

APPENDIX B

Forest Plan Amendment #26 Site-Specific Exceptions to the Standards and Guidelines

Mill Park Forest Restoration Project
Ashley National Forest
Roosevelt-Duchesne Ranger District

Allowing openings greater than 40 acres in size and allowing openings next to areas that have not yet reached an average height sufficient to provide hiding cover for the management indicator species (MIS) using the area (involves areas proposed for overstory removal, clearcut, or shelterwood harvest falling within management areas f and n within the delineated project area – see maps in Appendix A).

The proposed action for this project includes this associated site-specific, non-significant Forest Plan amendment. The following paragraph is added to our existing 1986 Forest Plan, ch. IV, section F, part 3 Roosevelt Ranger District, pp. IV-79 to IV-81:

Management areas f and n – an exception occurs in these management areas on the Roosevelt Ranger District in those areas proposed for overstory removal, clearcutting, or shelterwood harvest in the Mill Park Forest Restoration Project (see the project maps in Appendix A and the Lake Fork Mountain quadrangle map in section F of the Forest Plan). Project-specific openings greater than 40 acres in size are permitted and the creation of openings is permitted next to older openings that have not yet regenerated enough to provide hiding cover for the MIS using the area. These exceptions are to facilitate the removal of beetle-killed trees in the area. This is consistent with the National Forest Management Act (NFMA) and subsequent planning rule provisions that maximum size limits should not be applied to areas harvested as a result of natural catastrophic conditions such as fire or insect and disease attack (16 USC 1604[g][3][F][iv]; see also 36 CFR 219.11[d][4]).

How the 2012 Planning Rule Applies to this Project-Specific Plan Amendment

We prepared this project-specific amendment under the current (2012) planning rule (36 CFR part 219), which has different provisions than the 1982 planning rule under which the existing plan was developed. Although the existing plan is not changed (until such time as the ongoing Forest Plan revision is complete), the exception that this amendment allows (an exception to the current plan's opening size limits) must be evaluated based on the 2012 planning rule.

As explained below, this amendment complies with all the procedural provisions and resource requirements of the 2012 planning rule.

The procedural provisions as related to a project-specific amendment are: using the best available scientific information to inform the planning process (§219.3), providing opportunities for public participation (§219.4), following the plan amendment process (§219.13), and including specific information in a decision document (§219.14). This plan amendment has complied with these procedural provisions by:

- §219.3: utilizing relevant peer-reviewed scientific literature and site-specific data to inform the analysis, including project design criteria and mitigation measures (see resource specialist reports and environmental assessment);
- §219.4: seeking input from 445 potentially interested parties (including online subscribers, hard copy subscribers, representatives of the Northern Ute Tribe, Duchesne County, the U.S. Department of Interior Central Utah Project Completion Act Office, and the grazing allotment permittees in the area) during scoping and providing a 30-day public comment period on the

environmental assessment (see documentation of public participation opportunities in project record);

- §219.13: following the plan amendment process by basing the amendment on a preliminary identified need for change and analyzing the potential effects of the amendment through appropriate National Environmental Policy Act (NEPA) procedures (see project record);
- §219.14: including in the decision document relevant information on rationale, compliance with sustainability requirements, applicability, and effective date of implementation (see decision notice).

We have determined the scope and scale of this amendment based on what is necessary for the project to meet its purpose and need. The proposed action and associated amendment will achieve the purpose of the project, which is to improve public safety, to increase the resilience and adaptive capacity of lodgepole pine and spruce-fir stands in the project area, to reduce hazardous fuel loading, to capture the economic value of beetle-killed and infested trees, to improve streams and meadows, and to ensure the integrity of an existing backcountry weather station in the area. We have considered doing a Forest-wide amendment for these opening size exceptions. However, due to current ongoing Forest Plan revision and to avoid the need for excessive analysis for possibly only short-term benefit (if the revision changes our standards/guidelines to be consistent with NFMA and Forest Service handbook 1909.12, ch. 60, sec. 64.21 direction), we decided to reduce the amendment scope to the project area only.

We have examined the potential effects of this amendment and have concluded it would not result in effects that are contrary to the substantive requirements of the rule, including: 1) ecological, social, and economic sustainability; 2) diversity of plant and animal communities; 3) ecosystem services and multiple uses; and 4) timber requirements based on NFMA (§219.8 to 219.11). This project-specific plan amendment complies with these requirements by:

- §219.8(a): providing for ecological sustainability including ecosystem integrity; air, soil, and water; and riparian areas as well as incorporating best management practices for water quality (see relevant resource sections in environmental assessment);
- §219.8(b): providing for social and economic sustainability by offering some commercial timber harvest areas as well as other stewardship or service contracts (see description of proposed action in environmental assessment);
- §219.9: maintaining the diversity of plant and animal communities in the plan area (see relevant sections in environmental assessment as well as the aquatics, plants, and terrestrial wildlife reports in the project record);
- §219.10: providing for ecosystem services and multiple uses (see relevant sections in environmental assessment as well as the specialist reports in the project record);
- §219.11: meeting specific NFMA-related timber requirements:
 - Most of the project occurs on lands suited for timber production. Even so, timber harvest strictly for the purposes of timber production is not the purpose of this project. This project would meet the requirement that no timber harvest for the purposes of timber production would occur on lands not suited for timber production. See forested vegetation report.
 - Harvest would only occur where soil, slope, or other watershed conditions would not be irreversibly damaged. See relevant sections in environmental assessment and soil and water reports.
 - Harvest would be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic values. See relevant sections in environmental assessment including project design criteria and relevant specialist reports.
 - Regarding clearcutting, seed tree cutting, shelterwood cutting, or other cuts designed to regenerate an even-aged stand of timber:

The current planning rule, as did previous rules, states that regional forester approval is required if the maximum size of areas cut in one harvest operation exceeds established size limits (§219.11[d][4]). However, established size limits do not apply to areas harvested as a result of natural catastrophic condition such as fire, insect and disease attack, or windstorm (16 USC 1604[g][3][F][iv]; see also 36 CFR 219.11[d][4]). Since this amendment involves cutting trees killed or damaged by bark beetle attacks, the size limits do not apply, and therefore no regional forester approval is required. An amendment is still required, however, because these exceptions to opening size limits are not stated in our current Forest Plan.

- Harvest would comply with NFMA resource protections, including those detailed above. See resource specialist reports and environmental assessment.
- Harvest quantity in this project and all projects on the forest combined is limited to an amount equal to or less than that which could be removed annually in perpetuity on a sustained yield basis (see Forest Plan).
- Because of bark beetle impacts in those stands proposed for harvest, as well as because timber production is not the primary purpose of the project, the culmination of mean annual increment of growth requirement does not apply (16 USC 1604[m]). However, those areas planned for even-aged harvest have met this requirement and, in fact, are beyond the culmination point. Culmination of mean annual increment of growth has passed in stands selected for even-aged harvest where stand ages are estimated to have been near 100 years old or more before insect-caused tree mortality. See forested vegetation report in project record.

This amendment applies only to the Mill Park Forest Restoration Project. Project-specific plan amendments such as this do not apply to future projects and activities. The project will be consistent with the plan, as amended for this activity.