monitoring results used in the project analysis to support this decision.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The planned actions are similar to actions implemented in other areas on National Forest System land and on state, county, and private lands. Effects will be similar to those of past actions. The analysis considered the effects of past actions combined with the estimated effects of the proposal (see the cumulative effects analyses in the individual resource reports and EA sections). I conclude there are no unique or unusual characteristics of the area which have not been previously encountered or which constitute highly uncertain or unknown risks to the human environment.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed management actions are similar to actions conducted in the project area, in other areas on the St Joe Ranger District, and on other ranger districts of the Idaho Panhandle National Forests. The proposed action is not setting a precedent for future actions with significant effects. Management practices are consistent with the Forest Plan and within the

capabilities of the local ecosystem. Please refer to the Idaho Panhandle National Forests Monitoring Reports located at <https://www.fs.usda.gov/main/ipnf/landmanagement/planning>.

The proposed action does not represent a decision in principle about future actions.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The combined effects of past, present, and reasonably foreseeable future actions were considered and are summarized in the cumulative effects analysis for each resource. Past actions considered in the cumulative effects analyses include those that contributed to the baseline conditions in the project area. There are no indications of significant cumulative effects to the environment.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

The action would have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, and would not cause loss or destruction of significant scientific, cultural, or historical resources. Field surveys of the Area of Potential Effect (APE) have identified no listed or eligible scientific, cultural, or historic resources in the area that would be adversely affected by this decision. All known heritage resource sites have been identified in the project area and would be avoided. As required by Section 106 of the NHPA, a Section 106 survey was completed and consultation has been completed with the Idaho State Historic Preservation Office (EA, pages 38, and 39)

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

The selected alternative may affect but is not likely to adversely affect federally listed bull trout due to the potential for sediment generated in Kelley and Williams Creeks to reach the St. Joe River. The proposed project may impact westslope cutthroat trout individuals or habitat present in Kelley Creek, but will not likely contribute to a trend toward federal listing (EA, p. 34).

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action meets Federal, State, and local laws for air quality (EA p. 18), water quality and fisheries (EA, pp. 20, 34, 37-38.), rare plants (EA, p. 24), Heritage resources (EA, p. 38), soils resource (EA, p. 22), vegetation management (IPNF FEIS 2013), and wildlife resources (EA, pp. 26-27). Also refer to individual resource reports and the project file.

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that the proposed action will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared.

Findings Required by Other Laws and Regulations

National Forest Management Act (NFMA)

This project does not require any Forest Plan amendments. Project activities are consistent with the Forest Plan for the Idaho Panhandle National Forests (2015) and project-specific activities described in the NFMA (16 USC 1604 (i)).

Other NFMA Requirements

I have determined the proposed action is consistent with the following provisions of the National Forest Management Act:

1. Suitability for 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 (16 USC 1604(k)).

The proposed action complies with this requirement. All lands proposed for timber harvest are suitable timber lands. Portions of units 25a, 26b_2, and 19b_1 were originally mapped as being unsuitable for timber production. Subsequent stand exams and walk-throughs of areas in question by certified silviculturist field verified that the area was suitable for timber production (Forest Vegetation Report p. 25).

2. Timber Harvest on National Forest Lands (16 USC 1604(g)(3)(E)): A Responsible Official may authorize site-specific projects and activities to harvest timber on National Forest System lands only where:

a. Soil, slope, or other watershed conditions will not be irreversibly damaged (16 USC 1604(g)(3)(E)(i)). See below (c.)

b. There is assurance that the lands can be adequately restocked within five years after final regeneration harvest (16 USC 1604(g)(3)(E)(ii)).

The proposed action does comply with this standard because regeneration harvests are not proposed on sites with potential regeneration success concerns. Overall regeneration success on the St. Joe Ranger District is 90 percent for the period 1990 to 1999, with an 88 percent success within 5 years of harvest. The Idaho Panhandle National Forests 2012, 2013 and 2014 Forest Plan Monitoring and Evaluation Report (USDA, pg. 10; PF Doc. CR-040) states, "...it appears that 97 percent of the stands planted in the last 21 years are currently satisfactorily stocked."

c. 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 (16 USC 1604(g)(3)(E)(iii)).

The design of activities under the proposed action includes features designed specifically to protect water, soils, and fisheries, including use of best management practices and other criteria for road reconstruction and maintenance (EA, Appendix C). There would be no irreversible damage to soil, slope, or other watershed conditions. Vegetation management activities proposed within the INFISH buffers are non-commercial and designed to protect soil and water quality. All appropriate BMPs would be used to protect soil, slope and watershed conditions (Hydrology and Soils Reports).

d. 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 (16 USC 1604(g)(3)(E)(iv)).

The proposed action meets this requirement. The proposed action includes various levels of green tree retention in diverse arrangements (Silviculture Report, pp, 18-19). Green tree retention would be comprised primarily of healthy early-seral species. Where there are insufficient numbers of early-seral species, healthy mid-to-late seral species would be left. Green tree retention within harvest units reduces revenues because it reduces the timber volume sold and elevates logging costs.

3. Clearcutting and Even-aged Management (16 USC 1604(g)(3)(F)): Insure that clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an evenaged stand of timber will be used as a cutting method on National Forest System lands only where:

a. For clearcutting, it is determined to be the optimum method, and for other such cuts it is determined to be appropriate, to meet the objectives and requirements of the relevant land management plan (16 USC 1604(g)(3)(F)(i)).

The proposed action meets this standard because clearcutting with reserves is proposed only on severely diseased sites (root and stem diseases). Clearcutting with reserves followed by planting is the optimum method for meeting Forest Plan direction given existing site conditions and species composition. The proposed action would trend the forest vegetation towards conditions that are more resistant and resilient to disturbances and stressors (Silviculture Report, p. 26).

b. The interdisciplinary review as determined by the Secretary has been completed and the potential environmental, biological, esthetic, engineering, and economic impacts on each advertised sale area have been assessed, as well as the consistency of the sale with the multiple use of the general area (16 USC 1604(g)(3)(F)(ii)).

Potential environmental, biological, esthetic, engineering, and economic impacts have been assessed in detail and are summarized in the Brebner Flat EA in each resource area section and documented in more detail in the resource reports. Timber harvest is consistent with the multiple use of the general area described in the Forest Plan for Management Area 6 and other forest-wide components.

c. Cut blocks, patches, or strips are shaped and blended to the extent practicable with the natural terrain (16 USC 1604(g)(3)(F)(iii)).

The proposed action incorporating associated scenery design features would meet Forest Plan scenic integrity objectives in the short term and long term. Proposed activities would result in newly created openings, resulting in color and texture contrasts with the surrounding areas. To minimize these impacts, project design features would provide for all harvest units to be shaped to resemble natural openings in the surrounding area, avoid straight lines and right angles in design and layout (EA, p.31). Additional design features would require feathering of specific unit boundaries in order to blend in with the surrounding area (EA, Appendix C).

d. Cuts are carried out according to the maximum size limit requirements for areas to be cut during one harvest operation, provided, that such limits shall not apply to the size of areas harvested as a result of natural catastrophic conditions such as fire, insect and disease attack, or windstorm (FSM R1 supplement 2400-2001-2 2471.1, 16 USC 1604(g)(3)(F)(iv)).

Direction provided in the Region 1 supplement to FSM 2471.1 has been followed and Regional Forester approval has been sought for the units that will exceed the 40-acre opening size limitation.

e. Such cuts are carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and esthetic resources, and the regeneration of the timber resource (16 USC 1604(g)(3)(F)(v)).

Cuts will be carried out in a manner that will protect soil, watershed, fish, recreation, esthetic resources and the regeneration of the timber resource. Design features have been incorporated and are intended to minimize or mitigate effects that may be caused by project activities (EA, Appendix C).

4. Stands of trees are harvested according to requirements for culmination of mean annual increment of growth (16 USC 1604(m)).

Areas proposed for regeneration harvests have not met the culmination of mean annual increment. Inclusion of these stands is intended to increase representation of the seedling/sapling size class and western white pine/western larch forest types while decreasing the grand fir/hemlock forest type and small/medium size classes. This would trend these measures of forest resilience on the landscape within the project area toward the desired conditions. Current species composition in combination with the documented root disease give these stands elevated probability of early culmination (Silviculture Report, p. 26). The grand fir and Douglas-fir have already begun to decline due to root disease and stand examinations indicate root diseases are present throughout the proposed treatment area.

5. Construction of temporary roadways in connection with timber contracts, and other permits or leases: Unless the necessity for a permanent road is set forth in the forest development road system plan, any road constructed on land of the National Forest System in connection with a timber contract or other permit or lease shall be designed with the goal of reestablishing vegetative cover on the roadway and areas where the vegetative cover has been disturbed by the construction of the road, within ten years after the termination of the contract, permit, or lease either through artificial or natural means. Such action shall be taken unless it is later determined that the road is needed for use as a part of the National Forest Transportation System (16 USC 1608(b)).

See below (6.)

6. Standards of roadway construction: Roads constructed on National Forest System lands shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources (16 USC 1608(c)).

Temporary roadways (16 USC 1608[b]) and standards of roadway construction (16 USC 1608[c]): All new road construction would be completed using best management practices to protect soil and aquatic resources (EA, Appendix C). At the completion of their intended use, temporary roads would be decompacted, recontoured to the approximately shape of the surrounding terrain, and seeded or covered with debris to prevent erosion and accelerate hydrologic and vegetative recovery.

Consistency with the Forest Plan

The NFMA requires that projects and activities be consistent with the governing Forest Plan (16 USC 1604(i)). The IPNF Land Management Plan of 2015 (Forest Plan) establishes management direction for the IPNF. This management direction is achieved through the establishment of Forest-wide goals, desired conditions, objectives, standards, and guidelines. Additional desired conditions and accompanying standards and guidelines have been established for specific management areas (MAs) and geographic areas (GAs) across the Forest. Project implementation consistent with this direction is the process in which desired conditions described by the Forest Plan are achieved. This decision is consistent with the standards, goals, and objectives of the IPNF Forest Plan (USDA Forest Service 2015) as documented in the Brebner Flat EA, specialist reports, and in the project file.

The Brebner Flat Project contributes to the maintenance and/or attainment of Forest Plan goal FW-GOAL-VEG-01 related to vegetation composition, structure, pattern and processes. The project contributes to progress toward achieving the Forest Plan desired conditions, including FW-DC-VEG-01 through 12, FW-DC-TBR-01 through 03. The project contributes to meeting vegetation objectives described in FW-OBJ-VEG-01, 02 and FW-OBJ-TBR-01. The EA and specialist reports include a complete evaluation of forest-wide, MA, and GA standard and guidelines by resource, and all activities associated with the Brebner Flat project are consistent with the Forest Plan.

After reviewing the EA, I find that my decision is consistent with Forest Plan desired conditions, goals, objectives, standards, and guidelines.

Clean Water Act, Including State of Idaho Implementation

The proposed action is consistent with the requirements of the Federal Water Pollution Control Act as amended by the Clean Water Act, 33 U.S.C. §1251. The activities proposed in this project are unlikely to produce more than minor short-term water resource effects that would not damage or degrade watershed resources including stream channels and/or aquatic habitats (EA, p.37). This project would not adversely affect water resources due to the inherent site characteristics (geomorphological processes), stream channel form and function, operational limitations and design features. Best Management Practices (BMPs) and design features would be used to specifically minimize potential for soils and water quality disturbances and would greatly reduce potential for erosion, sedimentation or reduced water quality. (EA pp. 20, 37-38, 52).

Idaho Forest Practices Act

Best Management Practices or soil and water conservation practices would be applied under the proposed action, and all activities comply with the guidelines in the soil and water conservation handbook. A recent audit of BMPs pertaining to water quality indicates the USFS averaged 99 percent compliance with BMP rules since 1996, and identifies that BMPs are effective when properly installed (EA pp. 22, 35, 37-38, 52).

Idaho Roadless Rule

There are no Inventoried Roadless Areas within the Brebner Flat project area.

Idaho Stream Channel Protection Act

The proposed action is consistent with the requirements of this Act. Inland Native Fish Strategy (INFS) criteria incorporates specific protections for stream channels, and is included in this project (EA p. 35, Fisheries Report pp. 7, 13).

Executive Orders 11990 and 11988

All alternatives are consistent with these EO's regarding floodplains and wetlands. The proposed action proposes no treatment within wetlands or floodplains.

Executive Order 12962–Recreational Fishing

The selected alternative is consistent with Executive Order 12962 as amended by Executive Order 13474 because the short term impacts to westslope cutthroat trout and bull trout would not cause a reduction in the potential of the recreational fishery of the St. Joe River (Brebner Flat Fisheries Report, p. 26)

Clean Air Act

To comply with the Clean Air Act, approval to burn will be requested through the Montana/Idaho Airshed Management System (Airshed Group) in compliance with the Idaho State Implementation Plan. If necessary, the Idaho Department of Environmental Quality issues burn closures in order to protect air quality. The IPNF complies with all recommendations of the Airshed Group to limit smoke accumulations from project activities, to legal, acceptable limits (EA, p. 18).

Endangered Species Act

There are no threatened and endangered wildlife species in the Brebner Flat project area. A biological assessment for bull trout has been completed for proposed action and Section 7 consultation will be completed prior to signing the final decision notice (EA pp. 26, 34). There would be no effects to critical habitat.

Migratory Bird Treaty Act

The proposed action complies with this act because it does not intentionally take any migratory birds and meets the responsibilities identified by Executive Order 13186 which directs Federal agencies to evaluate the effect of Federal actions on migratory birds. For the proposed action, I've considered the potential effects to sensitive bird species and their habitat at the project level (Wildlife Report, pp. 3-4).

National Historic Preservation Act

As described in the EA (pp. 38-39), the Cultural Resource report and in item nine in the "Finding of No Significant Impact" section, the proposed action complies with this act. 36 CFR §800.4(b)(2) and 36 CFR §800.8(3)(c) allows utilization of the Finding of No Significant Impact to bind the agency to completion of the National Historic Preservation Acts' Section 106 process prior to implementation.

Executive Order 12898–Environmental Justice Act

The proposed action will not disproportionately impact minority or low-income populations. There were no public comments raised regarding environmental justice considerations, and no disproportional impacts to minority or low-income populations were identified during scoping or any other portion of public involvement during the course of this analysis. Therefore the proposed action complies with this order.

Executive Order 13112–Invasive Species

The proposed activities align with this Executive Order both by enacting measures to prevent new weed establishment, and also by taking steps to proactively monitor for new weed introductions or

spread from existing weed infestations, so that treatments can be implemented effectively (EA, Appendix C).

Administrative Review and Objection Rights

This decision is subject to the objection process pursuant to 36 CFR 218, subparts A and B. A written objection must be submitted to the reviewing officer within 45 calendar days following publication of the legal notice of the objection period in the Coeur d'Alene Press, which is the newspaper of record. It is the responsibility of objectors to ensure their objections are received in a timely manner (36 CFR 218.9(a)). The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Objectors should not rely upon time requirements provided by any other source.

Objections will only be accepted from those who have previously submitted specific, written comments regarding the project during the scoping and opportunity for comment periods in accordance with §218.5(a). Issues raised in objections must be based on previously submitted timely, specific, written comments regarding the proposed project unless based on new information arising after the designated comment opportunities.

The objection must contain the minimum content requirements specified in §218.8(d) and incorporation of documents by reference is permitted only as provided in §218.8(b). It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to §218.9. All objections are available for public inspection during and after the objection process.

The following address should be used for objections:

Objection Reviewing Officer
USDA Forest Service, Northern Region
26 Fort Missoula Road
Missoula, MT 59804

Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding holidays. Electronic objections must be submitted via an email to appeals-northern-regional-office@fs.fed.us. Please include "Brebner Flat Project Objection" in the subject line. Electronic objections must be submitted in MS Word (.doc or .docx) or rich text format (.rtf) or other format that can be read with optical character recognition software.

The number for faxed objections is (406) 329-3411.

The objection must meet the content requirements of 36 CFR 218.8(d), and include the following information:

- ◆ The objector's name and address, with a telephone number or email address, if available;
- ◆ A signature or other verification of authorship upon request (a scanned signature for email may be filed with the objection);
- ◆ When multiple names are listed on an objection, identification of the lead objector as defined in 36 CFR 218.2 (verification of the identity of the lead objector shall be provided upon request);

- ◆ The name of the project being objected to, the name and title of the responsible official, and the name of the national forest on which the project will be implemented;
- ◆ A description of those aspects of the project addressed by the objection, including specific issues related to the project and, if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; and supporting reasons for the reviewing officer to consider;
- ◆ A statement that demonstrates the connection between prior specific written comments on the particular project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity for formal comment.

Incomplete responses to these requirements make review of an objection difficult and are conditions under which the reviewing officer may set aside an objection pursuant to 36 CFR 218.10.

When objections are filed, approval of project activities will not occur until the pre-decisional review process is complete and a final decision notice issued. A decision will not be signed until the reviewing officer has responded in writing to all pending objections, and all concerns and instructions identified by the reviewing officer in the objection response have been addressed. All objections are available for public inspection during and after the objection process.

Implementation

If no objections are filed within the 45-day time period, implementation of the decision may occur on, but not before the fifth business day following the end of the objection filing period. For further information concerning the Brebner Flat Project, contact Beth Reinhart, project leader, at (208) 245-6034 or mreinhart@usda.gov during normal business hours.

Approved by:

DRAFT

JEANNE M HIGGINS
Forest Supervisor
Idaho Panhandle National Forests

Date

APPENDIX A: Treatment Units and Prescriptions

| Unit ID | Treatment Type | Acres | Logging System | Slash Treatment |
|---------|---|-------|------------------|--------------------------------|
| 01b | Seed Tree with reserves | 18 | Skyline | Yard Tops, Broadcast burn |
| 02b | Clearcut with reserves | 9 | Skyline | Yard Tops, Broadcast burn |
| 03a | Seed Tree with reserves | 5 | Ground Based | Yard Tops, grapple pile, slash |
| 03b | Seed Tree with reserves | 28 | Skyline | Yard Tops, Broadcast burn |
| 05b | Clearcut with reserves | 8 | Skyline | Yard Tops, Broadcast burn |
| 06a | Seed Tree with reserves | 6 | Ground Based | Yard Tops, grapple pile, slash |
| 06b | Seed Tree with reserves | 21 | Skyline | Yard Tops, Broadcast burn |
| 08a | Seed Tree with reserves | 12 | Ground Based | Yard Tops, grapple pile, slash |
| 08b_1 | Seed Tree with reserves | 17 | Skyline | Yard Tops, Broadcast burn |
| 08b_2 | Seed Tree with reserves | 16 | Skyline | Yard Tops, Broadcast burn |
| 09a | Seed Tree with reserves | 11 | Ground Based | Yard Tops, grapple pile, slash |
| 09b | Clearcut with reserves | 28 | Skyline | Yard Tops, Broadcast burn |
| 11a | Clearcut with reserves | 2 | Ground Based | Yard Tops, grapple pile, slash |
| 11b | Clearcut with reserves | 13 | Skyline | Yard Tops, Broadcast burn |
| 12b | Seed Tree with reserves | 18 | Skyline | Yard Tops, Broadcast burn |
| 13a | Irregular Shelterwood with reserves | 147 | Ground Based | Yard Tops, grapple pile, slash |
| 13b_1 | Irregular Shelterwood with reserves | 16 | Skyline | Yard Tops, Broadcast burn |
| 13b_2 | Irregular Shelterwood with reserves | 109 | Skyline | Yard Tops, Broadcast burn |
| 13c | Irregular Shelterwood with reserves | 62 | Off Road Skyline | Yard Tops, Broadcast burn |
| 14b | Clearcut with reserves | 58 | Skyline | Yard Tops, Broadcast burn |
| 19b_2 | Irregular Shelterwood / seed tree w/ reserves | 157 | Skyline | Yard Tops, Broadcast burn |
| 19b_3 | Irregular Shelterwood / seed tree w/ reserves | 18 | Skyline | Yard Tops, Broadcast burn |
| 19c | Irregular Shelterwood with reserves | 132 | Off Road Skyline | Yard Tops, Broadcast burn |
| 20a | Irregular Shelterwood with reserves | 33 | Ground Based | Yard Tops, grapple pile, slash |
| 20b_1 | Irregular Shelterwood with reserves | 4 | Skyline | Yard Tops, Broadcast burn |
| 20b_2 | Irregular Shelterwood with reserves | 10 | Skyline | Yard Tops, Broadcast burn |
| 21a | Irregular Shelterwood with reserves | 39 | Ground Based | Yard Tops, grapple pile, slash |
| 21b | Irregular Shelterwood with reserves | 16 | Skyline | Yard Tops, Broadcast burn |
| 22a | Clearcut with reserves | 36 | Ground Based | Yard Tops, grapple pile, slash |
| 22b | Clearcut with reserves | 17 | Skyline | Yard Tops, Broadcast burn |
| 23a | Irregular Shelterwood / seed tree w/ reserves | 52 | Ground Based | Yard Tops, grapple pile, slash |
| 23b | Seed Tree with reserves | 8 | Skyline | Yard Tops, Broadcast burn |
| 27a | Clearcut with reserves | 7 | Ground Based | Yard Tops, grapple pile, slash |
| 27b | Clearcut with reserves | 21 | Skyline | Yard Tops, Broadcast burn |
| 28a | Seed Tree with reserves | 1 | Ground Based | Yard Tops, grapple pile, slash |

| Unit ID | Treatment Type | Acres | Logging System | Slash Treatment |
|----------------|---|--------------|-----------------------|---------------------------------|
| 28b | Seed Tree with reserves | 12 | Skyline | Yard Tops, Broadcast burn |
| 29a_1 | Clearcut with reserves | 42 | Ground Based | Yard Tops, grapple pile, slash |
| 29a_2 | Clearcut with reserves | 17 | Ground Based | Leave Tops, grapple pile, slash |
| 29a_3 | Clearcut with reserves | 21 | Ground Based | Yard Tops, grapple pile, slash |
| 29b_5 | Clearcut with reserves | 23 | Skyline | Yard Tops, Broadcast burn |
| 29b_6 | Clearcut with reserves | 14 | Skyline | Yard Tops, Broadcast burn |
| 29b_7 | Clearcut with reserves | 53 | Skyline | Yard Tops, Broadcast burn |
| 29c | Clearcut with reserves | 12 | Off Road Skyline | Yard Tops, Broadcast burn |
| 30a | Clearcut with reserves | 14 | Ground Based | Yard Tops, grapple pile, slash |
| 30b_1 | Clearcut with reserves | 21 | Skyline | Yard Tops, Broadcast burn |
| 30b_2 | Clearcut with reserves | 12 | Skyline | Yard Tops, Broadcast burn |
| 31a | Clearcut with reserves | 7 | Ground Based | Yard Tops, grapple pile, slash |
| 31b | Clearcut with reserves | 6 | Skyline | Yard Tops, Broadcast burn |
| 32a | Clearcut with reserves | 11 | Ground Based | Leave Tops, grapple pile, slash |
| 33a | Seed Tree with reserves | 5 | Ground Based | Leave Tops, grapple pile, slash |
| 34a | Clearcut with reserves | 38 | Ground Based | Yard Tops, grapple pile, slash |
| 34b | Clearcut with reserves | 5 | Skyline | Yard Tops, Broadcast burn |
| 35a | Seed Tree with reserves | 29 | Ground Based | Yard Tops, grapple pile, slash |
| 36a | Seed Tree with reserves | 39 | Ground Based | Yard Tops, grapple pile, slash |
| 37b_2 | Clearcut with reserves | 29 | Skyline | Yard Tops, Broadcast burn |
| 37b_3 | Clearcut with reserves | 35 | Skyline | Yard Tops, Broadcast burn |
| 38c | Irregular Shelterwood / seed tree w/ reserves | 33 | Off Road Skyline | Yard Tops, Broadcast burn |
| 39a | Seed Tree with reserves | 8 | Ground Based | Yard Tops, grapple pile, slash |
| 39b | Seed Tree with reserves | 19 | Skyline | Yard Tops, Broadcast burn |
| 40b | Clearcut with reserves | 10 | Skyline | Yard Tops, Broadcast burn |
| 41b | Clearcut with reserves | 48 | Skyline | Yard Tops, Broadcast burn |