

APPENDIX C: Response to Comments – Forest Plan Amendment

A scoping letter for a non-significant Forest Plan amendment related to the Perfecto Creek Timber Sale was distributed in May 25th of 2007. One phone message and three response letters were received containing comments regarding the proposed amendment. One letter was sent from Colorado Wild. The remaining two letters were submitted from Intermountain Forest Association, and Delta Timber. The phone message was left by a citizen named Marcy Tallender. Comments provided on the proposal ranged from general to very detailed. The following are the interdisciplinary team’s response to the comments received about the proposed action. Responses are organized by an assigned index (see attached letters) and section titles.

Response to Comments

Marcy Tallender

Index: **MT1**, ...does not support proposed amendment...

Response: Thank you for your comment and interest in the National Forest. We recognize your concern for the Brown Creeper, and the Three Toed Woodpecker populations on the District and we have considered the possible negative impacts our proposed project could have on these species. Through examination of the available data and expert analysis we have concluded that the project will not have a detrimental effect on the population viability of either of these species. Given the additional benefits of fully implementing our proposed alternative, it was determined to be in the best interest of the National Forest and the public to amend the Forest Plan and add cutting Unit 5 to the timber sale. More information regarding the reasoning for my decision to amend the Forest Plan can be found in the “Rationale for the Decision” section of the supplemental Decision Notice.

Colorado Wild

Index: **CW1**, ...a Forest Plan amendment should be considered in the development of a project...

Response: We are aware of the benefits that would come from scoping for the possibility of a Forest Plan amendment while scoping and analyzing the other proposed actions contained in an EA or EIS, and it is our goal to do this whenever possible. In the case of the Perfecto Creek Timber sale we were not aware of the need to amend our Forest Plan until the analysis in the EA revealed that the habitat modeling indices fell below standards. If we would have known this information during the original scoping period, then the possibility of a Forest Plan amendment would have been included as part of our proposal.

Index: **CW2**, ...standards and guidelines in the Forest Plan [should] not be disregarded altogether, or amended away as a matter of convenience...

Response: As you are aware, we are required by law to follow the direction provided in our Forest Plan for all projects we implement on the National Forest. We take this requirement very seriously, and it is not our general policy to amend a Forest Plan to conform to a project when contradictions arise. However, it is important to realize that Forest Plan amendments will be needed on occasion. A plan works best when it is a living document so that new information and better practices can be adopted as situations change, or new discoveries are made.

In the case of the Perfecto Creek Timber sale we decided to pursue the option of a plan amendment because the benefit of fully implementing the proposed project was determined to be greater than the possible negative effects of falling below the minimum standards for the habitat modeling indices. The impacts to the Brown Creeper and the Three Toed Woodpecker were analyzed during the EA process and it was concluded that the population viability of both species would not be threatened by the full implementation of Alternative 2. Given the specific conditions that exist in the sale area and the design of the proposed treatment, amending the Forest Plan provides the best option for meeting the management goals of the area in the most efficient manner. More information regarding the reasoning for my decision to amend the Forest Plan can be found in the “Rationale for the Decision” section of the supplemental Decision Notice.

Index: **CW3**, ...unclear why the GMUG feels compelled to amend the Forest Plan ... after Ranger Dawson signed a decision notice...

Response: We issued the original decision notice (March 28th 2007) to allow our timber field crew to begin preparing the timber sale for the units that were not in conflict with the Forest Plan standards. In order to maximize the efficient use of agency funds and to minimize the potential for re-work it is our goal to have NEPA decisions entirely cleared through the process (including appeal) before “ground” work begins. In the case of the Perfecto Creek Timber sale, we had budgeted and planned for the timber field crew to work on portions of this project during the 2007 field season, so it was critical to have a valid decision to commence with this work. We did not have time to scope, analyze and issue a final decision for the option to amend the Forest Plan and include cutting Unit 5 before the 2007 field season. We decided to issue this action as a supplemental decision – if, after scoping, the comments and analysis indicated that it was the desired course of action.

Index: **CW4**, ...we are concerned about the precedent set by this decision to circumvent the Forest Plan’s wildlife habitat protection...

Response: Refer to the response under comment CW2.

Delta Timber

Index: **DT1**, ...1. support proposed amendment, 2. population viability maintained, 3. provide wood volume, 4. multiple resource goals not altered, 5. minor amendment, 6. better fulfill management prescriptions...

Response: Your comments reflect many of the same conclusions that we have come to regarding this decision. Please refer to the Purpose and Need and Rational for the Decision in the supplemental decision notice for specific details.

Intermountain Forest Association

Index: **IFA1**, ...support proposed amendment...

Response: Thank you for your comment of support. We too have arrived at the conclusion that a non-significant Forest Plan amendment is the desired course of action in this case.

Comment Record and Index

PERFECTO CREEK EA

MT1 PHONE MESSAGE RECORD, 06/05/2007

A phone message from Marcy Tallender (P.O. Box 1101, Crested Butte, CO. 81224, 970 349-6509) was heard at the Gunnison Ranger District office sometime around June, 5th 2007 (estimated). In this message Marcy Tallender stated that she is upset about allowing the HABCAP index to fall below standards for the Brown Creeper and Three Toed Woodpecker. She wanted to voice her "protest" of the amendment. Marcy Tallender also stated that she would be out of town until June 23rd, after which time she could be reached at the above mentioned phone number.

It was determined that her comments were understood and that a follow-up call was not needed.

S/ M. Etzenhouser



June 20, 2007

USDA Forest Service, GMUG NF
Attn: "Perfecto Creek Timber Sale – Forest Plan Amendment"
2250 Highway 50
Delta CO 81416
Via E-mail: metzenhouser@fs.fed.us

RE: Perfecto Creek Timber Sale Forest Plan Amendment

Dear GMUG NF,

Thank you for accepting these comments on the proposed Forest Plan Amendment to allow implementation of the complete Alternative 2 as analyzed in the Perfecto Creek Timber Sale EA. As we communicated in a face to face meeting with Charlie Richmond and staff on June 11th, we are primarily concerned about the strategy that the GMUG has selected to address this matter. In the future, should a Forest Plan Amendment be a consideration in the development of a project, we would hope to see the GMUG scope, take public comment on, and make a decision on the amendment as a part of the project's NEPA process, rather than as an afterthought as appears to be the case here.

CW1

We understand the limitations of the HABCAB model and also that the GMUG is continuing to manage under an older Forest Plan. That said, we also are concerned that the standards and guidelines in the current Forest Plan not be disregarded altogether, or amended away as a matter of convenience. In this case, we are unclear why the GMUG feels compelled to amend the Forest Plan and issue a new decision after Ranger Dawson signed a decision notice for the Perfecto Creek Timber Sale which selected a modified alternative that meets the project's purpose and need while complying with the Forest Plan. While in this case, the impacts of this modification, as documented in the project's EA, do not appear great, we are concerned about the precedent set by this decision to circumvent the Forest Plan's wildlife habitat protection standards. Hopefully this situation can be avoided in the future in the project design phase.

CW2

CW3

CW4

If this situation does present itself again in the future, we hope that the GMUG will scope any potential Forest Plan Amendment necessary to achieve the Agency's preferred alternative alongside the project itself, or at least prior to signing a decision notice so that we, and the public in general can take this matter into consideration as a part of our review of the project.

Thanks and Best Regards,

Ryan D. Bidwell
Executive Director, Colorado Wild

CC: Charlie Richmond

Colorado Wild ♦ P.O. Box 2434 ♦ Durango, CO 81302
www.coloradowild.org ♦ www.skiareacitizens.com



June 4, 2007

USDA Forest Service, GMUG N.F.
Attn: "Perfecto Creek timber Sale
2250 hwy 50
Delta, Colorado 81416

Re: Perfecto Creek Timber Sale - Forest Plan Amendment

Dear Sirs,

After reviewing the scoping documents for the Perfecto Creek Timber Sale, I would like to make the following comments:

- DT1
1. Delta Timber Company supports the proposed amendment to the Forest Plan. The proposal to modify the index levels for this project only makes sense given the facts associated with this project. The benefits of implementing the full project in one entry is preferable for both environmental as well as economic reasons.
 2. The proposed amendment will not alter the fact that the preferred alternative will still maintain the population viability of the Brown Creeper and the Three Toed Woodpecker.
 3. The proposed timber sale will provide volume that is critically short for lumber manufacturers operating within the GMUG working circle.
 4. Implementation of this amendment will not alter the multiple-use goal and objectives for resource and land management on the GMUG.
 5. This proposal would qualify as a minor change to the standards and guidelines.
 6. This amendment would provide opportunity to better fulfill the management prescriptions as outlined in the purpose and need for this project.

I encourage you to proceed as outlined in your scoping document.

I appreciate the opportunity to comment. Please feel free to contact me with any other questions or comments in regard to this project.

Sincerely,

Eric B. Sorenson
President

519 Hwy. 92 • Delta, CO 81416 • Phone (970) 874-0849 • Fax: (970) 874-0573

Intermountain Forest Association – Rocky Mountain Division

2218 Jackson Blvd, Ste 10 Rapid City, SD 57702

July 3, 2007

USDA Forest Service, GMUG NF
Attn: Perfecto Creek Timber Sale – Forest Plan Amendment
2250 Highway 50
Delta, CO 81416

Dear Sirs:

IFAI I support the proposed site-specific, non-significant forest plan amendment to allow full implementation of Alternative 2 as analyzed in the Perfecto Creek Timber Sale EA.

Thank you for this opportunity to comment.

Sincerely yours,

/s/ Tom Troxel

Tom Troxel
Director

