

CHAPTER 1 • PROJECT SCOPE

A. BACKGROUND

Mexican Spotted Owl: The Southwestern Region has been concerned about the status of Mexican spotted owl since the early 1980's when several draft forest plans proposed increases in the amount of timber to be harvested from slopes greater than 40 percent. Historically, there was little timber harvested from these steeper areas and little concern was expressed about the continued viability of this species. In response to increasing concern for viability of Mexican spotted owl, the Regional Forester added this species to his "Sensitive Species List" in 1983.

Four of the original forest plans provide Mexican spotted owl nest core areas of 300 acres, while the remaining plans do not provide special standards and guidelines. There are no standards for the home range territories outside the 300 acre core areas in any of the forest plans.

In January 1988, the Regional Forester formed a Task Force comprised of Forest Service and external parties. The Task Force's purpose was to provide recommendations to the Regional Forester on Mexican spotted owl management, studies, and monitoring.

In June 1989, the Regional Forester adopted Interim Directive No. 1 (FSM 2676), which was based on recommendations made by the Task Force. As more information was gained, the Region revised and reissued direction in Interim Directive No. 2, June 1990 (FSM 2676). Interim Directive No. 2 expired in December 1991; however, the Regional Forester directed Forest Supervisors to continue implementation of the interim direction until final guidelines could be prepared. An environmental assessment was completed in July, 1992, to evaluate the programmatic effects of continuing the interim management direction.

In 1989, the U.S. Fish and Wildlife Service (USFWS) was formally petitioned to list the Mexican spotted owl under the Endangered Species Act. Following acceptance of the petition, a Status Review of the Mexican spotted owl was prepared by USFWS in 1991. The USFWS issued a proposed rule for listing the Mexican spotted owl as threatened in late 1991 and the Forest Service accelerated its effort to prepare a conservation strategy for Mexican spotted owl. The Mexican spotted owl was listed as a threatened species on April 15, 1993. Since then the Forest Service emphasis has shifted from developing a conservation strategy that

could have precluded formal listing to conducting informal/formal consultation and meeting recovery requirements.

In March, 1995, the Fish and Wildlife Service prepared and released for public and agency review a draft Mexican Spotted Owl Recovery Plan (MSORP). The Regional Forester then decided that this region-wide amendment of forest plans should be consistent with final MSORP recommendations. This final EIS was coordinated for completion with the MSORP to facilitate incorporation of final recommendations in the amendment. Alternative G was added to the final environmental impact statement in response to the final recovery plan information.

On June 6, 1995, the Fish and Wildlife Service (FWS) issued the final rule on determination of critical habitat for the Mexican spotted owl (Federal Register, Vol. 60, No. 108, pages 29914-29951). In that Federal Register notice, FWS makes the following statement: ". . . critical habitat areas are those where the Service believes greatest management emphasis should be placed, while recovery planning explains what the management should be." (Federal Register, Vol. 60, NO. 108, page 29942). Therefore it follows that when the region-wide amendment addresses recovery plan implementation, it also addresses the critical habitat designation. Additional information from the critical habitat Federal Register notice is presented in Part G of Chapter 5 in this EIS.

Northern Goshawk: The Southwestern Region has been concerned with ensuring the viability of northern goshawk for the last decade. During initial forest plan development in the mid to late 1980's, five of the forest plans provided for a 20 to 30 acre protection area around occupied northern goshawk nests. The rest of the forest plans did not provide for nesting northern goshawk protection.

After reviewing the status of northern goshawk in early 1990, the Regional Forester established a Task Force and a separate Scientific Committee to review northern goshawk habitat management needs. Based on information from these two groups, interim guidelines were issued in April, 1991, and revised in October, 1991. An environmental assessment was completed in October, 1991, to evaluate the effects of implementing interim northern goshawk management direction. The revised interim guidelines expired June 6, 1992. The Scientific Committee issued their final management recommendations for northern goshawk habitat

management guidelines in November, 1991. A supplement to the original environmental assessment was prepared in May, 1992, to evaluate the programmatic effects of continuing interim northern goshawk management direction. Another set of interim guidelines was published in June, 1992, which guided site specific project design.

Interim guidelines expired in June, 1995. In order to assure continued protection for the northern goshawk until a final decision on this amendment, permanent northern goshawk guidelines were added to the Forest Service Directives System as a Region 3 Supplement in June, 1995. The Regional Supplement will be withdrawn from the Directives System as part of the decision on the final region-wide amendment of forest plans.

General: A Notice of Intent to prepare an environmental impact statement to amend forest plans to include guidelines for northern goshawk and Mexican spotted owl was issued in the summer of 1992. Additional scientific information on both birds was available later in 1992. Formal consultation on the Mexican spotted owl for site specific projects was initiated in April, 1993, which delayed preparation of this environmental impact statement. During July, 1993, Southwestern Region forest plans were reviewed to identify standards and guidelines that should be changed to include habitat needs for northern goshawk and Mexican spotted owl.

The Kaibab National Forest was in the process of developing a forest plan amendment that addressed the habitat needs for these two species and other timber program management direction. In response to public comments, the Kaibab amendment process was merged with this amendment process (Federal Register, Vol. 60, No. 53, pages 14719-14720, March 20, 1995). A revised Notice of Intent was prepared to clarify when the final environmental impact statement would be available to the public (Federal Register, Vol 60, No. 93, page 25884, May 15, 1995).

The Regional Forester will make the amendment decision for all national forests in the Southwestern Region. The current Mexican spotted owl and northern goshawk management direction will be superseded when amendments, developed through this environmental analysis and documentation, are decided upon by the Regional Forester.

The standards and guidelines in this decision are applicable only to the habitat conditions and forest management situations found in the Southwestern Region. Habitat conditions and forest management emphasis in adjacent regions are different. Any

standards and guidelines applicable to forests in those regions will need to be developed by them based on their local habitat information and will be subject to NEPA analysis at that time.

B. PURPOSE AND NEED FOR ACTION

Existing Condition: Existing Southwestern Region forest plans were completed from 1985 to 1988, prior to the heightened concern for northern goshawk and the formal listing of the Mexican spotted owl as a threatened species. Little information on the habitat needs was available when the original plans were prepared. Consequently, existing plans recognized both species as being sensitive species but plans contained few specific standards and guidelines for their protection. However, existing plans do put priority on habitat needs for threatened, endangered and sensitive species with specific guidelines being implemented via the Forest Service Directives System. This has led to confusion over which direction takes precedence in project design. Also, a great deal of new information has been amassed on the habitat needs for both species since original plans were completed.

Existing forest plans emphasize use of even-aged timber management systems. Uneven-aged management is a permissible system in all existing plans but is not emphasized and there is little guidance for its use. New information indicates even-aged management may conflict with habitat needs for northern goshawk and Mexican spotted owl. The existing forest plan management emphasis needs to be changed.

Some of the existing Forest plans provide for limited timber harvesting on slopes over 40% (usually termed steep slopes). Since the plans were approved, very little harvesting has been done on steep slopes but the possibility of steep slope harvesting was a major issue in listing the Mexican spotted owl, since many of the best Mexican spotted owl nesting sites have been located on steeper slopes. The existing forest plans need to reflect how the Forest Service is currently managing steep slopes.

Existing plans contain a number of informational tables that estimate quantity and timing of site specific activities. The tables were the best estimate of possible activities when the plans were approved. However, since plans were approved, it has been established through appeals and litigation that the plan is a programmatic document. Site specific activities were not covered in the programmatic environmental analysis and do not constitute one of the key decisions made in forest plans (i.e., forest-wide multiple-use

goals and objectives, forest-wide standards and guidelines, management areas with associated standards and guidelines, lands not suited for timber production and monitoring and evaluation requirements). Further, some plans also made recommendations for wilderness and other special area allocations, which are not considered forest plan decisions. Actual forest plan implementation has been different than portrayed in the informational tables. Much of the rationale for listing the Mexican spotted owl was based on erroneous information and interpretations taken from these tables. The tables have been a constant issue in project appeals. Modifications to the tables have been handled as corrections (FSH 1909.15, 10-18) rather than amendments for several years now. Since the plans were completed, direction has been given to the field units to publish a schedule of proposed actions four times a year to provide the public with the needed information on project scheduling (Forest Service Handbook FSH 1909.15).

Desired Condition: The desired condition is for all Forest plans to be up-to-date with the latest information on habitat needs for the two species and contain clear standards and guidelines to provide primary direction for site specific project design. The proposed action includes new standards and guidelines for northern goshawk and Mexican spotted owl habitat and satisfy the need for change.

The desired condition is for all Forest plans to deemphasize even-aged timber management. This amendment is needed to replace the present forest plan emphasis on even-aged management and modify existing standards and guidelines to eliminate potential conflicts between habitat requirements and management system guidelines. More emphasis is placed on using ecosystem management principals during the Integrated Resource Management process to determine site specifically what is needed in a particular area.

The desired condition is for forest plans to more accurately reflect the management practices actually being implemented and be consistent with the latest information on habitat needs for the two species. The amendment is needed to bring plans into line with the desired situation. The proposed action changes existing standards and guidelines to eliminate current forest plan authorization for steep slope harvesting solely for timber production reasons.

The desired condition is for forest plans to focus on the decisions made in forest plans and leave site specific decisions to be made during the Integrated Resource Management process. The proposed action includes corrections to eliminate or move informational

tables to a forest plan appendix, which will reduce their apparent status to one of information rather than direction. The corrections include a standard vegetation manipulation table.

Objectives: The following objectives were described for this action and provide specific details how this action will contribute to desired condition.

1. Standards and guidelines for Mexican spotted owl and northern goshawk are incorporated in the Southwestern Region's forest plans to guide site specific project design until forest plans are revised in an ecosystem management context (1996 to 2003).
2. Standards and guidelines for old growth are compatible with requirements for Mexican spotted owl and northern goshawk and are consistent across the Southwestern Region.
3. Standards and guidelines in each Southwestern Region forest plan reflect the deemphasis from even-aged management silviculture and better represent how existing forest plans are being implemented today.
4. Standards and guidelines in each Southwestern Region forest plan reflect the deemphasis of timber production from slopes over 40 percent.
5. Standards and guidelines for the Mexican spotted owl are consistent with the Mexican Spotted Owl Recovery Plan.
6. Standards and guidelines for grazing management are added to all forest plans.

C. PROPOSED ACTION

The eleven forest plans for the forests in the Southwestern Region will be amended to change the existing standards and guidelines and add new standards and guidelines. The amendment is a forest plan decision and will be appealable under 36 CFR 217 regulations. Appendix B describes the plan-by-plan proposed amendments. Appendix E describes the specific wording of the amendments for each of the detail alternatives.

A "Correction Notice" will be issued to correct present information displays, to make needed plan reorganizations and to make simple editorial changes. A Correction Notice is not a new forest plan decision, but is an issuance of "errata pages." Correction Notices are not appealable. Appendix C describes the plan-by-plan proposed corrections. Appendix C makes reference

to a "standard regional vegetation practices" table that is included in the environmental impact statement as Appendix D.

After the Record of Decision is issued by the Regional Forester, each Forest Supervisor will send out new plan pages to their respective forest plan mailing lists.

D. DECISION TO BE MADE

The Regional Forester is the responsible official for the region-wide amendment of forest plans. He will decide whether or not to amend forest plans. If he decides to amend the plans, he will decide the form and content of the amendments. The scope of this decision includes all Southwestern Region National Forests. This decision is not applicable to any forests outside the Southwestern Region.

In the context of time, the Regional Forester's decision is considered to have only a short-term (5 to 10 years) life span. For example, the Mexican Spotted Owl Recovery Plan only is established for a period of ten years. Further, each of the Region's forest plans are scheduled for revision beginning in 1996. At the rate of two to three forest plans per year, the revision process will be completed by 2003, a span of less than ten years.

E. ISSUES

The issues include effects on habitat and population viability; effects on goals, objectives, goods and services to be produced under forest plans; effects on other forest plan standards and guidelines; effects on jobs, income and rural community economics; effects on forest structure and composition; effects on forest health; effects on outstanding statutory rights; and effects on recreation and visual quality. These issues were developed and refined based on information received during the Scoping Report comment period that ran from November 15 to December 30, 1993. Chapter 5 of this EIS contains detailed information on the entire public involvement process used in development of this documented analysis.

The following six major issues define the scope of environmental concern that will be addressed in this document.

1. Economic effects. The amendment of forest plans will affect production levels of goods and services from the national forests. Changes in production levels will in turn affect jobs and income in several employment sectors. The timber,

recreation, and government employment sectors are most likely to be affected. Impacts on jobs and income would cause related impacts on the economic base, customs, and culture of some rural communities. Opportunities for job substitution and rural development may be affected.

2. Goshawk and Mexican spotted owl effects. The amendment of forest plans will affect the amount, quality, and distribution of these birds' habitat. The amount, quality, and distribution of habitat will in turn affect the degree of risk to population viability of each bird.

3. Ecosystem effects. The proposed strategy and alternatives will change forest structure and composition. The incidence of insect and disease will change as will the risk of wildfire, potentially affecting forest structure and composition. Changes in forest structure and composition will change the amount, quality, and distribution of habitat not only for the specific birds but for other species as well. Other features such as water yield and visual quality may also be affected by changes in forest structure and composition. Opportunities for manipulation of forest structure and composition will be affected.

4. Commodity production effects. The proposed strategy and alternatives will affect traditional commodity production. The amount and mix of timber products, the amount of forage production, and production of minerals and energy are most likely to be affected.

5. Recreation and services effects. The proposed strategy and alternatives will affect recreation, recreation special uses, and non-recreation special use opportunities. Recreation construction and expansion will be affected. Access opportunities will be affected.

6. Statutory rights effects. The proposed strategy and alternatives may create conflicts with outstanding statutory rights such as mining claims, access to private inholdings, and rights-of-way.

F. EVALUATION MEASURES

For each of the identified issues, evaluation measures were selected to focus the discussion of environmental effects. These measures reflect the programmatic nature of this analysis and documentation. They are not intended to capture information at a site-specific level, but rather to display the programmatic effects of adopting the amendment of forest plans across the

Southwestern Region. The specific measures used are presented for each issue below.

Issue 1 - Estimated timber volume produced (MMBF), estimated number of jobs, estimated income (millions of \$), estimated mineral/energy production returns to counties (thousands of \$), narrative of expected social effects to local communities, narrative and table of expected payments/receipts to counties (dollars).

Issue 2 - Narrative discussion of effects to the Mexican spotted owl and northern goshawk.

Issue 3 - Insect/disease risk narrative, wildfire risk narrative, six vegetation structural stages (percent of area of forested area), narrative on effects to other wildlife (including other threatened, endangered and sensitive species), narrative on aspen trends, narrative of effects on soil, water, air.

Issue 4 - Estimated timber volume produced (MMBF), estimated long-term forage production changes (pounds per acre), narrative on mineral/energy resource production.

Issue 5 - Narrative on effects of visual resources, narrative on effects to recreation/special uses, narrative on transportation system and forest access.

Issue 6 - Narrative on statutory rights related to minerals, narrative on landownership adjustments.

G. LOCATION/ANALYSIS AREA

This analysis is being conducted at the Regional level considering collectively the national forests of Arizona and New Mexico. Because of the programmatic nature of this analysis and the decision, no site-specific analysis is needed at this time. The habitats and forest management situations in other regions are different and are not included in this analysis (see further explanation in Appendix G).

H. FURTHER NEPA ANALYSIS NEEDED

A ninety day comment period pursuant to 36 CFR 219.10(b) was provided for the public to make comments on the draft environmental impact statement. This comment period was in addition to the formal scoping comment period provided from November 15 to December 30, 1993 (see Chapter 5 for additional information on scoping activities). A record of decision will be prepared and filed a minimum of 30 days after the final environmental impact statement is available to the public.

This programmatic amendment will guide implementation of site-specific project development until forest plans are revised. The environmental effects displayed in Chapter 3 represent the programmatic cumulative effect of amending forest plans to include Mexican spotted owl and northern goshawk management direction. Additional National Environmental Policy Act compliance will focus on project level site-specific implementation and environmental impacts and will be tiered to this environmental impact statement and the environmental impact statements prepared for initial forest plans.

Formal consultation with U.S. Fish and Wildlife Service was conducted on the programmatic effects of this region-wide amendment. Further consultation will occur on site-specific actions as they are proposed and analyzed. Consultation will also be conducted when forest plans are revised in the time period from 1996 to 2003.