

United States            Forest            R-1  
Department of        Service  
Agriculture

Reply To: 1570 (215)

Date: April 30, 1997

Subject: Priest Lake Noxious Control Project, Appeal #97-01-00-0045  
IPNF

To: Appeal Deciding Officer

This is my recommendation on disposition of the appeal filed by Jeff Juel on behalf of the Inland Empire Public Lands Council, The Ecology Center, and the Selkirk-Priest Basin Association protesting the Priest Lake District Ranger's Record of Decision (ROD) for the Noxious Weed Control Project on the Priest Lake District of the Idaho Panhandle National Forests.

The District Ranger's decision adopts Alternative C implementing noxious weed control on 128 sites scattered over approximately 2,636 acres. Total treatment will be approximately 320 acres. Weed control methods used will be manual, cultural, biological, and chemical. This decision will also allow for treatment of new weed infestations within the project area.

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 National Environmental Policy Act.

The Appellants request a full remand of the ROD and that a new Environmental Impact Statement (EIS) be written that corrects the identified deficiencies and violations of law, regulation, and Forest Service policy, and preferably conducts the process of amending the Forest Plan to deal with the invasion of noxious weeds.

An Informal Meeting was held, but no resolution was reached. Interested Party comments were received from the Pend Oreille County Noxious Weed Control Board and Gale and Austin Raine representing local farmers and ranchers.

#### FINDINGS

My recommendation is based upon the following evaluation:

##### Clarity of the Decision and Rationale

The ROD is clearly written, and the reasons for the decision are easily understood.

The decision criteria responds to Forest Plan direction for maintaining biodiversity and is consistent with the State of Idaho Noxious Weed Law. The purpose and need are responsive to issues formed by the decision criteria and public comments.

The ROD does a good job of explaining how the selected alternative responds to public comment and that it will move the area toward Forest Plan desired conditions. Alternatives were compared for responsiveness to the issues. It is clearly disclosed why the selected alternative was chosen.

The decision is adequately displayed in the ROD, but the EIS must also be read for a clear understanding of the selected alternative.

The ROD describes the proposal; however, the description is more clear when read in conjunction with the EIS. The ROD references where specific mitigation and design features are located in the EIS.

I conclude the decision is clearly stated and the rationale is reasoned.

#### Comprehension of the Benefits and Purpose of the Proposal

It is apparent the purpose and need are developed from Forest Plan Management Area goals and direction. Also, the purpose and need are very specific to each of the 128 sites.

The need for the action is apparent from the decision documentation. The consequences of taking no action are clearly identified and analyzed in detail, and provide a good basis for comparing the effects of all alternatives. The consequences of taking no action are inconsistent with the purpose and need and the Idaho State Weed Control Law.

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

#### Consistency of the Decision with Policy, Direction, and Supporting Information

The proposal complies with Forest Plan direction and is consistent with State and County weed programs.

The project incorporates ecosystem management principles, and the process is documented in describing the effects of the no-action alternative. The project incorporates the concept of integrated pest management through the use of manual, chemical, and biological control agents.

The proposal is consistent with the "Forest Service Ethics and Course to the Future" and considers ecologic, economic, and social concerns. The Forest Plan provides the foundation for the purpose and need.

I conclude the proposal is consistent with all legal and regulatory requirements, as well as Forest Policy.

#### Effectiveness of Public Participation Activities and Use of Comments

Although a public involvement plan was not developed, a public participation strategy was used; and overall objectives for the strategy were identified. Public involvement methods used were mailings, flyers, and media coverage. In addition to the standard mailinglist, several target groups were identified and included. Affected Tribal governments were notified; and although no response was received, they were kept informed of project progress.

Issues were identified using scoping information, and a good link between public comments and issues was developed. Initial commentors were kept informed of issues identified during scoping.

The District Ranger considered alternatives suggested by the public. The ROD clearly explains the reasons why some alternatives were considered but not reviewed in detail. The range of alternatives was considered and verified with commentors through the Draft EIS.

The District Ranger fully addressed and evaluated comments in a positive tone by making specific references to how the Draft EIS was changed by consideration of public input.

I conclude that public participation efforts were effective, appropriate in

scope, and responsive to the public.

Requested Changes and Objections of the Appellants and Interested Party  
Comments

The appeal is clearly written and easily understood, including the reasoning for requested changes. However, Appellants' requested changes are generally outside the scope of the project or inconsistent with the purpose and need for this project. Disagreements generally stem from a philosophical difference on management of National Forest System lands.

The Appellants' logic is generally clear but reflects a basic disagreement with the purpose and need for the project. In my opinion their logic is not convincing.

My review concludes the Appellants fully understand the proposal, but have a different philosophy for management of Forest Service System lands.

Interested Party Comments were received from two sources; one comment supported implementation of Alternative C; the other comment generally supported the Appellants' views.

RECOMMENDATION

I recommend the District Ranger's decision be affirmed and the Appellants' requested relief be denied.

/s/ Thomas Pettigrew, Jr.

THOMAS PETTIGREW, JR.  
Reviewing Officer  
Director, Engineering