

United States Forest R-1
Department of Service
Agriculture

Reply To: 1570 (215)

Date: August 28, 1997

Subject: Cripplehorse Salvage Timber Sale, #97-01-00-0099
Kootenai National Forest

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Blaine Davey on behalf of The Ecology Center, Inc.; Alliance for the Wild Rockies; and Inland Empire Public Lands Council protesting the Kootenai National Forest Supervisor's Decision Notice (DN) for the Cripplehorse Salvage Timber Sale on the Libby Ranger District.

The Forest Supervisor's decision implements Alternative 4 which will harvest an estimated 4.6 MMBF of timber products from about 700 acres. About 1 mile of temporary road will be constructed and hydrologically neutralized after harvest activity. The decision also includes project-specific Forest Plan Amendments changing the standards of Management Area 12 for hiding cover, travel corridors and open road densities.

My review was conducted pursuant to, and in accordance with, 36 CFR 215.19 to ensure the analysis and decision are in compliance with applicable laws, regulations, policy, and orders. The Appeal Record, including the Appellants' objections and recommended changes, has been thoroughly reviewed.

APPEAL SUMMARY

The Appellants allege violations of the Forest Plan.

The Appellants request the decision be remanded and the Libby District be ordered to complete cumulative effects analyses for wildlife, water quality, and fish within the Cripplehorse Creek drainage; to consider all alternatives including those not requiring a Forest Plan amendment; and to release disclosure of the current condition of elk habitat and populations within the Cripplehorse analysis area. The Appellants also request the effects of site-specific amendments within the analysis area be disclosed to the public.

An informal meeting and field trip was offered, but Appellants were unable to attend. Appellants stated they would initiate a conference call on August 19, but no call was received. No interested party comments were received.

FINDINGS

My recommendation is based upon the following evaluation:

Clarity

The decision is clear, well documented, and references the Environmental Assessment (EA). The decision summary and criteria provide a clear understanding of the process and rationale used in making the decision.

Mitigation and design features are documented for each alternative, and Forest Plan monitoring is referenced.

Maps in the EA are appropriate, accurate and legible.

I conclude the decision and rationale are clearly documented.

Purpose of the Proposal and Comprehension of Benefits

The DN provides good documentation of the purpose and need and is well linked to existing and desired conditions. The DN displays good linkage between the purpose and need and the Forest Plan.

It is stated clearly that taking no action would not meet the purpose and need for the project. The no-action alternative was given full consideration in the DN and EA. There is a good comparison of benefits of the selected alternative in terms of the purpose and need. The DN compared the no-action alternative to the benefits of the selected alternative, and it is more fully covered in the EA.

The DN clearly and extensively documents how the four decision criteria were used. The source and rationale for the decision criteria are clearly depicted as Forest Plan standards, goals and objectives; need for the action; relationship to environmental issues and public concerns; and compatibility with other agency and Tribal goals. The relationship between the decision criteria and the selected alternative is thoroughly documented with numerous references to the alternatives in discussions of the decision criteria. The comparison among alternatives is well documented, and it is clear why the selected alternative was chosen. The reasons for eliminating three alternatives from further study are clearly explained and well documented. The decision provides a good discussion of how the selected alternative responds to public comment.

I conclude the decision demonstrates and supports the need for, and the benefits of, the proposed action.

Consistency With Policy, Direction, and Supporting Information

The EA and DN do an excellent job describing Management Area goals for the project area and tying the proposed action to those goals. Although the action proposed does not meet current Forest Plan standards for the area, the EA and DN explain the effects of pine beetle infestations on resource conditions in the area and how the proposed action will better meet Forest Plan goals and objectives in response to those conditions.

The EA and the rationale for the decision in the DN disclose how harvest and regeneration of these forests will result in ecological benefits for the area. However, the documentation would have been improved by describing these benefits more thoroughly in the Purpose and Need for the project rather than focusing heavily on the production of forest products and fuel reduction.

The EA and DN provide an excellent description of the ecological consequences of not taking action and utilize those consequences in supporting the selected action.

Although no specific features of the Interior Columbia River Basin Ecosystem Assessment are discussed, it is evident that ecological and social principles were considered.

The Finding of No Significant Impact (FONSI) is clear and supported by the documentation, but would have been strengthened by providing direct references to related analysis contained in the effects section of the EA. The FONSI explains the determination of no significant impact in terms of both context and intensity. There are no significant effects identified that require mitigation.

I conclude the proposal is consistent with agency policy and direction, the Forest Plan, and all regulations and legal requirements.

Effectiveness of Public Participation Activities and Use of Comments

Public involvement was initiated through legal ads and over 100 letters sent to

individuals and agencies. The Confederated Kootenai and Salish Tribes and State and other Federal entities were consulted.

Issues were identified from the comments received and were considered by the Responsible Official and analyzed for significance. It is not clear, in the DN, why some issues were not given detailed review; but the project file contains the interdisciplinary team's determination of the significance of these issues.

The Responsible Official considered public comments and those issues are reflected in the range of alternatives. So few comments were received that a formal content analysis process was unnecessary, but comments were separated by issue. Responses to comments address the issues in a positive tone, and a Response to Comments document was completed and mailed to commentors.

I conclude the public involvement process is adequate in its outreach and is appropriate for this project.

RECOMMENDATION

I recommend the Forest Supervisor's decision be affirmed and the Appellants' requested relief be denied.

/s/ Clyde G. Weller

CLYDE G. WELLER
Appeal Reviewing Officer