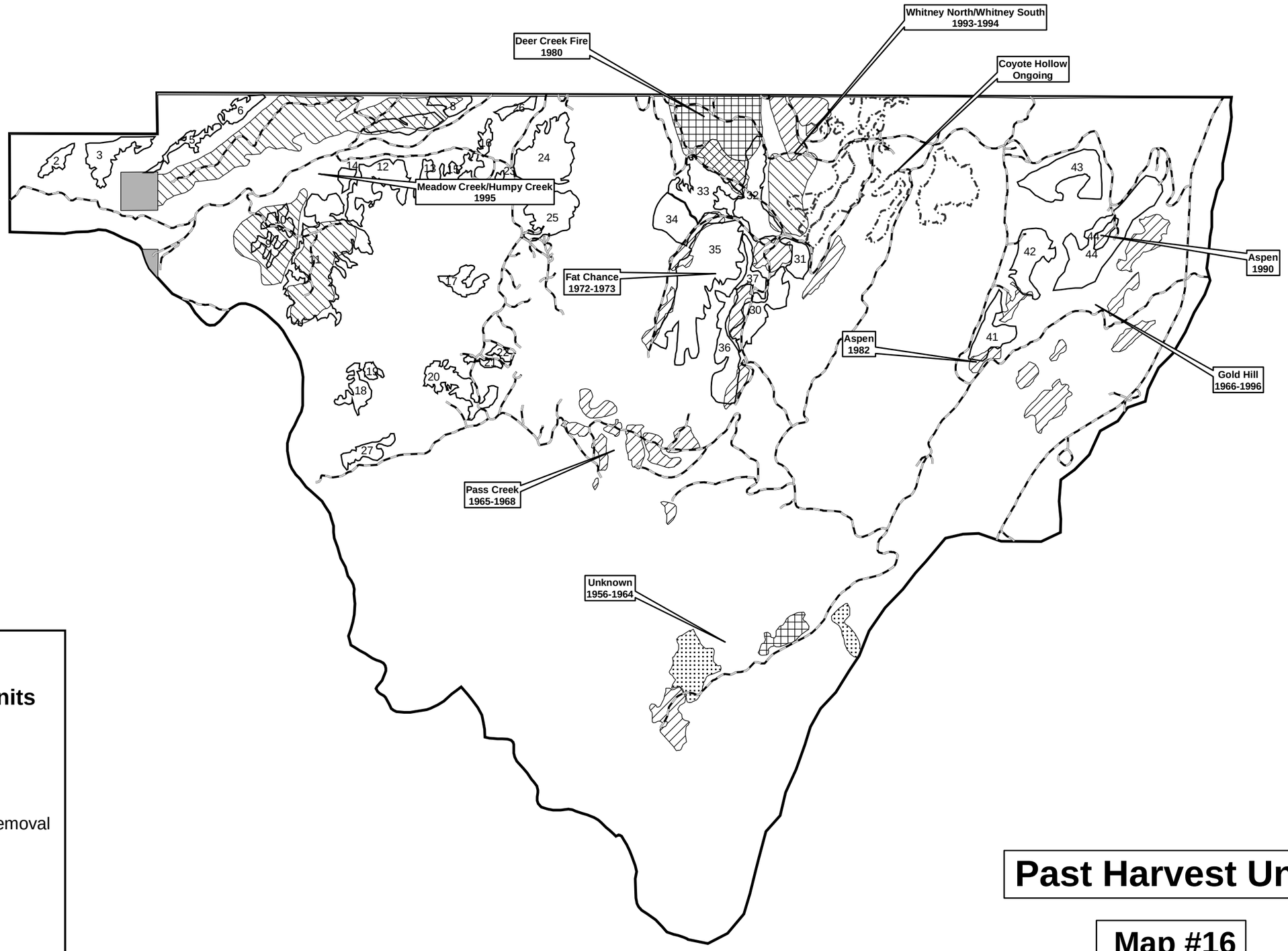
Appendices

Appendix A
Errata for Map #16
West Bear Vegetation Management Project

The past harvest unit shown in unit 33 on Map #16 in the FEIS does not exist. It was an error in mapping for the FEIS. There is a nearby meadow that may have been mapped as a past harvest unit and mislocated on the map. Apparent overlap of past harvest in other proposed harvest units is the result of minor mapping inaccuracies of past or proposed harvest units



Legend

Past Harvest Units

Type Cut

- Clear Cut
- Fire
- Over Story Removal
- Partial Cut
- Selective Cut
- Thinning
- Roads
- Private Land
- Analysis Area

± 1:43,448

Past Harvest Units

Map #16

Appendix B
Response to Public and Agency Comments
Supplemental EIS
West Bear Vegetation Management Project

B1.0 Public Comments and Forest Service Responses. Many of the comments received in response to the Draft Supplemental EIS were identical to comments received in response to the Draft Environmental Impact Statement. In response we refer the readers to Appendix B, of the Final Environmental Impact Statement where those comments have been responded to previously. Comments of similar topics are grouped together in the table below.

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
2	1	Utah Environ-mental Congress & Wildearth Guardian, Salt Lake City, Utah	The DSEIS states that this project is consistent with NFMA's "best available science" standard. We assume this means the 2000 transition provision at 36 CFR 219.35 (and not the 2005 regulations that have been enjoined). The DSEIS (page 1-1) does state the standards for best available science consideration (including disclosing opposing views, acknowledging incomplete information, etc.) that are from the 2005 regulations, but we agree they are a good guide for the 2000 standard which was lacking all explanation of what best available science entails.	Regulations	We are using current and accurate science in our analysis and environmental documents as we always have.
2	6	Utah Environ-mental Congress & Wildearth Guardian, Salt Lake City, Utah	A new set of NFMA implementing regulations was approved on April 21, 2008. The final decision for West Bear will come after that date. How will the WCNF justify using the 2000 "best available science" regulation as authority when a different set of regulations will be applicable?	Regulations	We agree with you that the 2008 National Forest Management Act (NFMA) Regulation at 36 CFR 219 became effective April 21, 2008. We are not relying on the 2000 or 2004 Regulations.
2	7	Utah Environ-mental Congress & Wildearth Guardian, Salt	Sections 1604 (c)-(g) of NFMA contain duties requiring the secretary to promulgate NFMA implementing regulations with substantive regulatory standards and guidelines, including a list of "required provisions" at (g). The 2000 NFMA regulations fail to	Regulations	We are not relying on the 2000 Regulations or the 2004 Interpretive rule.

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		Lake City, Utah	meet these duties, and also violated the NEPA, as the court found in Citizens for Better Forestry v. US. Department of Agriculture, 341 F.3d 961 (9th Circuit 2003). The 2000 regulations, as noted, are not valid as they directly violated NFMA.		
2	16		Within the project area a lynx analysis unit (LAU) exists that contains habitat that may deteriorate as a result of the proposed project. Past harvest units have been clear-cut that has rendered these areas unsuitable as lynx habitat. DEIS, p. 3-85. Habitat fragmentation may occur in certain treatment units due to an increase in edge effect where patch cuts occur. DSEIS p. 3-10. Due to logging and prescribed burning activities lynx will predictably avoid the project area during these activities. Id at 3-84. Based on these impacts it is recommended that the Forest engage in formal consultation with the Fish and Wildlife Service under section 7 of the ESA. Because the proposed project may affect the threatened lynx, formal consultation with the FWS and preparation of a biological opinion is appropriate if these steps have not been taken already. The Wasatch-Cache Forest Plan provides additional guidance for lynx that is largely based upon direction from the Lynx Conservation and Assessment Strategy (LCAS). LRMP, p. 4-38.	Regulations	The Forest Service prepared a Biological Assessment that included a determination of no adverse effects to populations of endangered and threatened (proposed) species of fish, wildlife and plants. This included the lynx. The Fish and Wildlife Service concurred with this determination on September 25, 2005. The project has not changed since then. Only if the project will affect the lynx would formal consultation under Section 7 be initiated.
1	1	High Uintas Preservation Council Hyrum, Utah	It is imperative that you analyze alternative ways to meet the purpose and need. You should have included a non-timber sale alternative focusing on prescribed fire and natural processes. In other words a no-roads alternative.	Array of Alternatives	Alternatives such as you suggest were considered but eliminated from detailed study (see section 2.1.7 of the FEIS). One of the stated purposes of the proposed action is to provide commodity outputs such as lumber. Without timber harvest this purpose is not met.
1	7	High Uintas Preservation Council	The argument that wildland fire is not acceptable because of downwind private property is ludicrous. Wildland fire is manageable and would allow the	Use of wildland Fire	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #8) in FEIS, Appendix B, Page 9.

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
		Hyrum, Utah	landscape to function properly. Harvesting should occur in small one acre patches with no roads.		Even if wildland fire was manageable, it is not predictable and cannot be relied on to move the landscape toward a properly functioning condition.
1	2	High Uintas Preservation Council	This project will not meet properly functioning condition. Meeting PFC is a long term endeavor and if approached from a timber sale perspective will require multiple entries over a long period of time. The DSEIS says that none are planned. This simply reveals the dishonesty of this proposal. PFC is not the driving factor but the good old get out the cut forestry.	Properly Functioning Condition	We clearly recognize that this project will not meet PFC. The EIS accompanying the 2003 Revised Forest Plan (RFP) analyzed a range of alternatives with varying levels of meeting PFC (see Table Veg-7). Alternative 7, the basis of the RFP, recognizes harvest plays a minor role but is still a component of the Revised Forest Plan approach that uses a variety of treatments to accomplish this goal (See Chapter 5, RFP). Please also refer to the Forest Service response to a similar comment (Letter #2, Comment #4) in FEIS, Appendix B, Page 4.
2	18	Utah Environ-mental Congress & Wildearth Guardian, Salt Lake City, Utah	One of the stated purposes and needs of the West Bear project is to move the project area towards properly functioning conditions and contributing to healthy watersheds and aquatic ecosystems. DEIS, p. 1-1. A forest-wide goal is to "maintain and/or restore overall watershed health". LRMP, p. 4-17. The Forest is to "restore water quality" to support beneficial uses. Id. The Forest is also to restore and/or maintain the diversity and productivity of native and non- native riparian and wetland plant communities. Id. at 4-18. MIS beaver can be readily found in the project area as all streams in the project area contain beaver individuals and habitat. DEIS, p. 3-6. Increased sedimentation will likely fill in dams at a faster rate that will cause beavers to move up and down the stream channel. DEIS, p. 3-93. This sedimentation will likely deteriorate MIS cutthroat trout (includes Yellowstone, Bonneville, and Colorado River subspecies) individuals and habitat. DEIS, p. 2-13. The project's goal of moving the area towards properly functioning condition for healthy watersheds and aquatic habitats through a logging project cannot be accomplished under the circumstances.	Water Resources	Please refer to the Forest Service responses to similar comments (Letter #1, Comments #7, #8, and #9) in FEIS Appendix B, Pages 1, 2, and 3.
2	10	Utah	The applicable soil standard is that no more than 15%	Soils	All of the treatment units are in sheep grazing allotments. Much of

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
		Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	of soil may be in a detrimentally disturbed condition within an activity area. The DSEIS states that soil disturbance will be on average 13%, with at least one unit (unit 13) listed at 15%. The document states that cumulative effects to soil can result from livestock grazing. The actual presumed effects are not disclosed, however.		the research on compaction by domestic livestock has been conducted on pastures and crop lands in Australia that are grazed at much higher intensity than the forest allotments in the West Bear area. Examples of this research, Greenwood and McKenzie (2001), Greenwood et al. (1997), and Sharrow (2007), indicates that soil compaction by sheep is generally shallow (upper 50-150 mm) and limited in duration. Murphy et al. (1995) speculate that the shape and small size of the sheep hoof might churn and till up the soil rather than compress it. Recent green line studies (Zobell 2005a) on 4 representative streams in the West Bear allotments indicate very small detrimental impacts from sheep crossing wet areas adjacent to streams. Summaries of these research findings and effects of grazing have been added in the Final Supplemental Environmental Impact Statement (FSEIS).
2	11	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	As for consideration of the effect of prescribed fire on the soil, the DSEIS says only that fire treatments will be in the fall and spring so will not "be subject to severe soil burning." We assume, then, that the Forest has not considered the effects of prescribed fire on the soils. It is likely that prescribed fire can push the detrimental soil percentage above 15% in some areas.	Soils	There is an appearance of a slight inconsistency in the FEIS on effects of fire treatment. While no severe soil burning is expected under the description of direct effects for Alternatives 2 and 3 in Section 3.2.4.1, effects and mitigation common to all alternatives under Section 3.2.4.02 contains the statement: "Because prescribed fire will occur when soils are moist and under higher relative humidities, and because the topography of prescribed fire areas is not steep, none of the units proposed for this treatment will be subject to severe soil burning on a widespread basis. Small concentrations of heavy fuels are likely to occur in some portions of units 41, 42, 43 and 44 that could cause hydrophobic soil conditions under the pockets, but this effect would be temporary (2 or 3 years) and would not be likely to affect more than 1% of the activity area. We do not consider this a detrimental soil disturbance, but even if it were, the total detrimental soil disturbance for these units would remain under 15%. Please also refer to the Forest Service response to a similar comment (Letter # 1, Comment #10) in FEIS Appendix B, Page 3.
2	12	Utah Environmental Congress & Wildearth Guardian, Salt	The DSEIS says that most of the miles of fireline will be reused as skid trails. Regardless of the multiple uses of the fireline, the WCNF must account for the effects of the fireline to soils, water, MIS, and wildlife. The original ElS stated that roads will also serve as	Soils	The treatment unit disturbance tables for Altrnatives 2 and 3 display estimated acres of disturbance for temporary roads, skid trails and firelines in separate columns. The acres displayed under the fireline columns are for firelines that will not serve as skid trails or roads. The temporary roads and skid trails that will also serve as firelines

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
		Lake City, Utah	firelines, indicating that the difference between "road" and "fireline" is merely in the usage of the road. EIS at 2-4. Please be clear about the totality of soil disturbance for firelines, skid trails and roads; and if some overlap usage, please disclose that, too. Then please do an effects analysis based upon that full disclosure. Under NEPA, the Forest Service must take a "hard look" at the potential impacts of the proposed action. Agencies are required to consider all the direct, indirect and cumulative effects of proposed actions. 40 C.F.R. § 1508.7; 1508.8 (a)(b). However, the cumulative effects section of the ElS makes no mention of the impact the fireline will have on resources. Segments of fireline are ten feet wide and will likely be scraped to bare mineral soil. The EIS only discusses the effects of timber harvest, road construction and prescribed fire: "Surface organic matter, such as litter and duff, provides a protective cover for mineral soil from the impact of raindrops, and also provides a porous sponge like cover that absorbs and transmits incipient water to the underlying mineral soil material. In sufficient amounts, surface organic matter can reduce both detachment of soil due to erosion, and the displacement of soil through runoff…. Mineral soil displacement occurs when the ground is gouged, rutted, or scraped off by timber harvest vehicles or logs during road and trail construction and yarding operations. By disturbing effective litter and plant cover, this exposes mineral soils to erosive forces such as wind and water." ElS 3-26. As shown, removing the top layers of soil for roads can have serious effects on soil and water, and, of course, the plants and animals dependent on those resources.		are displayed under the columns for temporary roads and skid trails. There is no additional detrimental soil impact of using roads and skid trails as firelines. It just reduces the amount of fireline that needs to be constructed. The detrimental soil effects of firelines were analyzed based on a 10 foot width of detrimentally disturbed soils. Firelines detrimentally disturb less than 1% of each activity area. The far right column in the treatment unit disturbance tables for Altrnatives 2 and 3 displays total direct effects of all detrimental soil disturbances in each activity area, including firelines. The probablility of soil erosion from harvest activities resulting in adverse effects on water quality was determined to be very low based on WEPP modeling and distance from stream channels in Sections 3.2.4.02 and 3.2.4.1 of the FEIS. WEPP modeled skid trails and firelines are very similar to skid trails including installation of water bars. Erosion control on firelines has been added to Table 2.1.7 in the FSEIS. Firelines are part of the opening created by the proposed activity and do not result in additional tree removal. They revegetate quickly from adjacent seed sources and do not have any effect on wildlife other than being part of the opening that was analyzed.
2	13	Utah Environmental	In regard to the analysis for roads, the EIS concludes	Soils	No model of erosion and sediment delivered to streams is precise due to many variables and uncertainty of weather events. FSWEPP

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		Congress & Wildearth Guardian, Salt Lake City, Utah	that: 'FSWEPP modeling results show that there would be no soil erosion on any of the soil types occurring within the proposed action harvest units, for the type of storms most likely to occur during the span of the project (6 years or less return frequency). *FSWEPP modeling of 30 year return frequency storm events does show that soil erosion could occur as a result of proposed harvest activities*, on the Mirror Lake and Duchesne soils found within soil type 226. Because these kinds of storms are not likely to occur within the time frame of harvest activity, and *none of the erosion rates exceed soil loss tolerance values* and none of the units containing these soil types are within 300 feet of any stream channels, *no specific erosion control practices will be needed to mitigate this effect*. EIS 3- 26-27; Soils Report at 8-9 (emphasis added). The conclusion that no mitigation is needed because the 30-year anticipated storm frequency will not produce large amounts of runoff is an incomplete analysis. It does not consider what effect the fireline construction - in addition to road construction - will have. The soils report admits that ". . . soil erosion rates exceeding soil loss tolerance values were predicted to occur, as a result of a 30 year return period rain storm, in proposed harvest units 7, 8, 31, 41, 42, 43, and 44, or about 22% of the activity areas." But the report claims that "Because these kinds of storms are not likely to occur within the time frame of harvest activity, the probability of detrimental soil erosion actually occurring in these units, as a result of proposed activities, is very low." Soils Report at 10. In addition, the EIS states that "Natural soil productivity would be maintained on at least 85% of the analysis area." ElS at		models erosion/sedimentation from disturbed/exposed acres of soil on a per acre disturbed basis, not on an activity area average. The model merely predicts whether or not there could be soil movement due to erosion and whether or not that sediment could reach a stream. The model produces the same results for firelines as it does for skid trails. As an interdisciplinary team member, the soil scientist helped to develop all of the mitigating measures and management requirements that are listed in Table 2.1.7 of the FEIS so they were a given and required part of the proposed action. What the soils report and FEIS say is that "no specific erosion control practices will be needed to mitigate this effect", meaning that already planned mitigation and management requirements are adequate and that no extraordinary measures designed specifically to prevent transport of sediment are needed.

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			3-28. These figures certainly omit the fireline. So the WCNF has disclosed that removing and scraping soils for roads can have detrimental environmental effects, and that soil erosion rates in several harvest units will exceed soil loss tolerance levels. However, the conclusion was made that the severity of the effects is within reasonable bounds and that WEPP modeling indicates that severe storms bringing large quantities of particulate runoff will likely be infrequent. But the analyses did not consider the added effects from the firelines.		
1	3	High Uintas Preservation Council Hyrum, Utah	PFC is clearly a landscape/regional concept. The DEIS, FEIS, and DSEIS attempt to get around this by noting that neither of the two timber sale alternatives reach or can reach PFC but that both alternatives move individual stands toward PFC and thus the entire area ever-so-slightly toward PFC, although it is not attainable. To argue PFC is meaningful in a regional/landscape context, recognizing this timber sale project cannot attain PFC, and then abuse the concept by analyzing PFC at a timber stand level is just plain devious.	PFC/ Vegetation	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #5) in FEIS, Appendix B, Page 4. See FEIS Section 3.4.4.
1	4	High Uintas Preservation Council Hyrum, Utah	Simply removing old trees from a stand of timber does not in the slightest reflect, mimic or move an area toward PFC. Timber harvesting in no way reflects the natural process inherent in a forest ecosystem as it is affected by insects, wind, fire….whatever the case may be. PFC is not going to be reached by timber harvesting.	PFC/ Vegetation	Please also refer to the Forest Service response to a similar comment (Letter #2, Comment #5and 6) in FEIS, Appendix B, Page 4 and 5. See FEIS Section 3.4.4.
1	5		The only West Bear landscape type at “high risk” according to the PFC assessment is seral aspen. Seral aspen in an ecological context is not at risk since it is seral. Allowing a forest system to function properly will move aspen, so to speak, through the system and because of its very nature seral aspen will change in place, vigor, densities—all dependent upon climatic		Seral aspen is described at risk because the proportion of disturbed patches (early/mid seral) are reduced compared to reference conditions leading to an overabundance of older stands and conifer stands replacing aspen.

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			variations and a host of long recognized inherent stochastic events—fire, wind, insects, disease.		
1	6	High Uintas Preservation Council Hyrum, Utah	As noted, the reason seral aspen is at "high risk" isn't a function of natural ecosystem driven actions, but Forest Service management practices including fire suppression. Continuing those practices will make PFC even more unreachable. The problem is the Forest Service has not allowed fires to burn with the forest system behavior.	PFC/ Vegetation	You are right that fire suppression is one of the main factors that seral aspen is at risk. As explained in Letter #2, Comment #8 from the FEIS referenced below, fire suppression is a necessary tool in this landscape so using wildland fire use isn't appropriate. Consequently, we are proposing harvest and prescribed fire. Please refer to the Forest Service response to a similar comment (Letter #2, Comment #8) in FEIS, Appendix B, Page 9.
1	9	High Uintas Preservation Council Hyrum, Utah	The DEIS doesn't acknowledge that the No Action alternative will move the landscape toward PFC at least as fast and certainly more efficiently with meaningful ecological integrity far more akin to the desired condition/goals stated in the Forest Plan.	PFC/ Vegetation	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #11) in FEIS, Appendix B, Page 6.
1	10	High Uintas Preservation Council Hyrum, Utah	While PFC is the driving force behind the purpose and need, timber sale alternatives can't bring it to bear, and the No Action alternative prohibits it that wildland fire isn't allowed out of false-policy fiat based on fear.	PFC/ Vegetation	Please refer to the Forest Service response to a similar comment (Letter #2, Comments #5, 6, and 8) in FEIS, Appendix B, Page 6.
1	8	High Uintas Preservation Council Hyrum, Utah	The discontinuous nature of these forests dampens the threat of forest insects. Some stands will be affected and others won't whereas in a continuous forest, the entire structure of the forest can be impacted. Of course, in neither case is that a real problem. Beetles affecting spruce and pine along with other inherent factors will bring the forest(s) into functioning properly within a timeframe that the inherent nature of the landscape can tolerate without further exacerbating the integrity of the forest. The No Action alternative fails in its analysis to acknowledge this and consistently suggests PFC will not be met without timber sales.	Vegetation	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #10) in FEIS, Appendix B, Page 7.
1	11	High Uintas Preservation Council Hyrum, Utah	The life of logging itself is well over a decade in time, followed by 10-30 years before various vegetation components are in place, with well over a century required for these forest patches to begin to approach the age and complexity they now show. An anthropogenic second growth "old forest" never	Vegetation	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #13 and #14) in FEIS, Appendix B, Page 7.

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			achieves the structural and functional complexity of a "natural" old/ancient forest system. The impacts analysis does not capture this temporal review.		
2	3	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	The WCNF is stating that the bark beetle infestation has reached epidemic levels or could in the future due to climatic conditions. The Forest is proposing logging and prescribed burning to reduce beetle encroachment. There is no scientific evidence substantiating this claim. Please provide citation to scientific studies that validate the Forest's assumptions that logging effectively reduces current and future infestations of bark beetles.	Vegetation	The SEIS on Page 11 states that there is a heavy infestation of mountain pine beetles in progress in the lodgepole pine in the analysis area but that spruce beetles are currently endemic (at normal levels). The Final SEIS includes additional citations in Section 3.4.3.1, 3.4.3.7, 3.4.4.1, and 3.4.4.2. A literature review by Keane et al. (2002) displays stand level and landscape effects of fire exclusion. At the landscape level a decrease in early seral communities, increased landscape homogeneity, increase in dominance of one patch type, and decreased patch diversity occurs along with larger and more severe fires, increase in crown fires, increased insect and disease epidemics, and increased contagion resulting in more severe insect and disease epidemics. Silvicultural systems can replace some of the effects of fire in landscapes where wildfires are not acceptable and where fire cannot be safely prescribed. See SEIS Section 3.4.3.1. Kulakowski et al (2003) stated that because stand-replacing fires create a mosaic of different age patches, their occurrence may prevent an entire landscape from being affected by a single outbreak. Conversely, a homogenization of the landscape due to suppression of stand-replacing fires may increase landscape susceptibility to outbreak. Spruce-fir stands burned under these conditions may take several decades to regenerate naturally, due to the hot, dry site conditions following the burn and loss of seed sources. See SEIS Section 3.4.4.1. The risk of a high level of mortality increases with stand conditions that include average diameter greater than 8 inches, stand age greater than 80 years, and stand basal area of 120 square feet or more (Samman and Logan 2000). In larger, continuous stands, beetle outbreaks can result in 80 percent or more mortality over a 5 to 7 year

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					period. Spruce stands which have an average dbh of 16 inches or more, have a basal area greater than 150 sq. ft. per acre and have more than 65 percent spruce in the canopy are the highest risk (Holsten et al. 1999; Schmid and Frye 1976). A small epidemic occurred in the Meadow and Humpy creek areas in the early 1990's. A blowdown initiated this epidemic, which covers about 400 acres and at one time was seeing annual mortality of over 1000 trees. Suppression efforts described by Bentz and Munson (2000) were employed and were successful in controlling the outbreak. See FEIS Section 3.4.3.1. Thinning will reduce the bark beetle risk from high to moderate in treated portions of the stand (Schmid and Frye 1976), possibly allowing time for future entries that would continue to move the stand toward PFC before catastrophic stand replacement occurred. See FEIS Section 3.4.4.1. Thinning will not reduce spruce beetle hazard below moderate (Schmid and Frye 1976), so stands will remain at risk in epidemic situations. However, by thinning, the large tree character of the forest may be maintained, while setting up conditions for perpetuation of spruce on the landscape. See FEIS Section 3.4.4.2. There is a recent, extensive review of literature by Fettig et al titled "The effectiveness of vegetation management practices for prevention and control of bark beetle infestations in coniferous forests of the western and southern United States" . Citations of this paper have been added to FSEIS Sections 3.4.3.7 – Insects and Disease, Chapter 3, and 3.4.4.2 – Insect Predation (Mountain Pine and Spruce Beetles)
2	4	Utah Environmental Congress & Wildearth Guardian, Salt Lake City,	The Forest should consider moving the area towards properly functioning condition through additional prescribed burning instead of commercial logging. We are glad that the eastern portion of the project already includes a prescribed fire component; however we feel that this type of treatment should be incorporated into	Vegetation	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #1) in FEIS Appendix B, Page 13.

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		Utah	the other sections of the project area. To help restore aspen and achieve other project goals prescribed burning is most likely to have the desired effect.		
2	5	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	The DSEIS (p. 3-1 1) states that spruce beetle infestation results in a buildup of large down woody fuels in spruce-fir and mixed conifer. But dead and dying trees are not necessarily more of a fire risk than live trees. For example, green needles can be more flammable than dead, bare branches. Please address.	Vegetation	The SEIS (p.12) quotes research that the occurrence of severe fire following beetle outbreaks is not inevitable, depending on moisture regimes and weather events. However, it also quotes research that states that under extreme fire weather conditions, large quantities of dead fuels would contribute to more intense and widespread fire in spruce-beetle killed stands than in unaffected forests and that the cumulative effect of widespread tree mortality also causes dead fuels to accumulate for decades, increasing the hazard of high-intensity fire over time. Green needles can be more flammable than dead, bare branches. The problem is the heavy down woody material that develops over time following bark beetle epidemics. See additional citations in Section 3.4.3.1,
2	20	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	The original DEIS's section on "old forest" (otherwise known as old growth) notes the existence of forest plan standards designed to promote the maintenance of aspen and conifer in mature or old age classes. DEIS, p. 3-45. The plan includes a standard to maintain at least 20% of each forest type as old forest with patch sizes of at least ten acres. Id. It appears that the Forest has evaluated compliance with this standard through consideration of trees per acre (TPA) and age. We recommend that the Forest utilize a more scientifically credible method for evaluation of old forest designation. The Forest Service's most comprehensive consideration of old growth in the Intermountain Region can be found in Ronald Hamilton, p. 15. Hamilton recommends measuring standing and down dead trees. Measuring dead and dying trees is a critical aspect of old growth classification and we recommend that this type of classification occur before the EIS is finalized. Hamilton's study noted that at minimum trees per acre, age, and dbh need to be measured to determine old growth. In this case dbh has admittedly not been measured, which should also be done before	Vegetation	Please refer to the Forest Service response to similar comments (Letter #1, Comments #11, #12, and #15) in FEIS Appendix B, Pages 6 and 7.

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			the EIS is finalized.		
1	12	High Uintas Preservation Council Hyrum, Utah	The discussion of cumulative effects is listed rather than actually analyzed. There is no actual analysis as to what impacts will be created by adjacent and nearby activities and how those impacts add to the influences of this project.	Cumulative Impacts	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #16) in FEIS, Appendix B, Page 12.
1	13	High Uintas Preservation Council Hyrum, Utah	The cumulative impacts of extensive summer and winter recreation use were simply not addressed. The movement of vehicles on the roads impacts habitat and behavior of wildlife over a long timeframe.	Wildlife and Cumulative Impacts	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #17) in FEIS, Appendix B, Page 12. The cumulative impact of roads and vehicle use within the project area on wildlife and their habitat is found in the SEIS Sections 3.6.4.2 and 3.6.4.4
1	14	High Uintas Preservation Council Hyrum, Utah	There is no supporting data or basis that given the broad based corridor will be denigrated, wildlife will alter their movement through the system and move through smaller riparian corridors.	Wildlife Corridor	The effects to habitat connectivity and the regional wildlife corridor identified in the Revised Forest Plan are described in section 3.6.4.7 of the FEIS. Beyond the smaller riparian corridor referred to, portions of the larger corridor will remain intact. A paragraph with citations has been added in Section 3.6.4.7. in the Final SEIS.
1	15	High Uintas Preservation Council Hyrum, Utah	Lynx are dependent on dispersal for their survival. The cumulative effect of the proposal and motorized recreation use is not adequately discussed.	Lynx and Cumulative Effects	The effects on lynx from the proposed action and alternatives have been adequately addressed in the FEIS, Section 3.6.4.1.
2	17	Utah Environ-mental Congress & Wildearth Guardian, Salt Lake City, Utah	Please appraise the existence of sufficient old forest habitat lynx according to Hamilton's standards as described above. Lynx depend upon late-successional forest reserves that are most appropriately identified as old growth pursuant to Hamilton's standards. In LAUs, the Forest is to design all management activities "to maintain, restore, or protect lynx and lynx habitat." LRMP, p. 4-42. The project as proposed will not comply with this particular guideline and so the project should be modified to protect lynx and its habitat within the LAU.	Lynx and Forest Plan Direction	Please refer to the Forest Service response to similar comments (Letter #1, Comments #11, #12, and #15) in FEIS Appendix B, Pages 6 and 7. The compliance to Guideline 18 is described in Chapter 3, Page 102. of the FEIS.
1	17	High Uintas Preservation	It is not simply a matter of alternative habitat or corridors but a function of a particular species'	Wildlife	As you point out in your previous comment there is an existing road system with its attendant use within the analysis area. The West Bear

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		Council Hyrum, Utah	behavior patterns. The additional level of development in a lightly developed landscape further exacerbates the likelihood that wildlife such as lynx and wolverine are less able to survive.		Project Area is not an undeveloped or lightly developed landscape that you refer to in your comment. Effects on wolverine, lynx, great grey owls or boreal owls have been discussed
1	18	High Uintas Preservation Council Hyrum, Utah	Meaningful population data for MIS or any other species is missing or minimal or as in beaver relies on old DWR harvest reports.	Wildlife	The Forest Plan Monitoring direction requires us to establish baseline populations for the MIS identified in 2003 during Revision. We have collected forest-wide baseline data on beaver in 2004 and 2005. It is again scheduled to be conducted forest-wide during the summer of 2008. In the meantime we must rely on data from other sources.
2	9	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	The WCNF has also failed to provide population trend data for beaver MIS. The EIS says, "Currently there are not enough years of Forest Service monitoring population data on beaver to indicate a trend. However, there are three source documents provided by the Utah Division of Wildlife Resources that currently indicate a trend." EIS at 3-89. These source documents appear to be from (a) 1979-80, (b) 1988-1999, (c) 1971-1982, and (d) 1993. ElS at 3- 89. There are no population trend data for the beaver past 1999, despite the fact that the Forest Plan requires data collection each year. Forest Plan at 4-113.	Wildlife	See response to Letter 1, Comment 18 in the previous block. The monitoring requirements for beaver in the Forest Plan calls for surveying 1-2 4th order HUCs each year. There are 17 4th order HUCs on the Forest of which 15 have water. With two 4th order HUCs being surveyed per year, each HUC would be resurveyed once every 7.5 years. The measurement frequency is being adapted to allow for increased frequency and a forestwide perspective not provided for in the Forest Plan schedule. By surveying the entire Forest every three years the monitoring interval is shortened. This has the additional advantage of collecting and reviewing information on each of the two populations at one point in time instead of a piecemeal approach to subsets of the two populations on the Forest.
2	2	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	DSEIS states that when appropriate, conclusions show a consideration of responsible views. However, we find lacking discussion of credible critiques of the Goshawk Amendment's recommendations from Reynolds. Where Reynolds was not a peer-reviewed scientific study published in a scientific journal, we point out a 2007 study in the Journal of Applied Ecology that criticizes Reynolds. It says, "Contrary to expectation, goshawk productivity decreased with increasing similarity to the goshawk guidelines [Reynolds' guidelines in the Amendment]." (See the attachment.) The DSEIS does not discuss this contrary view as it should, especially since the attached article is a peer-reviewed scientific article whereas Reynolds was not.	Wildlife	Beier et al (2008) evaluated goshawk reproduction in ponderosa pine forests in relationship to the guidelines developed by Reynolds et al 1992 for the southwestern U.S. Within ponderosa pine forests, they found "a moderate negative correlation between goshawk productivity and the forest structure prescribed by the guidelines". They did not find a correlation with the resemblance of the breeding area to preferred foraging habitat nor resemblance to presettlement forest conditions with goshawk reproduction. It is uncertain whether their findings would be similar within other forest vegetation types; ponderosa pine forests do not occur within the project area.

Letter #	Comment #	Name	Summarized Comment	Category	Response to Comment
2	8	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	Goshawk: the northern goshawk, a sensitive species and MIS, exists in the project area that includes two territories in the analysis area. As a result of the proposed project the foraging opportunities for goshawks would be limited and would probably limit the nesting value of the habitat that exists in proposed cutting units. This potential nesting habitat would not provide adequate nesting habitat until 60-80 years following the timber harvest. The Forest Plan requires that management activities be designed to maintain, restore, or protect goshawk and goshawk prey habitats. The proposed project does not comply with this particular provision and therefore the project does not comply with the plan. The project will degrade goshawk foraging habitat. This results in a failure to adhere to or meet the Reynolds management requirements. The Forest Plan incorporates the Goshawk Amendment (1998), which in turn incorporates Management Recommendations for the Northern Goshawk in the Southwestern United States (1992) ("Reynolds"). Reynolds states that, " trees and forests require many years to grow, and because much research is needed to improve our understanding of goshawk habitat use, it is prudent to minimize the possibility of immediate loss of goshawk habitat." (Reynolds at 21.) The ElS notes that "In the aspenlconifer treatment units the stands would not be suitable for [nesting habitat for 60-80 years. The aspenlconifer vegetation type is an important nesting component in the lower elevations." EIS at 3-108. The fact that this project will removed critical nesting habitat for the next 60-80 years directly conflicts with Reynolds' recommendation as adopted by the WCNF Forest Plan. The temporary degradation of goshawk habitat also violates the WCNF Forest Plan Guideline 15, which	Wildlife	Of the 11,164 forested acres within the analysis area, 1,742 or approximately 15% are in early to mid-seral stages. The remaining 85% are mature old (stand age greater than 100 years) (SEIS Page 3-15). Most of the goshawk nests on the north slope of the Uintas are in mixed lodgepole and aspen stands, lodgepole stands near mixed aspen and lodgepole, or aspen stands. This may be because the aspen component may provide additional foraging opportunities for goshawks. The Forest Plan requires maintenance and restoration of habitat as well as protection. Without treatment, the loss of potential nesting habitat in some vegetation types is likely due to decline of the aspen component. Prey species that require early succession vegetation habitat would be lost from the area because of the lack of natural disturbance. (FEIS Section 3.6.4.2, Northern Goshawk, No Action Alternative.) The proposed project maintains or restores these components while protecting mature and old components under guidance in "The Northern Goshawk in Utah: Habitat Assessment and Management Recommendations" (Graham et al 1999). Reynolds et al (1992) provides numerous management recommendations for the northern goshawk to reduce the effects of management activities. These include activities which would have both short-term and/or long-term effects. FEIS Section 3.6.4.2, Pages 3-107 thru 3-109 and SEIS Pages 3-14 through 3-19 display the effects of the alternatives on the goshawk and its habitat.

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
			states that activities in goshawk habitat should maintain, restore or protect goshawk and prey. Thus, as the very minimum, habitat should be maintained (and not further degraded). The ElS notes that goshawk trends have been "static" Forest-wide. ElS at 3-9 1. A static trend and a temporarily degraded habitat certainly does not maintain the habitat necessary for this sensitive and management indicator species. Under the NFMA, National Forests are required to "provide for diversity of plant and animal communities" and to "insure research on and (based on continuous monitoring and assessment in the field) evaluation of the effects of each management system 16 U.S.C. § 1604(g)(3)(B) and (3)(C). The NFMA also requires that implementing projects be consistent with the Forest Plan. 16 U.S.C. § 1604(i). The Forest Service Manual contains the following direction requiring Forests to maintain both habitat and populations to ensure species' viable populations: o FSM 2620.1 directs the Forest Service to manage "Habitats for all existing native and desired non-native plants, fish, and wildlife species in order to maintain at least viable populations of such species" and "habitat must be provided for the number and distribution of reproductive individuals to ensure the continued existence of a species generally throughout its current geographic range." o FSM 2622 .01(2) requires the Forest Service to manage habitat so as to provide for the maintenance of viable populations of existing native and desired non-native wildlife, fish, and plant species, generally well-distributed throughout their current geographic range. o FSM 2670.22 (Sensitive Species) requires Forests to ensure that sensitive species do not become threatened		

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
			or endangered because of Forest Service actions and to maintain viable populations of all species in habitats distributed throughout their geographic range on National Forest System lands. o FSM 2670.45(4) requires Forest Supervisors to "Determine distribution, status, and trend of threatened, endangered, proposed, and sensitive species and their habitats on Forest lands." o FSM 2672.1 states that "Sensitive species of native plant and animal species must receive special management emphasis to ensure their viability and to preclude trends toward endangerment that would result in the need for Federal listing. There must be no impacts to sensitive species without an analysis of the significance of adverse effects on the populations, its habitat, and on the viability of the species as a whole. It is essential to establish population viability objectives when making decisions that would significantly reduce sensitive species numbers." The project activities will degrade goshawk habitat, at least in the short term. This is inconsistent with direction in both Reynolds (thus the Forest Plan) and the FSM' s direction on sensitive species.		
2	14	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	We take issue with the contention that grazing, in particular, will have a negligible effect on the goshawk habitat's ability to regenerate after cutting. The DSEIS says "Regeneration in clearcut units provides foraging opportunity for prey species and in turn for goshawks." P. 3-15. You need to address how grazing will affect clearcut and burned areas' abilities to regenerate and provide habitat to the goshawk and its prey species. Oddly, the DSEIS says that studies of grazing indicate that grazing does not prevent aspen from regenerating. P. 3-19.We don't possibly see how this can be true. Grazing animals obviously eat leafy shoots, thus	Wildlife	The allotment permitees will be directed to not deliberately graze the treatment areas (Zobell 2005a). They will not be fenced off. There will be some unintentional grazing in the treated areas from drifting or trailing livestock, but the adverse impacts to tree and shrub regeneration from this is expected to be minimal. Sheep as well as deer, elk and moose browse on aspen. However if this browsing is light to moderate, it has little effect on the growth of aspen into mature trees. Aspen has evolved to regenerate and grow into mature trees despite browsing by wildlife. There are places in the western range of aspen where browsing by large numbers of elk and/or heavy domestic livestock grazing retard aspen growth and sometimes prevent successful regeneration and growth. However, observation

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
			hindering regrowth. The DSEIS also says that livestock use will be delayed in post-fire and post-harvest aspen areas. If the areas will be fenced off, why include a statement that grazing doesn't hinder regeneration?		of treated areas across the north slope of the Uinta Mountains and establishment of monitoring studies, (Zobell 2005a), on representative sites indicates that aspen regenerates and grows successfully with current grazing management practices in this area. The statement referenced on page 3-19 of the SEIS is confusing and has been clarified in the FSEIS.
2	15	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	The ElS discloses that the goshawk's prey — including woodpeckers, cavity nesters, squirrel, and snowshoe hare — will be negatively affected by the project activities. EIS 3-108. The reduction of the goshawk's primary prey certainly qualifies as a cumulative effect, but was not discussed in the EIS. A NEPA analysis may not simply describe cumulative impacts (here, that prey species will be reduced), but must also include "analysis of what the nature and extent of the impacts would be."	Wildlife	The effects on norhern goshawk foraging habitat from the proposed action and alternatives have been adequately addressed in the SEIS, Pages 3-16 through 3-19.
2	19	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	EIS page 3-112 discloses that both action alternatives will resort in short and long term impacts to migratory birds, and would also appear to involve taking of migratory bird resources: "The effects would be expected to be short term for those species requiring early seral vegetation types." ... "Those species requiring mature to late seral vegetation would be expected to be affected for a longer period of time. Because some vegetation types mature at different times the time period could range from 60 to 100 years. Disturbance and displacement of bird species is expected in stands where treatment units are proposed. Depending on a species breeding period there may be some lost or incidental take of nests within the treatment units. Timber harvest is not allowed until soils dry out in early summer. This typically does not occur in the West Bear area until some time between June 15 and July 1." EIS p. 3-112.	Wildlife	The Forest Service is committed to minimizing effects of management activities on migratory songbird species. This project will comply with Forest Plan Guidelines 16 and 17 (FEIS Chapter 1, Page 12) providing for maintenance of adequate snags, replacement trees and down woody material for cavity dependent species. There is a restricted window for implementation of timber harvest and road construction activities due to the high elevation of the project area and public demand for snowmobiling opportunities. A balance of timber harvest restrictions is necessary during the most critical spring time periods while allowing road construction and timber harvest activities during the summer and fall to minimize effects to neotropical birds. The FEIS contains the following timing restrictions for northern goshawks and other neotropical migratory birds in Table 2.1.7 in Chapter 2, Page 9: - Timber harvest will not be allowed within active northern goshawk nest areas (approximately 30 acres) during the active nesting period in compliance with Forest Plan Standard S12. - Harvest operations in units within ½ mile of active nests will not be allowed during nesting or post-fledging if the wildlife biologist determines that it is necessary to prevent disruption of nesting or

Letter #	Comment #	Name	Summarized Comment	Category	Response to Comment
			There are no timing restrictions or mitigation measures that further constrain this June 15-July 1 start date for logging. The DSEIS (p. 3-2) states that prescribed fire will be limited to spring and fall, but there is no indication of timing for logging activities. The Williamson's sapsucker breeds from late April to late July, with peak breading activities from late May to mid-July. Nests usually in old lodgepole pine with a dead core; also nests in other conifer types (Granholm, unpubi.). In Colorado, however, most nests found in aspen (Crockett 1975, Crockett and Hadow 1975). Red-naped sapsuckers are known in the intermountain west to have chicks hatching in early June and be fledging in the second week, or middle, of July. It is therefore obvious that this timber sale will result in some direct and indirect negative impacts to these protected migratory bird species, and will also result in taking migratory bird resources due to the failure to consider or commit to timing restrictions that would have avoided or mitigated the taking. To be in compliance with the language and intent of the MBTA and EO 13186, and NEPA's mandate for rigorous analysis, the EIS must fully disclose and rigorously analyze how the proposed activities would or would not be in compliance with the Migratory Bird Treaty Act and Executive Order 13186. Impacts were not adequately disclosed. More importantly, to be in compliance with the MBTA and EA 13186 the agency needs to explore and adopt reasonable timing and mitigation measures that would avoid or reduce takings of migratory bird resources.		post-fledging activities to meet Forest Plan Guideline G15. Topography and timber haul routes will be considered. - Restrict harvest operations between December 31 and June 15 to minimize disturbance to wildlife. - Restrict prescribed burning to the fall season, after neotropical nesting is over and fuels cure. (This requirement was added to the FEIS after publication of the DEIS. It is more restrictive than the requirement for soil protection.) Timber sale contract requirements and standard procedures during timber sale administration are to not allow felling of undesignated timber except that necessary to provide paths for skid trails and temporary roads. Aspen is not designated for removal from any of the treatment units in this project so aspen with nesting birds are unlikely to be felled. Timber markers look for conifers with cavities or soft, rotten wood to mark as wildlife trees, further reducing the likelihood of a tree with an active nest being felled. The Forest Service does not allow timber harvest operations to begin during restricted operating seasons and then not until soils have dried out. Operations typically begin in a unit with construction of any temporary roads that are planned before felling and skidding begins. Since operations are spread out over the operating season, only a small percentage (less than 20%) of the project area is likely to be affected before the middle of July.
1	19	High Uintas Preservation Council Hyrum, Utah	The EIS documents analyze only financial efficiency rather than socio-economic issues even though these projects have an impact on economic concerns and value based concerns.	Financial Efficency	Please refer to the Forest Service response to a similar comment (Letter #2, Comment #23) in FEIS, Appendix B, Page 11. Socio-economic analysis of timber harvest was conducted during the

Let-ter #	Com-ment #	Name	Summarized Comment	Category	Response to Comment
					Forest Plan Revision (see Socio Economic Section of the FEIS accompanying Forest Plan Revision).
1	16	High Uintas Preservation Council Hyrum, Utah	The 2002 West Bear River Ecosystem Management Project recognized road densities exceed 1 mile/sq mile of land. It acknowledged the numerous effects roads have on wildlife. The FEIS & DSEIS ignores these concerns as temporary roads are added to the spider-web of extant roads.	General	The effects of roads are described throughout Section 3.6 of the FEIS. It is important to note that temporary roads will be closed following completion of timber haul which is normally within 1 year following construction. Please refer to the Forest Service response to a similar comment (Letter #2, Comment #15) in FEIS, Appendix B, Page 12.
1	20	High Uintas Preservation Council Hyrum, Utah	Timber sale after timber sale have left the area further fragmented, more dysfunctional, and out of context with the inherent nature of the forest system.	General	We share different points of view about how best to manage or not manage the Forest. Within the Western and Eastern Management Areas (about 588,000 acres) there are over 230,000 acres of inventoried roadless areas where timber harvest and road construction is currently prohibited and 180,000 acres of wilderness. The remaining 178,000 acres generally allow vegetation treatment including timber harvest.
2	21	Utah Environmental Congress & Wildearth Guardian, Salt Lake City, Utah	We would like to request that in the future, when preparing a Supplemental document, you insert the modifications into the original with notations of the changes. It can be frustrating to have to have the original document and the supplemental documents side-by-side to see where new insertions should be placed. We appreciate consideration of this administrative change.	General	We understand your frustration. We were trying to reduce our use of paper and keep our printing and mailing costs to a minimum. The SEIS as formatted is less expensive to produce. We will consider your request for future documents.
3	1	B. Sachau New Jersey	I want all of my former comments to apply to this revision of the plan. It is clear these places are designed to be protected for our children, not decimated.	General	Thank you for your comment. Your previous comments were considered.

Agency Comments and Forest Service Responses

B.2 Agency Comments and Forest Service Responses

B 2.1 U.S. Department of Interior

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Denver Federal Center, Building 56, Room 1003
Post Office Box 25007 (D-108)
Denver, Colorado 80225-0007

April 15, 2008

9043.1
ER 08/309

Mr. Brian Ferebee, Acting Forest Supervisor
Wasatch-Cache National Forest
8236 Federal Building
125 South State Street
Salt Lake City, UT 84138

Dear Mr. Ferebee:

The Department of the Interior has reviewed the draft Environmental Impact Statement for the West Bear Vegetation Management Project, Wasatch-Cache National Forest, Utah, and has no comments.

Sincerely,

Robert F. Stewart
Regional Environmental Officer

cc: Larry Johnson, Evanston Ranger District

Forest Service Response to USDI Comment Letter:

Thank you for your letter.

B.2.2 U.S. Environmental Protection Agency

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

APR 14 2008

Ref: EPR-N

Brian Ferebee
Acting Forest Supervisor
Wasatch-Cache National Forest
8236 Federal Building
125 South State Street, Utah 84138
Ogden, UT 84401

Re: West Bear Vegetation Management Project
DSEIS CEQ 20080084

Dear Mr. Ferebee:

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the West Bear Vegetation Management Project Draft Supplemental Environmental Impact Statement (DSEIS). Our comments are provided in accordance with our authorities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C) and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. On March 5, 2007, the U.S. Forest Service (USFS) issued a Record of Decision (ROD) for West Bear Vegetation Management Project final EIS and its approval of Alternative 2 for the vegetative management project. Two appeals were received on this decision and the USFS elected to withdraw its decision. After reviewing the West Bear Vegetation Management Project, the USFS determined that it would issue a DSEIS that provided additional analysis of soils and some specific wildlife issues.

EPA's review of the additional information in the DSEIS concludes that the additional information provided on soil erosion and compaction responds to the concerns outlined in our December 6, 2005 letter in response to the initial DEIS. We are pleased with the outcome.

Based on the procedures the EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and its alternatives in an EIS, EPA rates this DSEIS as LO-1 (Lack of Objections – Adequate). An "LO" signifies that EPA's review of the DSEIS has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. A "1" rating signifies that the DEIS adequately sets forth the environmental impacts of the preferred alternative and those of the alternatives reasonably available to the project; no further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information. A copy of EPA's rating criteria is enclosed.

These comments are intended to help ensure a comprehensive assessment of the project's environmental impacts, adequate public disclosure and an informed decision-making process for alternative selection. If you would like to discuss our comments, please feel free to contact me or the lead reviewer for this project, Dick Clark, at (303) 312-6748.

Sincerely,

Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

cc: Larry Johnson, Evanston Ranger District, Wasatch-Cache National Forest ✓

Forest Service Response to EPA Comment Letter

Thank you for your comments

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

B.2.3 Board of Lincoln County Commissioners

Board of Lincoln County Commissioners

925 Sage Avenue, Suite 302
Kemmerer, WY 83101

307-877-9056 Ext: 313
307-877-4237 Fax
e-mail: commission@lcwy.org

KENT CONNELLY, CHAIRMAN
Kemmerer, Wyoming 83101

TAMMIE ARCHIBALD
Afton, Wyoming 83110

JERRY T. HARMON
Afton, Wyoming 83110

April 7, 2008

Steve Ryber, District Ranger
Evanston Ranger District
Wasatch-Cache National Forest
1565 Highway 150, Suite A
P.O. Box 1880
Evanston, WY 82931

RECEIVED AT
EVANSTON
DISTRICT OFFICE
APR25

RE: West Bear Vegetation Management Project

Dear Steve,

Thank you for the opportunity to comment on the proposed West Bear Vegetation Management Project within Wasatch-Cache National Forest. Lincoln County is committed to insure that public lands are managed for multiple use and sustained yield and to prevent waste of natural resources. The Bear River is an important resource to County residents and Lincoln County supports projects that will improve water quality and increase the amount and dependability of the water supply.

We believe that all forested lands are to be managed for sustained yield and multiple use. Managers of public lands must protect watersheds with respect to water quality and to insure the water yield is not decreased or that it is improved. Fire, timber harvesting, and treatment programs must be managed as to prevent waste of forest products. Management programs must provide for fuel load management that will prevent catastrophic events and provide for reduced fire potential at the urban interface.

Restoring and reinvigorating plant communities are important for the continued health of our National Forests. Therefore, Lincoln County supports Alternative 2 as the preferred alternative. We thank you for the opportunity to comment.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY

Kent Connelly, Chair Jerry T. Harmon Tammie Archibald

Forest Service Response to Board of Lincoln County Commissioners Comment Letter

Thank you for your comments.

Appendix C
Timber Management Requirements
West Bear Vegetation Management Project

C1.0 FSM and U.S.C. Requirements

The minimum specific management requirements for projects and activities that must be met in carrying out projects and activities for the National Forest System (NFS) are set forth in FSM 1921.12a. Under 16 U.S.C. 1604 (g)(3)(E), a Responsible Official may authorize site-specific projects and activities to harvest timber on NFS lands only where:

1. Soil, slope, or other watershed conditions would not be irreversibly damaged.

Response: Timber harvesting under the West Bear Vegetation Management Project is designed to comply with Forest Plan Standards and Guidelines to protect soil, slope and watershed conditions, including limiting ground based skidding to slopes under 40%, use of erosion control measures, and use of all other Best Management Practices. No harvest is being planned in Riparian Habitat Conservations Areas. Analysis by the Forest Hydrologist and Forest Soil Scientist discloses that there would be no irreversible damage to soils, slopes or other watershed conditions. (FEIS Sections 3.1.4.02, 3.2.4, and 3.12)

2. There is assurance that the lands can be adequately restocked within five years after final regeneration harvest (FSM 1921.12g).

Response: All of the harvesting is planned in areas that can be adequately restocked with 5 years. Planting is scheduled for group selection patches in the spruce-fir forest type, natural regeneration for patches with lodgepole pine seed sources, and natural regeneration of aspen/conifers in areas planned for conifer removal or conifer removal followed by prescribed burning. The sites proposed for harvest under this project are better than average for the North Slope of the Uinta Mountains. Natural regeneration of aspen and lodgepole pine on the North Slope is generally dense and rapid (less than 5 years) and planting is rarely necessary. Regeneration of Engelmann spruce has been less successful in some areas due to inappropriate clearcutting and higher elevations. Group selection harvesting provides shade and protection from drying wind and planting insures regeneration of spruce (FEIS Section 3.4.3.3).

3. Streams, streambanks, shorelines, lakes, wetlands, and other bodies of water are protected from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment where harvests are likely to seriously and adversely affect water conditions or fish habitat.

Response: No vegetation treatments would be conducted in Riparian Habitat Conservation Areas (RHCAs). RHCA Category 1 consists of fish bearing streams and the area on either side of the stream extending from the edges of the active stream channel to 300 feet slope distance (600 feet, including both sides of the stream channel). Category 2 and 3 RHCAs consist of permanently flowing non-fish bearing streams and ponds, lakes, reservoirs and wetlands greater than one acre and the area on either side of the stream or pond extending from the edges of the active stream channel or pond edge to 150 feet slope distance (300 feet, including both sides of the stream channel or pond). Category 4 RHCAs include features with high variability in size and site-specific characteristics including seasonally flowing or intermittent streams, wetlands less than 1 acre, landslides, and landslide-prone areas. At a minimum the interim RHCAs must include, landslides and landslide-prone areas, 100

feet slope distance in watersheds containing Bonneville or Colorado River cutthroat trout, and 50 feet slope distance for watersheds not containing Bonneville or Colorado River cutthroat trout. Analysis by the Forest Hydrologist,

Forest Soil Scientist, and Forest Fisheries Biologist discloses that harvests are unlikely to seriously or adversely affect water conditions or fish habitat. (FEIS Sections 3.1.4, 3.2.4, and 3.3.4)

4. The harvesting system to be used is not selected primarily because it would give the greatest dollar return or the greatest unit output of timber.

Response: The harvesting systems analyzed were not selected primarily because they would give greatest dollar return or the greatest unit ouput of timber. Ground based yarding is the only logging system widely available and in use on the Wasatch-Cache NF. This is due primarily to the generally gentle slopes where timber is managed on the Forest. The silvicultural systems analyzed for this project are more expensive and do not produce a lot of timber volume per acre. Group selection has a higher cost per unit of volume than other silvicultural systems such as clearcut, seed tree, or shelterwood systems since greater care must be taken in protecting leave trees and the volume per acre removed is less. The conifer removal followed by prescribed burning is also more expensive than mechanical treatment alone.

A Responsible Official may authorize projects and activities on NFS lands using cutting methods, such as clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an even-aged stand of timber, only where:

1. For clearcutting, it is the optimum method; or where seed tree, shelterwood, and other cuts are determined to be appropriate to meeting the objectives and requirements of the relevant plan (16 U.S.C. 1604 (g)(3)(F)(i)).

2. The interdisciplinary review has been completed and the potential environmental, biological, aesthetic, engineering, and economic impacts have been assessed on each advertised sale area and the cutting methods are consistent with the multiple use of the general area (16 U.S.C. 1604 (g)(3)(F)(ii)).

3. Cut blocks, patches, or strips are shaped and blended to the extent practicable with the natural terrain (16 U.S.C. 1604 (g)(3)(F)(iii)).

4. Cuts are carried out according to the maximum size limit requirements for areas to be cut during one harvest operation (FSM 1921.12e).

5. Timber cuts are carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, esthetic resources, cultural and historic resources, and the regeneration of timber resources.

6. Stands of trees are harvested according to requirements for culmination of mean annual increment of growth (16 U.S.C. 1604 (m); FSM 1921.12f; FSH 1909.12, ch. 60).

Response: None of the proposed treatments use even-aged cutting methods. The planned treatments are uneven-aged group selection in spruce-fir and mixed conifer stands. The patch cuts in the spruce-fir would be between ¼ and ½ acre in size. Patch cuts where lodgepole pine predominate in the mixed conifer stands would be up to 2 acres. These 2 acre patches could be considered either group selection patches or small clearcuts but the increased size is optimum and necessary to provide the light that lodgepole pine needs for adequate growth. Other treatments include conifer removal from aspen/conifer stands in patches up to 5 acres leaving uneven-aged aspen, and conifer harvest in conifer/aspen stands followed by prescribed burning in areas up to 120 acres. Prescribed burning is expected to be 50% to 80% effective in killing overstory aspen, resulting in an uneven-aged mosaic of aspen regeneration, young aspen, and mature aspen within these areas (FEIS Section 2.1).