

APPENDIX B RESPONSE TO DSEIS COMMENTS

A. INTRODUCTION

This appendix to the Main Boulder Fuels Reduction FSEIS and Record of Decision contains the agency's responses to questions and comments received during the 45-day public review and comment period for the May 2005 DSEIS. Public comments were due on June 20, 2005.

A total of 6 letters were received, 4 of which were supportive of the project. Table B-1 below lists the letter number and commenter. Comments are grouped by subject matter or resource. Each comment is identified by letter number first and then by individual comment number after the hyphen (Example 1-1). The comments were transcribed as written in the comment letters with the agency response following the comment.

Table B-1 Letters and Comments received in response to the May 2005 SDEIS

Letter Number	Commenter
1	Darryl Wilson
2	Janet Hartman
3	John Wardell-Director of the Montana Office of the EPA
4	Robert Stewart-US Department of the Interior
5	Michael Garrity-Alliance for the Wild Rockies, Native Ecosystem Council & The Ecology Center (Sept 9)
6	Sara Jane Johnson-Native Ecosystem Council

B. CHANGES BETWEEN THE DRAFT SEIS AND THE FINAL SEIS

Appendix B is an addition to the FSEIS and responds to public comments received pertaining to the DSEIS.

C. RESPONSES TO COMMENTS

GENERAL

Comment 1-1 I and my family are in favor of any and all means available to reduce fire fuels along the Boulder River. There is only one access out of the Boulder drainage; therefore, if there was a major fire the potential loss of life would be greatly reduced if the fuels were thinned along the access corridor.

Response: Thank you for your comments. Your comments are in line with the purpose and need for the Main Boulder Fuels Reduction Project as stated on page 3 of the Record of Decision. We appreciate you voicing your support for the project.

Comment 2-3. It is imperative to reduce fuel loads in our forests to enhance public safety and firefighting access.

Response: Thank you for your comments. They mirror the purpose and need for the Main Boulder Fuels Reduction Project as stated on page 3 of the Record of Decision.

Comment 2-4. It also appears there was much public input from groups i.e. fire, watershed, landowners etc. with a comprehensive identification of issues.

Response: As stated in Chapter 1-1 of the FEIS, the Main Boulder project is part of a continuing effort by Federal, State, and local agencies and groups to address the risk of fire in the Main Boulder drainage. A more complete description of the collaboration efforts and issues identified are described both in Chapter 1-1 and in Chapter 2-3 to 2-10 of the FEIS.

Comment 2-5. Any delay in implementing this project due to any appeals may have a disastrous effect on public and private lands should this years fire season prove catastrophic.

Response: Thank you for your comment. Every effort is being made by the Forest Service to assure that this project will get implemented as soon as possible.

Comment 3-2. As indicated in our previous comments, we do not object to the proposed fuel reduction project. We understand the need to reduce fuel loadings and fire hazards and provide for public and firefighter safety, and extend the time for possible evacuation of the Boulder River Canyon ...

Response: Thank you for your support of the project. Your comments are in line with the purpose and need for the Main Boulder Fuels Reduction Project as stated on page 3 of the Record of Decision.

Comment 3-3. Our chief concerns regard potential impacts to water quality, fisheries, and riparian habitat, and we emphasize the need to design and implement timber harvests and road access in a manner that protects water quality, fisheries habitat, and riparian integrity and functioning.

Response: As explained in *FEIS Chapter 2-31*, Design Criteria Specific to the proposed action, and in Appendix C – BMP's, Water Quality, timber sale contracts will include standard B and specific C clauses for erosion and sedimentation control which are based on standard timber sale clause provisions, Montana Forestry BMP's, Montana SMZ rules, Wetland Executive Order 11990, and additional provisions in the B. Fisheries Design Criteria listed on *FEIS Ch 2-32* and unit specific mitigation as described in *Appendix B-1*. Riparian area marking will be done, as explained in *Ch*

2-31, Design Criteria specific to the proposed action, in accordance with Montana SMZ rule 2 (36.11.302), which requires that SMZ boundaries must be clearly marked on Class 1 and Class 2 stream segments when forest practices that are prohibited within the SMZ will be conducted next to the SMZ. Final design layout will be done primarily by fuel and timber staff with review by other functional staff including a hydrologist and fishery biologist. A fishery biologist will be involved with marking units with prescribed riparian treatments as indicated in B. *Fisheries Mitigation 13 on FEIS Ch 2-32.*

Comment 4-1. The Department of the Interior has reviewed the Draft Supplemental Environmental Impact Statement (EIS) for the Main Boulder Fuels Reduction Project, Gallatin National Forest, Montana and has no comments..

Response: Thank you for reviewing the document.

GOSHAWK AND OTHER SENSITIVE OR MIS SPECIES

Comment 2-1 As stated, this area is adjacent to wilderness with no observed activity in the area of the project that already has a great deal of human activity especially recreational. This makes the area unattractive for Northern goshawk habitat.

Response: Your comments and support for our conclusions in the analyses of potential effects to Northern goshawk are appreciated. Reference pp. 2 through 6 of the SEIS for a more complete description of the analysis area and affected environment.

Comment 2-2. The current treatment plan appears to be well documented and feel it important to proceed with the proposed Fuel Reduction Plan. A burned forest renders Northern goshawk habitat useless as well as for other species.

Response: Your support for the project treatment plan is appreciated. Furthermore, your comment on the potential impacts to goshawks and other wildlife species from a catastrophic wildfire event is stated in the effects analysis in the FEIS Ch 3-65.

Comment 3-1. We are pleased that additional surveys would be conducted annually for sensitive species and MIS in the treatment areas in order to avoid any potential impacts and gather additional baseline data, and satisfy the species viability requirement of NFMA. EPA very much supports monitoring to determine ecological effects of the implementation of forest management activities. It is only through monitoring of ecological effects that the USFS will be able to determine whether management goals and objectives are being met.

Response: Your comments and support for our monitoring strategy designed to meet the sensitive and MIS species viability requirements of NFMA are appreciated. For more detailed monitoring requirements and results see Appendix A of the SEIS (pp. A-18 thru A-24), Appendix C of the SEIS (2005 Monitoring Results), and FEIS Chapter 2-35 thru 2-37.

Comment 6-1. Our primary concerns with goshawk management on the Gallatin National Forest include a lack of monitoring of population viability and management impacts Forest-wide:

Response: We will take your concerns under advisement. However, concerns about goshawk monitoring and population viability and management impacts on a Forest-wide scale are not germane to the Main Boulder fuel reduction proposal. The SEIS clearly demonstrates that multiple years and numerous hours of monitoring efforts have not confirmed any nesting goshawks in the proposed project area (SEIS Appendix A, pp. A-18 through A-24, and Appendix

C). Surveys and incidental observations in other parts of the Gallatin National Forest and on the Big Timber Ranger District indicate that stable and viable populations of Northern goshawks are present across the landscape in appropriate habitats. See Appendix D-11 to D-13 of the FEIS for a more complete discussion of viability of the Northern goshawk in the Gallatin National Forest.

Comment 6-2. A lack of adequate Forest Plan direction for this old growth species:

Response: Older growth forested habitat and the associated species that utilize these habitats are well represented throughout the analysis area, and will continue to be well represented after the project is completed (FEIS Appendix A-15 thru A-22). The proposed action does not require a forest plan revision to address concerns about species that may be dependent on any particular habitat type.

Comment 6-3. A lack of adequate survey work to ensure that this species is located within project areas;

Response: The SEIS documents that playback-tape surveys for goshawks have been conducted in the main Boulder drainage for over ten years beginning in 1992 (SEIS pp. A-21 through A-24). Furthermore, mitigation measures in the SEIS (pp A-18 and A-19) and FEIS (pp. 2-35 to 2-37) clearly state that annual surveys of the proposed treatment area will be conducted prior to actual treatments and will continue as part of the District wildlife monitoring protocol into the future. In 2005 alone, the District biologist has conducted 50 hours of survey along 15 miles of the proposed treatment corridor (Appendix C). Two adult unpaired goshawks have been observed foraging in small openings or flying, but no nest locations have been detected in the proposed treatment units to date. Detailed survey records and maps have been added to the project file.

Comment 6-4. We are also concerned about the lack of a landscape strategy to preserve goshawk habitat, including old growth and older forest habitats at elevations that are critical to this species

Response: In the context of the Main Boulder Fuel Reduction Project, the majority of the surrounding landscape included in and adjacent to the analysis area is within the Absaroka-Beartooth Wilderness (FEIS Maps 2-1 thru 2-8). This represents an area approximately 100 times the size of the proposed treatment area and is comprised of numerous acres of goshawk nesting and foraging habitat that will never be treated for fuel purposes or for timber values. The only means by which this area will ever be altered in a landscape manner is through a natural stochastic event such as a wildfire, avalanche, or flood.

In addition, the land inside the project area that is available for multi-management activities will have 15-20% of the acres within each unit left untreated. This should help to sustain habitat that currently exists in the river corridor.

Comment 6-5. Added to this problem is the forest's intention to thin vast tracts of dense forest habitat, a severe problem for the goshawk.

Response: The intention of the Main Boulder project is not to thin vast tracts of dense forest habitat. We have only stated in both the FEIS and SEIS that our intention is to reduce fuels, using treatment techniques and contracting options at our disposal, on approximately 2,500 acres along a 25 mile corridor that is approximately ½ mile wide and adjacent to a county road and numerous parcels of private property to provide for public and firefighter safety (FEIS 1-1 thru 1-3). A very small portion of the proposed treatment area has the age and character of old growth forest (FEIS Appendix A-15 thru A-22). A discussion and table displaying forested habitat both pre-treatment and post-treatment can be found on p. 3 of the SEIS.

Comment 6-6. Although the agency claims that there has been a habitat analysis for this project on goshawks, we are still unable to see that any such inventory and habitat analysis has been done. In this regards, the location of all suitable nesting habitat, including older growth forests needs to be done.

Response: Refer to the FEIS Appendix A-15 thru A-22 for analysis of vegetative and structural diversity. This analysis was used to address potential effects to goshawk nesting and foraging. Your request for suitable nesting habitat is puzzling, since nesting habitat within the project area would require that goshawks actually nest in these areas and they have never been detected nesting despite efforts to survey and detect their presence. Furthermore, our stance on this issue is that we are not required to map every acre of potential nesting habitat in order to analyze effects to a sensitive species (goshawk), if it has been determined that the species is not present, is unlikely to nest in the project area, and adequate mitigation for the protection and viability of the species have been incorporated. All of these issues and requirements with regard to goshawks have been addressed in the FEIS and SEIS and the results of these analyses are the basis for our conclusions. See SEIS pp. 2-7, SEIS Appendix A-18 thru A-24, and design criteria and mitigations on pp. 2-35 thru 2-37 of the FEIS.

UNROADED AND INVENTORIED ROADLESS

Comment Letter 5. Comment Letter 5 in its entirety provides generic comments pertaining to “unroaded” and “inventoried roadless” values. These comments could apply to any National Forest lands and are not specific or unique to the Main Boulder River Corridor.

Response: The Roadless Area Conservation FEIS (2000) defines “unroaded” areas as any areas without the presence of classified roads, and of a size and configuration sufficient to protect the inherent characteristics associated with its roadless condition. “Unroaded” areas do not overlap with Inventoried Roadless Areas (IRA) nor are they located within designated Wilderness. We do not find “unroaded” or additional “inventoried roadless” resources to be an issue in the Main Boulder Corridor.

The U.S. Ninth Circuit Court of Appeals, in a Region 1 briefing paper entitled “NEPA Analysis of Unroaded Areas”¹ indicates that site-specific parameters used to consider Wilderness and Roadless qualities and characteristics are useful in assessing the effects of site-specific projects on “unroaded” resource values. Specifically, impacts to Remoteness, Solitude, Natural Integrity, Apparent Naturalness, Special Features, and Manageability and Boundaries and the effects of any proposed activity that would substantially alter these characteristics as to render the area as unsuitable for future wilderness designation as discussed Appendix A. I. Inventoried Roadless Area need to be considered. Also considered are effects to:

1. High quality or undisturbed soil, water and air,
2. Sources of public drinking water,
3. Diversity of plant and animal communities,
4. Habitat for threatened and endangered species,
5. Primitive, semi-primitive non-motorized, and semi-primitive motorized classes of dispersed recreation,
6. Reference landscapes,
7. Natural-appearing landscapes with high scenic quality,
8. Traditional cultural properties and scared sites and,
9. Other locally defined unique characteristics.

¹ This paper references a 12/2/03 decision in the Sierra Club vs. Austin (Lolo Post Burn EIS). “ The court indicated the FS should analyze the unique values of unroaded areas based on the 9 roadless characteristics (from 36 CFR Part 294.11)”.

Any areas that would be treated in the proposed alternative fall within a narrow strip of land (varying in size from a few up to about 300 meters in width) that lie between the existing County Road and the Absaroka-Beartooth Wilderness and/or the North Absaroka Inventoried Roadless Area.

In the case of the Main Boulder, these strips and chunks of “unroaded” lands are not of a sufficient size or configuration to allow the protection of the inherent characteristics associated with an “unroaded” condition and therefore do not contain “unroaded” resource values. Furthermore, the current condition of the “unroaded” portion of the proposed project area does not have the features that would make it suitable for wilderness recommendation in Forest planning. This is shown by the following:

Most proposed treatment areas are bisected or are adjacent to the County Road and/or are interspersed within past cutting units, private property and recreation developments including: campgrounds, trailheads, dude ranches, church camps and homes. The presence of these developments dictates that the project area currently doesn't provide apparent naturalness, remoteness, or solitude. The natural integrity of the proposed treatment areas would be affected by the reintroduction of fire back into the ecosystem. No unique special features are known to exist in the treatment areas.

Although some treatment areas may be immediately adjacent to the North Absaroka IRA and close to the Absaroka-Beartooth Wilderness, because of their spatial arrangement with existing developments, private property and roads, adding these areas to the IRA or designated Wilderness is not considered likely.

Specific effects to other resource values listed above in this section are addressed in other parts of this document. However, nothing in the proposed action or the no action alternative would significantly affect these values.