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Final Environmental Impact Statement for the Land Management Plan

Appendix I: Lolo Trail National Historic Landmark Administrative Context and Management Recommendations

Nez Perce-Clearwater National Forests

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Final Environmental Impact Statement for 2023 Land Management Plan for the Nez Perce-Clearwater National Forests

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Abstract: This Final Environmental Impact Statement documents the analysis of the Preferred Alternative and four additional action alternatives developed for programmatic management of the four million acres of National Forest system lands administered by the Nez Perce-Clearwater National Forests. The purpose is to provide land management direction for the Nez Perce-Clearwater National Forests, combining the 1987 Nez Perce National Forests Land Management Plan and the 1987 Clearwater National Forest Land Management Plan into one plan for the Nez Perce-Clearwater National Forests, now managed as one administrative unit.

Contents

Lolo Trail National Historic Landmark Facts

1. Nationally, the 2,500 properties designated as National Historic Landmarks tell stories that are of importance to the history of the entire nation, not just local communities or states. They are places where our nation's most significant historic events occurred. The designation of a property as a National Historic Landmark indicates the property "*possesses exceptional value or quality in illustrating and interpreting the heritage of the United States*" and "*represents an outstanding aspect of American history and culture*." Accordingly, these properties must possess a high, not simply good, level of historic integrity to retain their status as a National Historic Landmark.

2. Approximately eight percent of National Historic Landmarks are located on federal land. Therefore, the Lolo Trail National Historic Landmark is a relatively rare entity on the federal landscape. Indeed, the Lolo Trail National Historic Landmark is the largest National Historic Landmark in the U.S. Forest Service Northern Region and encompasses the longest intact segments of both the Nez Perce National Historic Trail and the Lewis and Clark National Historic Trail in the nation.

3. The portion of the greater Lolo Trail National Historic Landmark located in Idaho is approximately 60,000 acres in size and 62 statute miles in length extending from the Nez Perce-Clearwater boundary in the west near Musselshell Meadows to the Nez Perce-Clearwater boundary to the east at Lolo Pass. It encompasses one percent of the Nez Perce-Clearwater and varies approximately one-quarter to 1 ¾ miles wide. The Landmark also extends well onto the Lolo National Forest. Thus, the Landmark is essentially a lineal corridor, but also has several lateral extensions giving it a somewhat braided appearance.

4. The Lolo Trail National Historic Landmark was determined eligible as a National Historic Landmark by the Department of Interior on October 9, 1960, as an outgrowth of congressional direction found in the 1935 Historic Sites Act. Later, in 1963, it was formally registered as a National Historic Landmark with an official certification ceremony held at the Powell Ranger Station on August 11, 1965. It was subsequently listed on the National Register of Historic Places on October 15, 1966, upon the National Register's creation that year following the passage of the National Historic Preservation Act.

5. The period of significance for the Lolo Trail National Historic Landmark, as stated in the 1993 Registration Form, is 1805 to 1806 and 1877. These years are associated with the Corps of Discovery's journey across the Lolo Trail corridor as well as the Nez Perce Indian's use of the trail during their flight from the U.S. Army during the Nez Perce War of 1877. The Bird-Truax trail, which is a portion of the larger Lewiston—Virginia City Wagon Road, was largely built upon the centuries—old Lolo Trail in 1866 to 1867. It is also subtly incorporated by reference into the National Register nomination as a contributing feature given General Howard's pursuit of the Nez Perce in 1877 and the subsequent trailing of his army's equipment along the Lolo Trail would not have been possible without the Bird-Truax trail widening effort 10 years earlier. Thus, the period of significance should also include 1866 to 1867. The Lolo Motorway is not a contributing feature of the Landmark since it is not associated with events significant to the United States. However, the Lolo Motorway is eligible for the National Register of Historic Places in its own right given its importance at the local and state level.

6. In 1968, Congress passed the National Trails System Act. It established a framework for a nationwide system of scenic, recreational, and connecting trails. Authority to establish national historic trails was added in 1978. The Lewis and Clark National Historic Trail and the Nez Perce National Historic Trail (related to the Nez Perce War of 1877) were designated by Congress as National Historic Trails in

1978 and 1986 respectively. Each extends through the Lolo Trail National Historic Landmark and contributes significance to it.

7. The Nez Perce National Historic Trail connects 38 sites associated with the Nez Perce National Historical Park, which was established by Congress in 1965. Today the historic trail is administered by the U.S. Forest Service while the Nez Perce National Historical Park is managed by the National Park Service. Indeed, the Nez Perce National Historical Park has two sites located within the Lolo Trail National Historic Landmark located at Musselshell Meadows and Lolo Pass. This management linkage requires close cooperation between the agencies, as well as consultation with the Nez Perce Tribe.
8. Nationally, in 2000 and 2001 approximately 90 percent of the more than 2,500 National Historic Landmarks were considered "*without damage or imminent threats"* (Preserved) by the National Park Service. The remaining ten percent fell into one of three undesirable condition classifications. Unfortunately, the Lolo Trail National Historic Landmark falls into this latter ten percent and is specifically listed in the "Watch" category. A National Historic Landmark listed in the "Watch" category is defined as a property "*that faces impending actions or circumstances that likely will cause a loss of integrity.*"
9. The designation of a property as a National Historic Landmark is meant, in part, to provide the property's historic character with a measure of protection against any project initiated by the federal government. When a landmark is altered so that it has lost its ability to convey its national significance, the withdrawal of its National Historic Landmark designation must be considered.

Lolo Trail National Historic Landmark Integrity Discussion

According to federal frameworks meant to manage National Historic Landmarks, a property must possess and retain "*high*" integrity to qualify as a National Historic Landmark since a National Historic Landmark is a resource that "*possesses <u>exceptional value or quality</u> in illustrating or interpreting the heritage of the United States."* This is different from the more traditional cultural resource eligible for the National Register the agency typically manages and protects whereby "good" integrity is generally considered acceptable. A National Historic Landmark is a historic property with the highest significance and integrity requirements.

Accordingly, per 36 CFR 800.10(a), the federal agency should undertake such planning and actions to the maximum extent possible as may be necessary to minimize harm to any National Historic Landmark that may be directly and adversely affected by an undertaking and "*give special consideration to protecting National Historic Landmarks…*"

In 1976, a National Register nomination form was completed for the Lolo Trail as part of a larger 1970s National Historic Landmark boundary study program initiated by the National Park Service. The purpose of the 1970s program was to update and better document earlier National Historic Landmark designations of the 1960s. While many National Historic Landmark nominations crafted during this boundary study program, including the 1976 Lolo Trail nomination, were never accepted as formal documentation for their respective National Historic Landmark, they did, however, succeed in providing additional historical, contextual, and boundary information as intended. Accordingly, the 1976 registration form for the Lolo Trail states: "…. *the integrity of the landmark depends upon preservation of the undisturbed natural setting as seen and described by the explorers.*" A five- to ten-mile-wide landmark boundary corridor was proposed in the 1976 nomination form and was meant to encompass the necessary "*wilderness setting*" associated with the Landmark's period of significance. The 1976 nomination described the condition of the landmark as being "*nearly pristine, except for a very few primitive Forest*

Service facilities, including campsites, fire lookout stations, fire access roads, and also logging roads and some unfortunate areas of clearcut logging." In 1993, a formal boundary for the Lolo Trail National Historic Landmark was established for the first time by the National Park Service based on research conducted in 1988 by Merle Wells, a former Idaho State Historic Preservation Officer. Rather than adopting the 1976 proposal of a five- to ten-mile-wide corridor the final boundary adopted a more narrowly defined corridor extending approximately one-quarter to 1 ¾ miles wide. This dramatic reduction in size makes the integrity of the current corridor of critical concern.

Following 36 CFR 800.5 (a)(2), an adverse effect to the integrity of the Lolo Trail National Historic Landmark may result from changes to the character of the property's physical features that contribute to its historic significance or introduce visual or atmospheric elements that diminish the integrity of the property's significant historic features. Agency actions that introduce visual intrusions to the Landmark would likely be considered "*impending actions or circumstances that likely will cause a loss of integrity"* and further potentially degrade the Landmark and its legal status. Further, in keeping with the Secretary of Interior's Standards for the Treatment of Historic Properties, preserving the Landmark's integrity also involves avoiding the alteration of features, spaces, and spatial relationships that characterize its integrity.

Of the seven elements of integrity a historic property can possess, as described in 36 CRF 60.4, the Lolo Trail National Historic Landmark conveys its historic significance through six of these qualities consisting of location, design, setting, workmanship, feeling, and association. Integrity qualities of setting, feeling, and association are more difficult to discern and are defined in Appendix J1.

As needed, the Heritage Program will conduct effects analyses for potential Landmark projects with the above principles in mind. These concepts form the broad sideboards of the best available science used to manage National Historic Landmarks and the assessment of effects to them, including cumulative effects. **The preservation of the natural setting of the Landmark, and the protection of historic features within, provide a baseline for ensuring the integrity of the Lolo Trail National Historic Landmark is retained.**

The natural setting of the Landmark during its periods of significance has been well documented by journalists of the Corps of Discovery as well as General Howard. There is no doubt the Landmark existed as a heavily forested environment given the historic descriptions offered by each. The daunting nature of the thick and fallen timber and dense underbrush, in part, led Patrick Gass of the Corps to describe the Lolo Trail corridor as being located within "*the most terrible…dismal and horrible mountains…I ever beheld.*" Other members of the Corps variously described the natural setting of the Lolo Trail corridor as:

> "Thickly Strowed with falling timber & Pine Spruc fur Hackmatak & Tamerack," "emence quantity of falling timber," "thickly timbered Countrey of 8 different kinds of pine," "thickly covered with a heavy growth," "much falling timber," "thick forrest," "heavily timbered," "exceedingly thickly timbered," "thick wood much obstructed with fallen timber," "intolerable bad fallen timber," "thick under growth," "crouded with fallin timber," "under brush being very thick and great quantities of fallen timber," "obstructed with brush and innumerable logs of fallen timber," "covered thick with different kinds of pine timber."

See Appendix I-2 for expanded contextual descriptions of the Corps of Discovery's and General Howard's observations concerning the natural setting of the Lolo Trail Corridor in the 19th Century.

Management Concerns

1. Concerning the Lolo Trail National Historic Landmark's "Watch" condition status, there were times in the past when the National Historic Landmark and its associated legal status were viewed as

something that was meant to "get around" as the Nez Perce-Clearwater went about its management activities as if it was just another piece of National Forest System land. In actuality, this could not be further from the truth. The Nez Perce-Clearwater should consider the legal designation an asset and manage it according to the *Primary Purpose* for which it was created instead of seeking out loopholes that allow the sidestepping of congressional intent.

2. Landmark management is no more about trail management than is wilderness management necessarily about the trails within wilderness. While historic trails within the Landmark are critically important and ultimately contribute significance to the Landmark, the Nez Perce-Clearwater stumbled in the proverbial sense by losing sight of the forest because of the controversy surrounding the individual trees within. Accordingly, the Nez Perce-Clearwater needs to take a step back and refocus our attention while chasing and debating which of the multitude of trail treads in the Landmark are associated with what lineal feature of importance and whether the Corps of Discovery travelled around the north or south side of a given mountain and crafts well intentioned and important trail management guidelines. The basic unit of analysis should be the Landmark. The Landmark is not just a concept. It is an officially defined, formally bounded, legally designated, and protected noun. The Lewis and Clark National Historic Trail and Nez Perce National Historic Trail are both located within the Lolo Trail National Historic Landmark. However symbiotic and compatible, trail management guidelines associated with these nationally important historic trails are not sufficient as Landmark management doctrine in and of themselves. A higher level of focus and consideration is needed that has within it the necessary trail management component. National Historic Trail management is not National Historic Landmark management.
3. Because no formal Landmark management plan has been developed, the agency has for years reverted to trail management guidelines within the Landmark as proxy Landmark management guidance. As a result, a culture has developed to think of Landmark management as simply being about protecting historic trails within the Landmark through visual buffering instead of assessing effects to the larger property at the Landmark level of analysis **whereby the integrity of the natural setting is a primary focus.**
4. A Nez Perce-Clearwater management goal should be to take steps necessary to move the Lolo Trail National Historic Landmark into the "Preserved" category (90% category noted above); not perform actions that further degrade it. To move the Lolo Trail National Historic Landmark into the "Preserved" category the Nez Perce-Clearwater needs to, in part, finalize formal management prescriptions that have at their core the intent to maintain and enhance the National Historic Landmark according to the values that make it function as a National Historic Landmark and as Congress originally intended.

Lolo Trail National Historic Landmark Management Recommendations

The following management recommendations are meant to ensure the Lolo Trail National Historic Landmark's integrity is not simply retained, but improved such that the Landmark can be removed from the Department of Interior's "Watch" list.

1. Allowing natural vegetative processes to occur within the Landmark is an overriding goal and focus. However, employing prescribed fire to restore vegetative resiliency is acceptable.
2. Fire suppression within the Landmark is conducted utilizing Minimum Impact Suppression Tactics. Principles inherent within the Minimum Impact Suppression Tactics guidelines involve:
    a. Suppressing wildfire while minimizing the long-term effects of the suppression action.

Trail treads associated with national historic trails within the Landmark will not be widened or deepened during fire suppression efforts. Vegetation clearing along national historic trails during fire suppression efforts will adhere to appropriate trail maintenance standards whereby the visual integrity of the national historic trails is retained. Other historic properties within the Landmark will also require protection during fire suppression efforts. Early coordination with the Archaeologist will help ensure their identification and protection.

b. Using the minimum amount of forces necessary to effectively achieve protection objectives.

   Direction for suppressing wildland fire within the approximate 36-mile segment separating the Mex Mountain and Beaver Dam Saddle localities in the western portion of the Landmark and Wendover Ridge in the eastern portion of the Landmark will be specifically addressed in the revised Forest Plan. That plan will propose fire within this specific corridor not be suppressed excepting public safety and infrastructure protection. However, until the revised plan is formalized, fire suppression within this 36-mile corridor will follow the Minimum Impact Suppression Tactic principles identified above.

c. Suppression tactics that reduce the need for rehab are preferred whenever feasible.

3. Motorized travel is allowed as per the Clearwater National Forest Travel Plan.
4. Complete a Landmark firewood cutting policy, including a camp-wood policy. Cutting and damaging cambium-peeled (culturally used) trees is not allowed.
5. Removal of trees, including but not limited to ground-based mechanical, helicopter or horse logging, is not allowed excepting hazard tree removal whereby stumps will be flush-cut. Creating landings or other visual disturbances within the Landmark associated with vegetative management activities outside the landmark is also not allowed.
6. Temporary and formal road construction is not allowed.
7. Appropriate road and trail maintenance are allowed that does not adversely affect the Landmark's integrity.
8. Decommissioning of non-system roads is allowed.
9. Vegetation management outside, but immediately adjacent to the Landmark, is undertaken in a way that visually feathers[1] or otherwise masks the square, lineal nature of the Landmark's formal 1993 boundary.
10. Visual consideration[1] (feathering and buffering for example) is afforded to areas outside, but immediately adjacent to, the Landmark where historic trails are located along the immediate interior boundary of the Landmark. This recommendation may be unnecessary should the Landmark boundary be revised to better insulate the historic trails within.

[1] See italicized-bold print under Setting in Appendix I1

Appendix I-1

The Department of Interior has defined the integrity elements of setting, feeling, and association as follows.

Setting. Setting refers to the *character* of the place in which the property played its historical role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features – a gorge or the crest of a hill
- Vegetation
- Simple manmade features – paths or fences
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings. This is particularly important for historic districts.

Feeling. Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century.

Association. Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle.

Appendix I-2

Below are expanded descriptions, by period of significance, of the natural setting of the Lolo Trail corridor offered by journalists of the Corps of Discovery in 1805 to 1806 (Moulton 1988), John Mullan's 1854 summary (Stevens 1855), and General Howard's 1877 observations (Howard 1881).

1805:

"*The Mountains which we passed to day much worst than yesterday the last excessively bad & Thickly Strowed with falling timber & Pine Spruc fur Hackmatak & Tamerack, Steep & Stoney our men and horses much fatigued*." – William Clark September 14th

"*emence quantity of falling timber which had falling from dift. causes i e. fire & wind and has deprived the Greater part of the Southerley Sides of this mountain of its gren timber…*" —William Clark September 15th

"*this mountain and all these Mountains are covred thick with different kinds of pine timber."* – John Ordway September 15th

"*The South (Knobs) Steep hills Side & falling timber Continue to day, and a thickly timbered Countrey of 8 different kinds of pine…"* —William Clark September 16th

"*Except on the sides of hills where it has fallen, the country is closely timbered with pitch and spruce pine, and what some call balsam-fir*." —Patrick Gass September 18th

"*the country is thickly covered with a very heavy growth of pine of which I have ennumerated 8 distinct species*." —Meriwether Lewis September 19th

"passed over a mountain, and the heads of branch of hungary Creek, two high mountains, ridges and through much falling timber (which caused our road of to day to be double the derect distance on the Course[)]" —William Clark September 19th

"Our rout lay through a thick forrest of large pine…" —Meriwether Lewis September 20th

"country heavily timbered great quantities of which had fallen and so obstructed our road that it was almost impracticable to proceed in many places." – Meriwether Lewis September 21st

"*About 10 o'clock we were ready to start; and passed along the ridge with a great deal of difficulty and fatigue, our march being much impeded by the fallen timber. A great portion of the timber through which we passed along this ridge is dead, and a considerable part fallen; and our horses are weak and much jaded."* —Patrick Gass September 21st

"*Some of the ridges the timber has been killed Some time past by fires, and is fell across the trail So that we have Some difficulty to pass.*" —John Ordway September 21st

"*The timber on this trail, had been killed by fire, and fell across the path, so that we had great difficulty to get along it*." —Joseph Whitehouse September 21st

"our rout was through lands heavily timbered, the larger wood entirely pine." —Meriwether Lewis September 22nd

1806:

"*The fallen timber in addition to the slippry roads made our march slow and extremely laborious on our horses. the country is exceedingly thickly timbered with long leafed pine, some pitch pine, larch, white pine, white cedar or arborvita [cedar] of large size, and a variety of firs. the undergrowth principally reed root [ceanothus] from 6 to 10 feet high…"* —Meriwether Lewis June 15th

"*We halted at a creek and took dinner; then proceeded over a very difficult road on account of the fallen timber*." —Patrick Gass June 15th

"found the road very bad falling timber &C." —John Ordway June 15th

"*the difficulty we met with from the fallen timber detained us until 11 oC"…"we set out and continued our rout though a thick wood much obstructed with fallen timber…"* —Meriwether Lewis June 16th

"*Crossed the Creek to the East and proceeded on through most intolerable bad fallen timber over a high Mountain on which great quantity of Snow is yet lying…"* —William Clark June 16th

"*the S W. Sides of the hills is fallen timber and burnt woods, the N. E. Sides of the hills is thickly timbered with lofty pine, and thick under growth." "Mountains, crouded with fallin timber mud holes and steep hills &:c."* —William Clark June 19th

"the hunters assured us that their greatest exertions would not enable them to support us here more than one or two days longer from the great scarcity of game and the difficult access of the country, the under brush being very thick and great quantities of fallen timber." —Meriwether Lewis June 20th

"we all felt some mortification in being thus compelled to retrace our steps through this tedious and difficult part of our rout, obstructed with brush and innumerable logs of fallen timber which renders the traveling distressing and even dangerous to our horses…an excellent horse of Cruzatte's snagged himself so badly in the groin in jumping over a parsel of fallen timber that he will evidently be of no further service to us." —Meriwether Lewis June 21st

1854:

"Taking a retrospective view of the country passed over from the Bitter Root Valley to the Nez Perces' Camp, I can arrive at but one conclusion—that route is thoroughly and utterly impracticable for a railroad route…From the head of Lo-Lo's fork to the Clearwater the country is one immense bed of rugged, difficult, pine-clad mountains, that can never be converted to any purpose for the use of man…This is the route followed by Messrs. Lewis and Clark, in 1804, and by Dr. Evans, the United States geologist for Oregon, in 1850. In a conversation with the latter named gentleman, he told me that it is by far the most difficult and uninviting country that he has ever examined in all his tours through the Rocky Mountains; and I am compelled to say that, in all my explorations in that region, I have never met with a more uninviting or rugged bed of mountains. The whole country is densely timbered, save at a few points where small patches of prairie occur sufficiently large to afford camping grounds; but beyond this it cannot be converted to any useful purpose."

1877:

"We found an abrupt descent at the Lolo fork; none but old frontiersmen and Indians could ride down, so we slipped and slid, fell, and scrambled up again. The pine trees were abundant, and, most of the way, filled in with a thick underbrush…Our trail ahead, we learned, was much obstructed by fallen trees. It is wonderful what vast numbers of trees, of all sizes and descriptions, were uprooted by the winds; and they had fallen in every possible troublesome way, so that, matted together, even when small, it was very

perplexing to get them out of the path. Nothing but axes would do it. We were, therefore, looking anxiously for our 'pioneers' Some forty or fifty of them, with axes, were coming from Lewiston." — General O. O. Howard July 30th

"The trail led through woods of same general character as before; rather a 'slow trail,' owing to mountainous country and fallen timber…Conceive this climbing ridge after ridge, in the wildest kind of wilderness, with the only possible pathway filled with timber, small and large, crossed ; and now, while the horses and mules are feeding on innutritious wire grass, you will not wonder at [why they travelled] 'only sixteen miles [a] day'…[the fleeing Indians] jammed their ponies through, up the rocks, over, and under, and around the logs, and among the fallen trees, without attempting to cut a limb, leaving blood to mark their path; and abandoned animals, with broken legs, or 'played out,' or stretched dead by the wayside." – General O. O. Howard August 2nd.

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