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Date: May 9, 2008

Jonathan Oppenheimer
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Idaho Conservation League
P.O. Box 844
Boise, ID 83701

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Mr. Oppenheimer:

This letter is in response to your objection, dated April 7, 2008, to the Twin Skin HFRA Project located on the Idaho Panhandle National Forests. I have read your objection on behalf of the Idaho Conservation League. I have reviewed the Environmental Assessment (EA) and the analysis in the project file, and I understand the disclosed environmental effects. I have also considered the comments submitted during public scoping. My review was conducted in accordance with 36 CFR 218.

On December 3, 2003, President Bush signed into law the Healthy Forests Restoration Act of 2003 (HFRA) to reduce the threat of destructive wildfires, while upholding environmental standards, and encouraging early public input during planning processes. The legislation helps further the President's Healthy Forests Initiative pledge to care for America's forests and rangelands, reduce the risk of catastrophic fire to communities, help save the lives of firefighters and citizens, and protect threatened and endangered species.

This project clearly demonstrates compliance with the HFRA. The Twin Skin HFRA Project was designed under the requirements of HFRA and responds to the 10-Year Comprehensive Strategy, focusing primarily on reducing hazardous fuels in the wildland urban interface (EA, p. 5). During field reconnaissance, information was gathered by Twin Skin HFRA Project Team members who specialize in fire and fuels management. They found that existing conditions within the project area, including fuel loadings and arrangements of fuels on the ground and in the forest canopy, make the area susceptible to intense wildfire behavior, such as crown fire. This kind of fire behavior has the potential to impact "at-risk" communities (Fire and Fuels Analysis, EA, Appendix A).



There exists a need to decrease the heavy fuel loading in order to reduce the intensity of fires that may occur in this wildland-urban interface area. Reducing expected fire intensities will make it safer and easier for fire fighters to suppress fires when they occur, thus improving the safety of people, their homes and property, and the associated access roads and infrastructure in this affected area.

HFRA provides for a pre-decisional administrative review process in which the objector provides sufficient narrative description of the project, specific issues related to the project, and suggested remedies that would resolve the objection (36 CFR 218.7). HFRA also allows for the parties to meet in order to resolve the issues. Originally, a conference call had been set up for Thursday May 1, 2008, to discuss your concerns about the project and analysis. However, on April 28, 2008, the Bonners Ferry District Ranger, Linda McFaddan, and you, spoke via telephone. The discussion was productive in that you and the District Ranger were able to resolve or partially resolve many of the issues in the Idaho Conservation League's objection. In addition, both parties agreed that the telephone conversation on April 28, 2008, would serve as the objection resolution meeting and an additional conference call would no longer be necessary.

The Responsible Official and I have reviewed the project in light of the issues presented in your objection letter. I have been briefed on the objection resolution meeting. I have considered the issues raised therein, and your discussions with the District Ranger, regarding possible resolutions. Your objections identified a range of issues including the following:

1. The proposed connected action of incidental future salvage of dead or blown down trees (while adhering to the original project design criteria) within the harvest units and associated haul route roadsides;
2. Noxious weeds treatments using herbicides outside of the Bonners Ferry Noxious Weeds Environmental Impact Statement (EIS)-authorized treatment areas;
3. Roads analysis deficiencies;
4. Inadequate analysis of the impacts on grizzly bear, specifically as it relates to roads;
5. Failure of the project file to contain a response to comments;
6. Failure to disclose the increased risk of untreated activity fuels from precommercial thinning on 22 acres;
7. Failure to consider an alternative that included the application of more prescribed fire; and
8. Inadequate cumulative effects analysis.

In addition to the issues raised in your objection letter, you and the District Ranger also discussed the following:

- Vehicle access, road densities, and security for grizzly bear within the Keno Bear Management Unit (BMU). This item is related to *Issue 4* and is incorporated into the discussion of that issue below; and
- Effects of project activities on soils in units where slopes exceed 80 percent. This is summarized as *Issue 9* below.

Issue 1 – Resolution on future salvage.

Response: After discussing your concerns and the rationale for including future salvage in the project, the District Ranger offered to retract the connected action that would provide for incidental future salvage of blown down and other damaged trees within the treatment areas and roadsides associated with the haul route. It is my understanding that the Idaho Conservation League was agreeable to that resolution. Therefore, this issue is resolved.

Issue 2 – Resolution on noxious weed treatments outside of the treatment areas identified in the Bonners Ferry Noxious Weeds EIS.

Response: After reviewing the Bonners Ferry Ranger District Noxious Weeds EIS (1995), the District Ranger agreed the Twin Skin HFRA Project area was not an identified treatment area. The District Ranger decided herbicide spraying for noxious weeds could be conducted at a future date, depending on and following, the completion of a new weed treatment EIS for the District that included the Twin Skin area. The project design criteria include a measure to minimize the spread of noxious weeds by cleaning all off-road equipment prior to being brought into the project area. This measure will remain in the project design. This issue is resolved.

Issue 3 – Roads analysis deficiencies.

Response: A roads analysis was conducted by the project interdisciplinary team. Notes from the roads analysis meeting dated March 8, 2007, and a finalized document for the Roads Analysis Process (RAP), are included in the project file. This issue is adequately addressed in the project file.

Issue 4 – Adequacies of the grizzly bear analysis and disclosure of effects.

Response: I reviewed the EA and project file and found the analysis on grizzly bear and the impacts to the Keno BMU were adequate. The determination of effects for the grizzly bear was summarized in the Wildlife BA in Appendix B of the EA. The determination was *May Affect, Not Likely to Adversely Affect*.

In addition, the Wildlife BA addresses effects to grizzly bear from the project, including the use of roads and activities along roads, in the Keno BMU as follows:

“...all work will occur on existing roads and with implementation of the following mitigation measures, potential disturbance will be minimized.

- *All road reconstruction and road maintenance activities that take place within the Keno BMU will occur outside spring bear season (April 1 to June 15).*
- *Roads 2549UH and 2549UE will be made impassable to public traffic during and after implementation of the Twin Skin project.*

...because all treatments are within 500 meters of open roads and with implementation of the above mitigation measures to keep roads closed during and after project implementation, there will be no change in open road densities or reduction of core habitat. As a result, there will be no change in access and treatments will adhere to standards established in the 2001 Biological Opinion (USDI 2001)."

Roads located in the Keno BMU, that would be either reconstructed or reconditioned, are in a portion of the BMU that is already densely roaded. Therefore, grizzly bear security and the percentage of the BMU where the open-motorized route density exceeds 1 mile per square mile will not change. I believe the Wildlife BA and report adequately summarizes direct, indirect, and cumulative effects on grizzly bear. This issue is adequately addressed.

Issue 5 – Failure of the project file to contain a ‘Response to Comments’.

Response: I have reviewed the project record. It contains a content analysis table displaying a summary of the comments the ICL and others provided during the comment period of September 10 through October 9, 2007. The content analysis table includes information on where, and how the EA and project file addresses each comment. This issue is adequately addressed.

Issue 6 – Resolution on the inadequate disclosure of risk due to untreated activity fuels from precommercial thinning on 22 acres.

Response: Although I believe the fire and fuels analysis adequately discloses the effects of the 22-acre precommercial thin unit, including how activity fuels would be treated, this unit will be dropped from inclusion in the Twin Skin decision document. A previous analysis and decision document covered the precommercial thinning activities, and they have recently been accomplished under that decision. Therefore, this issue is resolved.

Issue 7 – Analysis of an alternative to expand the use of prescribed fire in the project area.

Response: The Interdisciplinary Team for this project analyzed the use of prescribed fire to treat natural and activity fuels across 97 percent of the treatment area; either through grapple-piling, followed by pile burning, or underburning. The objectives of the project were a determining factor in deciding which type of prescribed fire would be utilized and where.

HFRA Section 104(d)(2) describes the *Alternative Analysis Process for Project in the Wildland-Urban Interface*. In summary, if an authorized hazardous fuel reduction project, proposed to be conducted in the wildland-urban interface, is located no further than 1-½ miles from the boundary of an at-risk community, the Secretary is not required to study, develop, or describe any alternative to the proposed agency action in the environmental assessment or environmental

impact statement prepared pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)). This project area is within the wildland-urban interface and within 1-½ miles from the boundary of an at-risk community; therefore, only one action alternative was developed, studied, and described for this analysis.

In light of the HFRA requirements for one Action Alternative for this project, and the proposed wide-spread application of prescribed fire under that Action Alternative, this issue is adequately addressed.

Issue 8 – Inadequate cumulative effects analysis.

The Idaho Conservation League was concerned about adequate consideration of cumulative effects in light of the issues raised in their objection. I reviewed the EA and project file, and found the cumulative effects analysis to be complete. This issue is adequately addressed.

Issue 9 – Project activities occurring on slopes in excess of 80 percent.

During your telephone conversation with District Ranger, Linda McFaddan, on April 28, 2008, you brought up the issue of sensitive landtypes, and the effects project related activities could have on potentially sensitive steeper slopes, especially those near or in excess of 80 percent.

Appendix B of the EA includes the *Report on Soils in the Twin Skin Project Area* where issues such as hazard ratings—sensitive landtypes, mass failure potential, and surface erosion potential—are discussed. The majority of the treatment area (96 percent) has a *low* hazard rating; this includes Unit 10 where slopes range from 20 to 80 percent. However, portions of Unit 9 also have steep slopes up to 80 percent. The hazard rating for these areas in Unit 9 is *moderate*.

Mitigation to prevent the loss of soil productivity and detrimental disturbance to the soil resource in these steeper units includes skyline harvesting and underburning, following harvest. The soils report in Appendix B states skyline/cable logging systems have less impact than tractor systems because the equipment stays on the road and the logs are partially suspended, restricting impacts to times when logs are being dragged over the ground. Ground-disturbing equipment would not operate within the treatment units, therefore, minimizing soil displacement, compaction, and puddling. The EA calls for conducting prescribed burning when soil moistures are greater than 25 percent. This helps protect the soils; the burn effects are generally low, and recovery time is generally quicker.

Due to the aforementioned mitigation measures, the effects analysis for the soil resource concluded the project would detrimentally disturb 2 percent of the soil in Units 9 and 10. The soils report indicates that there is no previous disturbance visible; therefore, detrimental disturbance would be well below the Regional Soil Quality Standards of 15 percent in each of these harvest units. The soils report in Appendix B also states all proposed activity areas are within the acceptable productivity potential for trees and other managed vegetation as required by the IPNFs' Forest Plan. Therefore, this issue is adequately addressed.

These eight issues cover the concerns addressed in your objection letter, and the one from the conference call.

In closing this letter, I want to commend you and the District Ranger for working together toward resolving many of your concerns, and ultimately making this a better project. This response is not subject to further administrative review by the Forest Service of the Department of Agriculture [36 CFR 218.10(b)(2)]. In accordance with 36 CFR 218.11, the Responsible Official may now issue a Decision Notice.

Sincerely,

/s/ Kathleen A. McAllister
KATHLEEN A. MCALLISTER
Reviewing Officer

cc:
Responsible Official
Forest Coordinator