

United States Forest R-1
Department of Service
Agriculture

Reply To: 1570 (215)

Date: August 4, 1997

Subject: Ice Storm Salvage, Appeal #97-01-00-0089
IPNF

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Jeff Juel on behalf of The Ecology Center, Inc.; The Inland Empire Public Lands Council; and the Alliance for the Wild Rockies protesting the Fernan District Ranger's Decision Notice (DN) for the Ice Storm Salvage on the Idaho Panhandle National Forests.

The District Ranger's decision adopts Alternative 2. The decision will implement salvage harvest in 11 specific areas of ice storm damage, salvaging ice-damaged and bark-beetle infested trees. A total of 1.7 miles of new road will be constructed, 6.4 miles reconstructed, and 17.8 miles reconditioned. All regeneration units will be treated with fire, site preparation, and planting. Inland Native Fish Strategy guidelines will be used for streamside buffer zones. Roadsides and landings will be seeded to reduce noxious weed infestations.

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.

SUMMARY

The Appellants allege violations of the National Environmental Policy Act (NEPA), the National Forest Management Act, the Administrative Procedures Act, and the 215 Appeal Regulations

The Appellants request the DN be remanded and the District be ordered to complete a NEPA-sufficient cumulative effects analysis and Environmental Impact Statement and comply with NEPA in identifying proposed additional salvage.

No informal meeting was held, and no interested party comments were received.

FINDINGS

My recommendation is based upon the following evaluation:

Clarity of the Decision and Rationale

The DN clearly describes the decision to harvest storm-damaged trees in certain areas of the Fernan Ranger District. Although a detailed process is described to evaluate and authorize salvaging in additional storm-damaged areas, these areas should be analyzed in accordance with Section 18.1 of Forest Service Handbook 1909.15.

The description of weather conditions which resulted in the widespread damage and potential insect and wildfire impacts provides the reader with an understanding of the need for the project. Monitoring requirements and mitigation are discussed in the DN and the Environmental Assessment (EA).

I conclude the decision is clearly stated.

Purpose of the Proposal and Comprehension of Benefits

The purpose and need statement could have been strengthened by more closely tying it to the desired condition of the forested landscape. The decision document provides an excellent discussion of the consequences of the no-action alternative.

Decision criteria used by the Responsible Official to frame the rationale for the decision are identified and discussed. The relationship between the decision criteria and the selected alternative is clear.

Public comment was used in issue development, and the DN also explains how the selected alternative responds to public comment. The District could have strengthened their position by including a more indepth discussion of the overwhelming support received for the project.

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

Consistency with Policy, Direction, and Supporting Information

The proposal is consistent with Forest Plan goals and Management Area direction and also with applicable laws and regulations.

Ecosystem management principles and concepts are utilized in identification of the purpose and need in both the environmental analysis and the decision document. It is clear that the no-action alternative, if implemented, would not move the area toward a healthy ecosystem.

The Columbia River Basin Assessment and other relevant guidelines are used to help define and support the decision.

The FONSI, which is clearly written and supported by the EA, explains the context and intensity of the determination. Although a search of documents and relevant regulation indicates that roadless characteristics will not be altered, the analysis and decision documents could have been improved by including roadless as an issue and by a clearer discussion of the lack of significance of the entries.

Mitigation measures for the selected alternative are identified in the FONSI. Monitoring requirements are referenced and tiered to the Forest Plan. The results of monitoring will be used to determine if corrective actions are necessary.

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

Effectiveness of Public Participation Activities and Use of Comments

The public was informed of this project by newspaper articles, legal notices, a statement in the NEPA Quarterly Schedule and scoping letters. Other Federal agencies, the Nez Perce Tribe and the Idaho Department of State lands were also informed. A public involvement strategy was not apparent in the record, but the public involvement efforts and use of public comments were appropriate for the project.

Public comments received in scoping were considered in framing issues. The DN could have been strengthened by clearer disclosure of the rationale for determining key issues.

The District Ranger's response to comments was very professional, and the tone was positive.

I find that the public involvement process was effective and appropriate.

RECOMMENDATION

I recommend the District Ranger's decision be affirmed and the Appellants' requested relief be denied. I also recommend the District Ranger evaluate any harvest in additional storm-damaged areas in accordance with Forest Service Handbook 1909.15, Section 18.

/s/ Katherine Q. Solberg

KATHERINE Q. SOLBERG
Reviewing Officer
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