USDA

United States Department of Agriculture

Nez Perce-Clearwater National Forests Road, Administrative and Recreation Site Maintenance Project

Decision Notice and Finding of No Significant Impact

USDA Forest Service **August 2016**

Introduction

The 2015 fire season on the Nez Perce-Clearwater National Forests was exceptionally severe. Approximately 300 fires burned over 184,000 acres, with a high proportion of the acres burned in lower elevation front country, where much of the Forests' infrastructure is located. This project responds to the need to maintain critical Forest infrastructure, including road, administrative sites and recreation sites and ensure the safety of the public and employees. The 133 miles of road maintenance and nine administrative and recreation sites proposed for maintenance (including hazard tree mitigation and/or removal in some areas) span 22 separate fires on five Ranger Districts on the Nez Perce-Clearwater. This project, combined with other post-fire projects on the Forests would affect less than 3 percent of the area burned during the 2015 wildfires on the Nez Perce-Clearwater National Forests.

Figure 1. 2015 Fires on the Nez Perce- Clearwater National Forests.

Fires on the Nez Perce-Clearwater National Forests killed and weakened trees along many Forest roads, recreation and administrative sites. Falling trees can damage the structure of the road surface, impede or capture runoff, or contribute woody material that plugs ditches and culverts designed to allow for drainage and maintenance of the road surface in a navigable condition. Falling trees can also block safe passage along roads and near high-use structures such as camp grounds, parking areas, kiosks, bathrooms, and other Forest sites.

While many trees were killed as a direct result of wildfire, many more trees were intolerably stressed and will die over a period of several years. Secondary effects of the wildfires, including increases in insect and disease activity within burned stands of timber will continue to increase for a period of several years, resulting in on-going threats to human safety and safe access. The Johnson Bar fire and Wendover Fire provide examples of the ongoing secondary mortality that occurs, often times to a much greater extent than what is predicted by mortality guidelines that focus solely on first order fire

effects (those caused directly by flame or heat on the tree resulting in a loss of cambium, foliage or both).

The environmental assessment (EA) documents the analysis of the proposed action and the no action alternative. It also addresses several alternatives proposed internally and externally that were not analyzed in detail because they did not meet the purpose and need for action (Alternatives Considered but not Analyzed in Detail, EA Section 2.3).

Figure 2. Hazard trees in mixed severity burned areas posing risk to forest users and employees. Several trees have already fallen across the road, others have been uprooted and many others meet definitions of hazard trees and may be removed due to the likelihood of trees impacting the road or travelers of the road.

Figure 3. Trees in high severity burn areas with potential to impact roads, trails, administrative and recreation sites.

Figure 4. Fire killed tree uprooting/impacting a portion of the 443 road when it fell.

Figure 5. Root wad creating a hole in the side of the road where fire killed tree fell on Road 500.

Project Location (EA Section 1.3)

This project is located in the state of Idaho within Idaho County, on the Salmon River, Red River, Moose Creek, North Fork, and Lochsa/Powell Ranger Districts of the Nez Perce-Clearwater National Forests. The road segments that comprise this project are all within the fire perimeters of the 2015

wildfires, including the Tepee Springs, Wash, Woodrat, Baldy, May, Boulder, Deadwood Mountain, Eldorado 2, Fire Creek, Fourbit Creek, Frenchman Butte, Higgins Hump, Jay Point, Lost Hat, Musselshell Creek, Noble, Pete Forks, Slide, Snow, Snow Creek, Snowy Summit, and Walde – Mystery fires (Appendix A, *Project Maps)*.

Purpose and Need for Action (EA, Section 1.4)

The purpose of this project is to provide safe and unimpeded access along and near National Forest System roads, administrative facilities and recreation sites. The project is needed to maintain the routes, administrative facilities, and trailheads which were damaged by wildland fire.

This action is needed because the roads within the project area are used by Forest Service employees, contractors, and Forest visitors (for recreational activities, woodcutting, hunting and fishing, etc.). A need exists to remove the trees before they further deteriorate from infestation by insects, decay organisms and/or succumb to high winds or heavy snows. Merchantable value of logs removed could be used to offset the service cost of mitigating the hazards and of potential restoration/reforestation activities in these areas.

The Forest Service Manual on Transportation Systems directs the Agency to plan for danger tree management in a timely manner (FSM 7733.32 10) and in the case of fire to "Promptly start planning the commercial removal along medium and low priority roads if suppression and Burned Area Emergency Response (BAER) activities have not mitigated the hazard and roads will remain open for administrative, commercial, or public traffic." (FSM 7733.32 (14) (e)). The Forest Service Transportation Handbook 7709.59_41.7 further states that "Road maintenance includes removing danger trees that threaten the safe use of the transportation system" (FSH 7709.59_41.7).

Burned Area Emergency Response (BAER) analysis and reports were completed for many of the fires included in this project. These BAER reports, completed by interdisciplinary teams, cited high risks to Forest visitors and Forest Service employees in the human life and safety category as a result of hazard trees and snags. High risks to road and trail infrastructure were noted in the property category. Hazard tree mitigation as part of BAER was designed to only address the immediate safety needs of BAER personnel. BAER reports noted that additional hazard tree removal will be needed for long-term safety.

Trees immediately adjacent to the road also pose a direct hazard to the prism of the road. When those trees fall, it is often documented that the upheaved rootwad negatively impacts the road by adding sediment directly to the ditchline, blocking culverts, taking chunks of road and sometimes providing a place for water to collect that could be the source of a landslide or mass soil movement event in the future. These negative impacts are already being seen after the 2015 wildfires; Figure 4 shows an example from the Falls Point side of the Meadow Creek drainage of the Wash Fire. The need for this project includes the mitigation of these trees in proximity to the road that can lead to some of the most drastic negative impacts, including sediment delivery to waterways, mass movement events and loss of the road prism.

Decision

Based upon my review of the no action, proposed action and all alternatives considered but not analyzed in detail, I have decided to implement the proposed action (EA Section 2.4.2) with the following modifications based on public input (see *Rationale for Final Decision* Section for an explanation of the reasoning behind the modifications):

- The extent of the hazard tree treatment area has been clarified to specify that only trees meeting the mortality guidelines with the potential to impact the road, administrative or recreation site, or users of those sites, would be felled. Generally, this distance will be one tree length on flat or generally flat ground, one tree length or less on the downhill side of steeper slopes and one tree length or greater on the uphill side (not to exceed 200 feet in any area);
- Hazard trees along all roads identified as maintenance level 1 (administratively closed year-long) will be treated by falling the hazard trees and leaving them on site rather than making them available for commercial removal. Fuels manipulation will occur through a variety of means to ensure a hazardous accumulation of fuels does not build up and design features are met (pdf# 10);
- Treatment adjacent to Idaho Roadless Areas on the 443 road (Wash Fire) and 362 road (Jay Point Fire) will include removal of only the mitigated hazard trees that can be reached without equipment leaving the road prism (maximum extent of one tree length);
- Treatment adjacent to IRAs on roads 535 and 547 (Snowy Summit) and road 252 (Snowy Creek Fire) will change from commercial removal to drop and leave.
- Treatment in the Teepee Springs Fire will only include removal of what can be reached from the road. Additionally unmerchantable timber has been changed from removal to the drop and leave category.

Table 1 shows the number of miles of hazard tree mitigation actions by fire for this decision.

Table 1. Hazard Tree Mitigation Miles by Action and Fire.

Fire	Drop and Leave	Removal	Removal- 1 tree length no equipment off road	Grand Total
May		0.39		0.39
Baldy	0.41	0.87		1.28
Boulder	5.66	0.19		5.85
Deadwood Mountain	0.64			0.64
Eldorado 2	0.52	0.01		0.53
Fire Creek	0.64			0.64
Fourbit Creek	0.15	3.06		3.21
Frenchman Butte	0.56	0.56		1.12
Higgins Hump	2.02			2.02
Jay Point	0.84		1.71	2.55
Lost Hat		0.41		0.41
Musselshell Creek	1.23	4.8		6.03
Noble	2.97			2.97
Pete Forks	4.44	4.36		8.8
Slide	2.14			2.14
Snow	0.09	0.88		0.97
Snow Creek	0.76	1.27		2.03
Snowy Summit	4.74	8.6		13.34
Tepee Springs	36.94		3.83	40.77

Fire	Drop and Leave	Removal	Removal- 1 tree length no equipment off road	Grand Total
Walde - Mystery	2.51			2.51
Wash	14.8	0.74	7.93	23.47
Woodrat	5.13	6.86		11.99
Grand Total	**87.19**	**32.44**	**13.47**	**133.1**

My decision is to perform maintenance on high priority Forest Service system roads, recreation and administrative sites that were affected by the 2015 wildfires. The maintenance actions would include road blading, ditch cleaning, removal of minor slides, and cleaning of culverts on 133 miles of Forest roads. Hazard trees that pose a risk to infrastructure, access, and public and Forest worker safety would be mitigated. Felled trees would be available for commercial removal surrounding 47 administrative and recreation sites and on 46 miles of Forest System Roads. Thirteen of these miles include a prohibition on equipment leaving the existing road surface. Hazard trees on the remaining 87 miles of road would be felled and left on site in response to public concerns obtained during the comment periods and analysis process.

The maintenance component of this project would include:

- *Drainage Maintenance* – Cleaning and maintaining culverts, drainage dips, open tops, rubber water diverters, ditches, and riprap needs;
- *Blading* – Surface blading performed to keep the roadbed in a condition to allow traffic and provide drainage, including removal of potholes, ruts, and washboards, correcting improper templates, restoring proper surface drainage, repairing minor cracks, and removing minor slumps;
- *Slides and Road Repairs* – Removal of minor slide material from the roadway (less than 10 cubic yards), restoration of travel way, and repairing rutting issues and washboards;
- *Rock and Stump Removal* – Removal of stumps and rocks that roll into the roadway;
- *Signs and Access Control Maintenance*– Sign, route marker, and mile post markers installation and maintenance; gate installation and repair; and earth and concrete barrier installation, maintenance and repair;
- *Brush Cutting* – Removal of brush, trees and shrubs within the roadway clearing limits. Material would be cut near flush to the ground by hand and within 8 inches with a mechanical brusher;
- *Trail Maintenance*- Restoring damaged trail tread, removing fallen logs and rocks from trails and brushing to ensure safe, travelable trail condition. This action would be confined to the trail tread. Hazard tree mitigation is not part of this trail maintenance;
- *Administrative and Recreation Site Maintenance*- Maintenance and replacement of infrastructure damaged as a result of fire. Any of the above listed maintenance actions would be utilized as necessary in administrative sites and recreation sites.

The hazard tree mitigation component would include:

- *Tree Felling* - Felling of structurally weakened trees, dead trees and those likely to die that have the potential to impact Forest users or employees traveling on the road prism. Trees that are determined to have the ability to negatively impact the road, administrative site or recreation site, or users of those roads/sites would be felled. Generally, hazard trees meeting the mortality guidelines within one tree length of the road or site would be felled. On the downhill side of steeper slopes, the distance would be reduced to only the distance in which trees would likely impact the road. On the uphill side of steep slopes, the extent may be extended to up two tree lengths (maximum extent 200 feet). The majority of the area would be treated to one tree length. Actual width will be based on the likelihood of a tree becoming a hazard and will be determined during layout and implementation. Figure 6 shows an aerial view of the 2015 fires where the extent of the project area would vary based on burn severity, slope and other considerations. Hazard trees that are dead or likely to die within the next year would be felled in areas where commercial removal is not occurring. Felling activities in these areas where removal of the product would not occur may be implemented annually to ensure safety risks are mitigated.

  Tree felling would occur along open (maintenance level 2-5) roads and select maintenance level 1 (administratively closed) roads where administrative and/or recreational use is prominent. Removal along maintenance level 1 (administratively closed) roads would not occur. Felling and/or removal would decrease the exposure to administrative users of the road and recreationalists that utilize forest roads for both motorized and non-motorized activities. Maintained access to these routes is also critical for fire suppression activities. Mitigation of dead and dying trees now would prevent a future need to open roads that have downed logs across them. Should this need present itself in an emergency (as in access needed for wildfire suppression), the situation would be even more dire. The safest, most effective and most commonly used control lines for wildfire suppression are roads. Maintaining roads that are part of the transportation system, despite being administratively closed to full-sized non administrative vehicles, is needed to ensure all appropriate control options are available for future wildfires. Many fires during the 2015 fire season were ultimately controlled and contained using forest system roads, both open and closed.

  This project will not affect the usual and accustomed hazard tree mitigation practices that occur each year on every Ranger District of the Forest in order to keep our roads, administrative and recreation sites open and in a safe condition for public and employee use. This project will not limit the Forest from responding to potential hazards. Additionally, within this project area, should additional trees become hazard trees following implementation, this project does not preclude mitigation of those hazards to keep our roads, administrative sites and recreation sites in a safe and usable condition for public and employee use.

- *Timber Removal*- Removal of the felled trees may occur and logs would be sold to offset the cost of implementing this project. In areas where tree removal may occur, trees that are dead, likely to die in the next five years or otherwise pose a hazard would be felled and removed. Ground based logging systems would be limited to average slopes less than 35 percent. Cable based systems would be used in areas with steeper slopes. Removal of trees would not occur in the following areas:

  - Within riparian habitat conservations areas (RHCAs);
  - On ground-verified landslide prone areas (LSP);

- Within stands that have been field verified to have retained old-growth characteristics following the fire;
- On roads that are administratively closed year-long (maintenance level 1);
- Within Idaho Roadless Areas except in areas within a Backcountry Restoration theme along the 362 and 443 roads to reduce fuel loading concerns post hazard tree mitigation; and
- In areas where cultural resources could be adversely affected.

Figure 7. Prior to felling, trees will be evaluated as to whether they meet hazard tree and fire mortality definitions and whether they have potential to impact roads, recreation sites or administrative sites. Width of tree mitigation area is dependent on slope, tree height and burn severity, not to exceed 200 feet.

- *Fuel Reduction* - Where fuel loads pose a hazard activity fuel concentrations generated through this project may be reduced using a variety of treatments, including but not limited to bucking, lopping, scattering, chipping, masticating, hand piling, machine piling, pile/jackpot burning, or broadcast burning, as fuel loadings, slopes and resource concerns allow.

  Activity fuels would be treated where trees are cut for this project regardless of which cutting prescription (Removal or Drop and Leave) they fall under, based on actual fuel loads generated. Should prescriptions change from removal as currently identified in the proposed action, either during layout or for another reason, the area being treated would then be treated

as described under the Drop and Leave category. Treatments would be adaptive in implementation, in order to account for the condition of the trees affecting the safety of the road, recreation or administrative site, the prescription category, and the actual fuel loading post-treatment. Actual fuels abatement activities will be based on the number of tons of downed material remaining on-site. The fuels report contains a matrix to describe potential fuels abatement actions based on prescription and residual fuels concentrations. Fuels abatement may include removal of the tree bole in order to meet downed woody debris target concentrations (7-33 tons per acre remaining post fuels abatement, see design feature # 10).

- *Reforestation*-Site preparation for reforestation and reforestation would occur in unstocked areas as a result of the fire. Unstocked areas are defined as areas with less than 20 trees per acre of mature timber or less than 125 trees per acre of seedlings or saplings. As this project would not harvest live trees, the need for the reforestation results from the fire itself, not from the commercial removal of trees. Up to 400 trees per acre of western larch, ponderosa pine, western white pine and Douglas-fir would be planted where needed to ensure stocking.

A total of 238 miles of system road, 140 miles of trails, and 47 recreation and administrative sites were affected by the fires. Ninety-eight miles of roads were removed from the proposed action based on burn severity and road status (closed roads overgrown to the point of not being navigable by a full-sized motorized vehicle). The remaining 133 miles will be maintained to protect infrastructure and hazard trees will be mitigated. Forty six miles of roadside hazard tree removal will be available for commercial removal of the product. Eighty seven miles will be felled and left on site due to public input and resource concerns associated with removal of the product. Volume estimates for the timber removal portion of the project are approximately 7.5 million board feet (mmbf) of sawtimber. Actual volume will vary based on layout boundaries, tree densities, defect, etc.

Development of the proposed action followed the coarse filter/fine filter process. The coarse filter/fine filter process is described as follows and is detailed in the *Other Alternatives Considered* section of this Decision. Initially, all roads that were affected by the 2015 wildfire were analyzed. Field crews visited each road segment, took field notes and pictures (see project record). System roads that were open and roads that were administratively closed but navigable by a 50" or less motorized vehicle for administrative or recreational use (maintenance level 1) were included in the proposed action. Roads or segments of roads with other resource concerns, such as riparian areas, adjacent to Idaho Roadless Areas (other than backcountry restoration), or on landslide prone ground were proposed for drop and leave. All other roads were proposed for removal of the felled trees. All roads would be maintained by surface blading, ditch clearing, culvert maintenance, and other typical maintenance activities.

At each step along the way, the interdisciplinary team and myself reviewed comments to the proposed action and reviewed each road segment in question. The initial field data, pictures, new site visits, photographs and other sources of information were considered. Prior to this decision being made, I again re-visited all the information compiled regarding the project and the condition of the roads. Each maintenance level 1 road, each road adjacent to wild and scenic rivers and each road adjacent to Idaho Roadless Areas were analyzed, segment by segment. Photographs, site visit notes and professional knowledge of the area were factored into my decision. Following this review process, I made the decision in response to public input, to only use removal as a tool along open roads and to not remove from IRAs except the two situations where removal is unavoidable due to the burn severity, density of trees and high levels of use along the roads. I visited each of these sites myself to fully understand the need and impact of the no action and action alternatives. In addition, I travelled many of the other burned roads that are associated with this decision (field notes and photographs in project record). Table 1 shows the miles of road in each fire proposed for both drop and leave and

commercial removal activities and incorporates the site specific road determinations and modifications made between the Environmental Assessment and this decision.

Roads identified in the proposed action include roads in administrative maintenance levels 1 through 5. A portion of the roads included in the proposed action are classified as maintenance level 1, administratively closed roads. Recent travel management decisions, however, keep these roads as part of the transportation system and therefore it is important to maintain the roads. Many closed roads were removed from the proposed action as part of the fine filter process. However, roads that could be used for administrative use or roads that were likely to be used for recreation purposes remain in the proposed action as the safety of road users is crucial to meeting the purpose and need for action. Additionally, these roads remain part of the Forest infrastructure and the Forest is responsible for maintaining that infrastructure. Timely post fire maintenance actions will help alleviate potential impacts to that infrastructure and other resources (e.g. sediment delivery, etc.). Without maintenance, over time these roads will either take an increasing amount of time, money, and risk to keep open as trees fall, or will not be travelable due to jackstrawed trees on the roadway. Should the road be needed for fire suppression or other administrative use, a significant delay and significant risk would be placed on those asked to open the road. These roads will begin to contribute additional sediment to nearby waterways as ditches and culverts become plugged, tree root wads fall into the road or take out a section of the road. In the worst case scenario, the plugged culverts, ditches and root wads become a gathering place for water which cause a landslide event. As these roads are still part of the Forest's road system, the obligation to maintain them for both emergency use and to reduce ecological impacts exists. However, in response to public input and a less urgent need on these administratively closed roads, this decision only provides for drop and leave treatments on maintenance level 1 roads.

Trailheads intersecting road segments will be addressed as part of the proposed road work. Snow trails and ATV trails coinciding with road segments were considered road segments for the scope of this project. The 140 miles of trail addressed by this project focus on damaged trail tread and removing fallen logs and rocks to ensure a stable trail prism. Restoration work on trails miles that were identified as having significant resource or structural damage due to severe fire effects were addressed through separate Burned Area Emergency Response efforts.

Recreation/administrative sites include campgrounds, trailheads, bulletin boards, toilets, picnic tables, boat launches and lookouts, or other recreational/administrative structures not including trails or roads. In the 29 fire areas reviewed for this project, 47 recreation sites were identified as being within the fire perimeters. Some of these locations were eliminated through application of the coarse and fine filters. At other high use sites, immediate hazards were addressed during the fires to ensure firefighter safety, or were addressed quickly thereafter to eliminate imminent hazards at administrative sites, or were captured in the BAER efforts. Nine recreation/administrative sites were chosen for inclusion in this project (Table 2). Work will entail tree felling and/or removal of previously felled trees. The spatial extent of hazard tree mitigation around these nine sites is represented in the road miles shown in Table 1. Inclusion of these nine sites will not add additional acres to the project.

Table 2. Recreation/Administrative Sites within Active treatment areas.

Fire Name	Site Type	Site Name	Site Description
Boulder	Trailhead	TR #35	Intersection of Trail #35 w/ Road #595
Snowy Summit	Trailhead	TR#100	Intersection of Trail #100 w/ Road #535
Pete Forks	Wooden Toilet	Pete Forks	Dispersed site
Wash	Fee Campground	Selway Falls CG	Six delineated campsites w/ picnic tables
Wash	Non Fee Campground	Slim's Camp	Semi Developed site with three campsites, concrete toilet, hitch rails and two concrete stock feeders.
Wash	Lookout	Indian Hill LO	Lookout along Rd #290
Noble	Concrete Toilet & Trailhead	TR #585	Intersection of TR#585 w/ Rd #421
Tepee Springs	Campground & Boat Launch	Spring Bar CG & Boat Launch	Eighteen recreation sites with picnic tables, rings, toilets, and asphalt roads.
Tepee Springs	Picnic Area	Allison Creek Picnic Area	Day Use Picnic Area. .

Figure 8. In areas of low burn severity such as this location, few if any trees would be removed under this proposal - Road 101, Woodrat Fire (2016 photo).

Project Design Criteria and Best Management Practices

Design features from past actions, verified by field surveys, will be used to limit possible adverse effects to soils, water quality, fish and wildlife habitat. These include directionally-felling trees and limiting equipment passes wherever possible to reduce the amount of off-road equipment usage; limiting operating periods to avoid saturated soils; locating skid trails, landings and yarding corridors in such a manner as to minimize the area of detrimental soil effects. Hazard trees would be identified using Nez Perce-Clearwater Tree Mortality and Hazard Tree Guidelines. No healthy live trees would be removed as part of this project. In areas with high burn severity, trees would be processed on-site and slash (tops and limbs) scattered on site to add organic material and reduce surface erosion. Project Design Criteria anticipated to be used for this project are listed in Table 3. These project design criteria are **in addition to** the timber sale contract specifications, Idaho Forestry Practices Act Best Management Practices and standard sale administration practices done on the Nez Perce-Clearwater national Forest. These design criteria were evaluated and included specifically for this project where the standard practices would not be adequate or where the IDT felt additional emphasis was needed.

The interdisciplinary team made a series of field trips to observe the effects of the fire and the post-fire conditions of resources. These observations were used to aid in development in the project design features. Additionally, the team visited post-fire projects implemented within the last five years to determine the effectiveness of the design features used for those projects. Where applicable and relevant, those useful design features from past projects were incorporated into this project and where needed, changes to those design features from past projects were made to better ensure the intent of the design feature was met (October Field Notes, 2015).

Best Management Practices are a set of practices selected by the Forests to protect water quality and promote soil conservation during forestry activities. BMPs and timber sale contract provisions that apply to this project are listed in Table 4.

Table 3. Project Design Features by Resource Area.

2015 ROADSIDE, ADMINISTRATIVE SITE AND RECREATION SITE MAINTENANCE PROJECT DESIGN FEATURES	
SOIL RESOURCES, WATER QUALITY AND FISH HABITAT	
1.	Directionally fell trees to facilitate efficient removal along pre-designated yarding patterns with the least number of passes and the least amount of disturbed area.
2.	In areas with continuous slopes exceeding 35%, cable/winch end lining would be used to yard the logs up or down to forest roads. Machinery would remain on the roads except where landings currently exist.
3.	Limit operating periods to avoid saturated soils and prevent resource damage (indicators include excessive rutting, soil displacement and erosion). Coordination between the Sale Administrator and Forest Soil Specialists would take place in the event of observed rutting or soil displacement to determine if the damage is excessive or is approaching noncompliance with Regional Soil Quality standards. Typically, rutting deeper than 4 inches indicates the potential excessive damage to the soil resource.
4.	Limit Tractor crossings over ditchlines where possible. As needed, install temporary culverts (or crossing logs) to limit damage to ditchlines at tractor crossings. Post-harvest, reconstruct ditch crossings, cut slopes, and fill slopes to standard. Timber Sale Contract Standard Provisions B6.6.

5.	No removal of trees would occur in default RHCAs, as defined in PACFISH and INFISH (300 feet on either side of fish-bearing streams; 150' on non-fish bearing perennial streams and wetlands > 1 acre; and 100' on intermittent streams, wetlands < 1 acre, landslides, and field verified landslide prone areas) and on average slope gradients greater than 60 percent. Unit layout would include reference to the USFWS draft wetlands inventory map to ensure potential RHCAs are reviewed and buffered appropriately. Although hazard trees may be felled in RHCAs, they would be left on site. Where accumulations of fine fuels (<=3" in diameter) exist or would result from hazard tree felling, these fuels could be manipulated and removed (through lopping, chipping, and/or hand manipulation) from RHCAs to the extent that RMOs are maintained and transmission of fine sediment to stream channels (see Measure 12) is minimized or prevented; intentional prescription burning would not be used in default RHCAs to reduce fuel loading. In addition, bucking of larger stems to lengths of 15 feet or more could also be performed in RHCAs to the extent that current and future woody debris levels are achieved and maintained. No yarding of material would occur across RHCAs
6.	Contractor shall maintain all equipment operating within the project area in good repair and free of abnormal leakage of lubricants, fuel, coolants, and hydraulic fluid. Contractor shall not service tractors, trucks, or other equipment on National Forest lands where servicing is likely to result in pollution to soil or water. Purchaser shall furnish oil-absorbing mats for use under all stationary equipment or equipment being serviced to prevent leaking or spilled petroleum-based products from contaminating soil and water resources. Contractor shall remove from National Forest lands all contaminated soil, vegetation, debris, vehicle oil filters (drained of free-flowing oil), batteries, oily rags, and waste oil resulting from use, servicing, repair, or abandonment of equipment. Timber Sale Contract Standard Provision B6.34
7.	Locate and design skid trails, landings and yarding corridors prior to harvest activities to minimize the area of detrimental soil effects and effects on aquatic resources. Minimize landing locations in RHCAs. Space tractor skid trails a minimum of 80 feet apart, except where converging on landings, and reuse existing skid trails where practicable, to reduce the area of detrimental soil disturbance. This does not preclude the use of feller bunchers if soil impacts can remain within standards. If forwarder operations are used, a slash mat at least 4" thick would be placed on skid trails.
8.	Recontour excavated skid trails and landings to restore slope hydrology and soil productivity. The use of excavated skid trails and landings will be minimized. Where skid trails and landings are constructed on moderate to severely burned slopes, construction will occur only during a period when soils are not saturated and recontouring and replacement of at least 50% cover will occur immediately after use.
9.	Scarify non-excavated skid trails and landings that are compacted or entrenched 3 inches or more. Scarify to a depth of 6 to 14 inches but avoid bringing up unfavorable subsoil material. Coarse woody debris would be placed on scarified surfaces.
10.	Retain 7-33 tons per acre of coarse woody debris (greater than or equal to 8 inches in diameter) following completion of activities. Drier Sites would retain 7 to 12 tons per acre and moister sites would retain 12-33 tons per acre of coarse woody debris. Reference "Coarse Woody Debris, Snag and Green Tree Retention Guidelines" (USDA Forest Service 2003.
11.	In units with high burn severity, trees would be processed on-site and activity generated slash (tops and limbs) scattered on site to add organic material and reduce surface erosion sufficiently to ensure the coarse woody debris guidelines above are met.
12.	In harvest units adjacent to high fire severity/intensity-affected RHCAs, default RHCA buffer widths would be increased as needed, (based on observations by Forest aquatics/hydrology/soils staff) in order to protect RMOs, minimize sediment and maintain function of the RHCA.
ACCESS MANAGEMENT & PUBLIC SAFETY	
13.	Require timber sale purchaser or stewardship contractor to post warning signs advising of equipment operations or hazards for public safety. (Timber Sale Contract Provision, currently B6.33)

14.	Haul routes would be maintained to BMP standards, including proper drainage. Avoid hauling and other heavy equipment traffic during wet periods, indicated by a vehicle leaving ruts greater than 4 inches in depth for a distance greater than 50 feet, to reduce sediment delivery to streams and damage to roadbeds.
15.	Existing closed gates (consistent with current motor vehicle restrictions) will be kept closed during harvest operations except to allow contractors and employees access to the area.
16.	Consider alternative snowmobile routes and/or access and parking when winter log haul occurs on roads normally used as groomed snowmobile routes. To minimize conflict, coordinate with appropriate recreation staff, contractors, and local grooming boards if winter log hauling is planned on Roads: 101, 103, 104, 284, 421, 464, 468, 500, 535, 547, and 595, all of which are typically used as groomed snowmobile routes.
AIR QUALITY	
17.	Follow procedures outlined in the Northern Idaho Smoke Management Memorandum of Agreement, including restrictions imposed by the smoke management-monitoring unit. (Nez Perce FP, page II-23, Air Quality Standard #1; Clearwater FP, Vol II, Appendix B, VI.B.12, p. B-67)
18.	Road watering for dust abatement purposes could be used on major haul routes to reduce sediment input to streams from log hauling activities. The source location, quantity, and timing of dust abatement would be approved by the Forest Service before sale in order to protect water resources during low flows. Water pumps intakes must be screened according to National Marine Fisheries Service (NMFS) standards for fish-bearing streams.
HERITAGE RESOURCES	
19.	A phased consultation memorandum of understanding (MOU) has been signed with the Idaho State Historic Preservation Office (SHPO). To comply with this MOU cultural surveys must be completed prior to project implementation.
20.	Halt ground-disturbing activities if cultural resources are discovered until an Archaeologist can properly evaluate and document the resources in compliance with 36 CFR 800. (Timber Sale Contract Provision, currently B6.24).

21.	Site-specific cultural resource design features: • Avoid and directionally fell trees away from Site 10IH2422/Lithic Scatter. (Tepee Fire) • Avoid and directionally fell trees away from Site 10CW37/Hemlock Butte Lookout and associated features. A 50' no harvest buffer will be employed around the site (Snowy Summit Fire) • Only harvest dead trees that can be reached by equipment from existing road (Lolo Motorway). No reconstruction of the Lolo Motorway will occur (FS Roads #535 and #104) Site 10CW1154 and 10IH3188. (Snowy Summit Fire, Musselshell Fire) • Only harvest trees that can be reached by equipment from existing FS Road #547 (Site 01050001484). No reconstruction of FS Road #547 will occur. (Snowy Summit Fire) • Only harvest dead trees that can be reached by equipment from existing road (Lolo Motorway Branch, Site 01050001491). No reconstruction of FS Roads #455 and #500 will occur (Woodrat Fire and Snowy Summit Fire). • Directionally fell trees away from the Slims Camp Bridge, Site 10IH1868 (Wash Fire). • Directionally fell trees away from the Horse Creek Connect Trail, Site 01170001180 (Wash Fire). • Hazard trees will be directionally felled away from the Big Mallard Creek Trail, Site • 01170001179 (Noble Fire). • Directionally fell trees away from the Frenchman Butte Lookout Remains, Site 10IH972. A 50' no harvest buffer will be employed around the site (Frenchman Butte Fire). •
NOXIOUS WEEDS	
22.	Use Forest Service approved native plant species or non-native annual species to meet erosion control needs and other management objectives. Require contractors to use certified seed laboratories to test seed against the all state noxious weed list, and provide documentation of the seed inspection test to the contract administrator. Apply only certified weed-free seed and mulch. (Timber Sale Contract Provision, currently C6.601)
23.	Remove all mud, soil, and plant parts from off road equipment and equipment being used for road maintenance before moving into project area to limit the spread of noxious weeds. Conduct cleaning off National Forest lands. (Timber Sale Contract Provision, currently B6.35).
TES PLANTS	
24.	Protect TES plant species and/or potential habitat identified at any point during planning or implementation as recommended by the unit botanist and approved by the appropriate line officer. (Timber Sale Contract Provision, currently B6.24).
WILDLIFE	
25.	Any goshawk nests found before and during implementation would be protected with a 40-acre no-activity buffer, and a 420-acre Post Fledging Area would be seasonally restricted from 4/15 to 8/15.
SILVICULTURE	
26.	Mortality will be determined using the Nez Perce-Clearwater Tree Mortality Guidelines and Hazard Tree Guidelines.
27.	Hazard Trees will be determined using Forest Service Field Guide for Danger Tree Identification and Response (2008).
28.	Hazard trees would be felled, but not removed from mapped old-growth stands that are field verified as retaining old-growth stand characteristics following the fire.
VISUALS	

29.	Within all viewsheds, created openings within treatment units should not be symmetrical in shape. Straight lines and right angles should be avoided. Created openings should resemble the size and shape of those found in the surrounding natural landscape. Treatments should follow natural topographic breaks and changes in vegetation if possible.
30.	Within all viewsheds, where the unit is adjacent to denser forest, the percent of thinning within the transition zone will be progressively reduced toward the outside edge of the unit. In addition, vary the width of the transition zone.
31.	Within all viewsheds where skyline harvest methods are used, minimize the number of skyline corridors in visually sensitive areas.
32.	Within retention viewsheds, stumps should be cut to 8 inches or less in height.
33.	Within retention viewsheds landing areas, slash, root wads, and other debris should be removed, buried, burned, chipped or lopped to a height of 2 feet or less. If slash is buried, locate in previously disturbed areas where possible.
SITE-SPECIFIC AQUATIC DESIGN FEATURES	
34.	Within 1,000 feet of Bull Trout and/or Steelhead Critical Habitat [and within the Plant Creek drainage], ensure at a minimum of 1 cross drain is present and functional between any disturbed cut slope or ditch and the nearest stream crossing, as needed to prevent sediment delivery to a stream.
35.	Snow removal during winter operations should be done in compliance with Timber Sale Contract Provision C5.316, Snow Removal (4/13) to reduce the likelihood of sediment entering a stream channel including adding drainage in snow berms and refraining from disturbing road surface material while plowing by retaining 2 inches of snow on the plowed road.
36.	On native surface road stream crossings within 1,000 feet of Bull Trout and/or Steelhead critical habitat the following erosion control measures will be implemented, as needed to prevent sediment delivery to the stream: • Rocking of stream crossings including 100 feet on either side of the crossing • Placement of sediment filtering devices (wattles, straw bales, filter fences, etc.)
37.	Sediment filtering devices (e.g. wattles, straw bales, filter fences, etc.) would be used as needed to limit erosion and delivery of sediment from roads into streams and ephemeral drainages where the cut slope and/or ditch line is disturbed.
SITE-SPECIFIC HYDROLOGY/SOILS DESIGN FEATURES	
38.	Restrict activities within Prescription Watersheds on the Wash and Tepee Springs Fires to only permitting removal activities along maintenance level II-V roads (no removal on maintenance level 1, administratively closed roads). On the Wash fire, restrict removal operations to only permit equipment on the existing road(s) adjacent to Idaho Roadless Areas to limit total disturbed areas.
MONITORING	

1.	Within five years post-implementation, Forests soils/hydrology or aquatics staff would monitor the effectiveness of project design features at a few selected sites. From three to five sites monitoring sites would be selected by Forest staff in 2016 in fell-and-yard activity areas, which are within a 1,000-foot proximity to streams designated as bull trout or steelhead critical habitat. Monitoring sites would also feature high (>35%) gradient slopes, high/moderate burn severity, and/or areas of high modeled erosion potential, and would each include at least 500 feet of road (and the treatment activity area associated with that road). Monitoring would be documented in the form of a consolidated site visit report prepared by Forests aquatic/hydro/soils staff, would be in the form of photography and qualitative descriptions, and would incorporate implementation monitoring information developed by sale administrators. Site visits would be conducted after 2016 tree and road treatments have been completed, either within one month of documented high-intensity rainfall events or in the spring of 2017. Based on the results of the report prepared and presented to the Nez Perce Clearwater National Forests Level 1 Streamlined Consultation Team by September 30; 2017, follow-up monitoring at a subset of the initial monitoring sites may be conducted. To the extent practical, monitoring of these sites would be incorporated into the Forests' existing annual project BMP monitoring program.
2.	If a substantial precipitation event occurs during project implementation, appropriate Forests staff would inspect affected and completed project areas to determine whether modifications to project design features may be warranted for the remaining project areas. If Forests staff observes during project implementation that some design features are substantially less effective in reduction of effects to stream channels or resources than intended (perhaps because of a significant precipitation event), then appropriate monitoring and/or modifications to project design would be implemented at the discretion of the responsible line officer.

Table 4. Best Management Practices and Timber Sale Contract Provisions to protect water quality

Maintenance Action	Key BMP to Prevent Sedimentation to Streams	Effectiveness for Protecting Water Quality	Regulatory or Scientific Basis	Enforcement
1. Log Haul: Transport of trees removed via forest roads on log trucks	Hauling shall be postponed during wet periods if necessary to minimize sediment delivery to streams.	HIGH (Avoidance and State BMP Audits)	• Idaho Forest Practices Act Rule 040.04.civ. (*IDAPA 20.02.01*)	Timber Sale Administrator
2. Road Blading: Surface blading performed to keep roadbed in a condition to allow traffic and provide drainage.	During and upon completion of seasonal operations, the road surface shall be crowned, out-sloped, in-sloped or cross-ditched, and berms removed from the outside edge except those intentionally constructed for protection of fills. No sidecasting of materials where these materials may be introduced into a stream, or where the placement of these materials will contribute to destabilization of the slope. No casting of material into ditch. Avoid sidecast in the RHCA.	HIGH (Avoidance and State BMP Audits)	• Clearwater NF 1999 • Idaho Forest Practices Act Rules 040.04.a. and 040.04.cii (*IDAPA 20.02.01*) • Timber Sale Contract Provisions T-101.	Forest Engineers and Timber Sale Administrator

Maintenance Action	Key BMP to Prevent Sedimentation to Streams	Effectiveness for Protecting Water Quality	Regulatory or Scientific Basis	Enforcement
3. Drainage Maintenance. Cleaning and maintaining culverts, drainage dips, open tops, rubber water diverters, ditches, and riprap needs.	Culverts and ditches shall be kept functional and repaired if needed. Clean ditches only when necessary to remove blockage. Roadside cut slopes or berms shall not be undercut. Cleaned materials from culverts and open tops will not be flushed or deposited in stream courses.	HIGH (State BMP Audits and Forest Experience)	• CNF 1999 • Idaho Forest Practices Act Rule 040.04.ci. (*IDAPA 20.02.01*) • Timber Sale Contract Provisions T-101.	Timber Sale Administrator and Forest Engineers
4. Slides and road repair standards	Repair slumps, slides, and other erosion sources causing stream sedimentation to minimize sediment delivery. Disposal of slide debris and material in areas away from streams and riparian areas and in a manner to prevent their entry into waterways. Avoid dumping of road maintenance debris in the RHCA. Any stabilizing materials will be applied in a manner as to prevent their entry into stream.	MODERATE (State BMP Audits, Literature and Forest Experience)	• Idaho Forest Practices Act Rules 040.04.a., 040.04.b, and 040.04.cv. (*IDAPA 20.02.01*) • Timber Sale Contract Provision T-108. • Rashin et al. 2006 • McDade et al. 1990 Anderson and Poage 2014	Timber Sale Administrator. Forest Engineer. Soil/Water/Fish Resource Specialists
5. Fuel storage and refueling equipment	Do not store fuel or other toxicants in RHCAs. Avoid refueling in RHCAs unless there are no other alternatives.		INFISH standard RA-4	

Rationale for the Final Decision

I have selected to take action to conduct maintenance, including hazard tree removal along many of the National Forest System roads, recreation sites and administrative sites burned over in the 2015 fires. This action is necessary to fulfill my responsibility of taking actions to that contribute to the safety of Forest employees, visitors, and users, to the extent practicable. Additionally, the decision maintains forest infrastructure, including system roads, recreation sites and administrative sites that were damaged by the wildfires of 2015. Maintenance of this infrastructure is critical to the continued safe use by the public and employees and helps to prevent future negative impacts that could occur when maintenance is not performed in a timely manner. These system roads have been evaluated in travel management plan decisions and the forest travel analysis process. Those efforts indicate that these roads are needed for the management of the Forest. The recreation and administrative sites are also sites that the Forest will continue to operate.

Throughout the remainder of this Decision Notice, I describe the modifications that I have made to the initial proposed action in order to be responsive to comments and concerns from some members of the public. Some changes were also made to address potential resource concerns and insure compliance with the Forest Plan and other laws and regulations. These modifications are site-specific and reflect personal knowledge of the conditions on the ground and the environmental analysis. I have reviewed

the decision with the local District Rangers. In making my decision I have also reviewed the Environmental Assessment and its Appendices as well as the project record upon which the analysis is based. I have spoken personally with members of the public, local and state government officials, Nez Perce Tribe Executive Committee members and staff, and many others. The majority of the comments from stakeholders have been in support of the project and the emergency situation determination. Two organizations had concerns, mainly with the extent of the project activities off the road prism, the commercial aspect of the removal, and activities on administratively closed roads or within Inventoried Roadless Areas. They also had concerns that the emergency situation determination would not allow for meaningful public input. I have modified the project to address many of these concerns while taking care of the most immediate hazards and maintenance needs. Those modifications also demonstrate that throughout this process, the public has had meaningful input which affected the decision directly.

This Decision Notice describes how the proposed action was refined from the initial proposal through several rounds of public input and interdisciplinary team review to this decision in order to address the purpose and need, environmental conditions, additional information gathered and public concerns. At every step and during every refinement of the project, environmental consequences of the actions, including the direct, indirect and cumulative effects were considered, as documented in the Environmental Assessment, Finding of No Significant Impact, Project Record and described below.

Meeting the Purpose and Need

In order to protect the health and safety of our forest users and employees, we must fully meet the purpose and need for action and project objectives while meeting law, regulation and policy. The purpose and need is to maintain forest infrastructure (including roads, administrative and recreation sites) affected by the 2015 wildfires and to do our part to increase the odds that users of that infrastructure come home safely after their visit and/or workday (EA, Section 1.4). This purpose and need for action is consistent with the goals and objectives of the Forest Plan (EA, Section 1.10.a).

Several alternatives were considered but eliminated from analysis because they did not meet the purpose and need for action. After thoughtful consideration of all the potential ways to meet the purpose and need, I believe that the selected proposed action with modifications best meets the purpose and need for action and represents our best chance at meaningfully increasing the odds that employees and users of the Forests have a safe and healthy experience. Additionally, the proposed action is essential to maintaining the roads, administrative and recreation sites affected by the fires of 2015. The modifications made in this decision do not alter the project's ability to meet the purpose and need for action, though the financial cost of implementing this decision will be greater than the cost of implementing the proposed action and a transfer of risk will have occurred, as described above. Those road segments affected would still be maintained and hazard trees would be mitigated that posed a risk to users of the roads.

Need for the Action and Efficacy of Activities

The Forests have several recent examples of similar projects that were proposed and implemented. Some of these projects came to fruition immediately, such as the 2012 Roadside Salvage Project, and others, such as the Indian Hill road project after the Slims Fire, were delayed. These past examples allowed our interdisciplinary team and myself to learn several lessons regarding both the ecological impacts of doing such work and the real and opportunity cost of not doing the work. The 2012 project in the Sheep Fire perimeter was implemented within 12 months of the fire. Similar mortality guidelines, similar spatial extents and similar project design features were utilized. Field trips, studies and observations of this project in

particular confirmed our Finding of No Significant Impact and gives a level of certainty as to what the project is likely to look like post-implementation. We **do not** see miles upon miles of 200 foot clearcuts on each side of the road. Rather, the extent of the project is variable based on the site, slope and height of the trees. The number of trees retained is also variable due to the burn severity, but long stretches of road with every tree removed for 200 feet off the road is not evident, as shown in pictures incorporated into this decision. Lessons learned from the 2013 project on the Sheep Fire led to adjusted project design features to address an issue brought up by the Forest Fisheries Biologist. In the monitoring of that project, it was discovered that cut slopes used as access points for equipment were correctly put back to their original shape at the end of the project, but should a precipitation event have occurred during project implementation, the potential existed for sediment from the cut slope to enter the ditch line and result in increased sedimentation. As a result of this monitoring, the project design features for this project were modified to address immediate re-shaping of the cut and fill slopes and to maintain all drainage features during implementation (October Field Trip Notes, project record) (Project design features # 3, #4 and #8).

Another lesson learned was the detrimental effects from lack of action after the Slim's fire. The Indian Hill Road was burned over, generally with stand replacing fire. Despite an initial proposal to mitigate the hazard trees, the Forest did not take action. Within five years the situation was very hazardous, for both ecological resources and users of the road. Hours of saw work were required to use the road, and often times cutting trees across the road was required on both the way up the road and again on the way back down. Fire crews spent days each year opening up the road. The amount of exposure, risk and general safety concerns associated with saw crews and the public using these roads was reaching unacceptable levels. Trees were uprooting and root wads were falling into the road, root wads were disturbing cut and fill slopes and the amount of erosion coming from the road as a result of our inaction was increasing. Finally, in 2008 something had to be done. The Forest proposed, analyzed, and eventually implemented a project through a service contract. The *Indian Hill Road Repair and Brushing Project* responded to the need created by the 2003 Slims Fire:

> *The Slim's Fire in 2003 burned over a large portion of this 12 mile road segment with stand replacement severity fire. Natural decay, snow loading and windstorms are contributing to large numbers of downed trees that continue to fall and impact significant portions of the roadway in the form of overhanging tree tops and limbs ("Jill-pokes".) This presents a low clearance safety hazard and is difficult to routinely maintain due to steep slopes and the top of the cut bank being 10-15 feet or more above the road surface. Blowdown on the roadway also causes routine blockages that can temporarily close the road and can trap forest visitors. Erosion of the cut bank portion of the road is also increasing as the trees fall and uproot, resulting in a loss of soil anchoring. A slide in the winter of 2008 forced a road closure until late August. In some areas drainage from the road surface is poor causing water to be channeled down the roadbed leading to increased erosion and mud holes that further restrict vehicle passage. Current annual road maintenance does not address the overhanging hazard created by the trees or minimize future erosion of the cut bank.*
>
> *This project seeks to minimize erosion and improve the drainage by re-contouring the road surface, installing several rolling drain dips and spot-rocking areas prone to seasonal mud holes. Drivability and will also be improved and hazards minimized by cutting and slashing overhanging tree tops and dead trees from above the road, to prevent future material from falling in or across the road (Indian Hill Road Repair and Brushing Proposed Action, unpublished, 2008).*

The contract cost to the agency was over $2,000/mile and was noted as posing an extraordinary risk to the contractors. The financial, safety and ecological consequences of inaction are the

very things this project has been proposed to avoid. We have found there to be no significant impacts, we know the results of the project will meet the purpose and need and we also know that inaction is not ecologically, socially or economically acceptable (EA and FONSI). It is with this in mind that I make the decision to proceed with the proposed action as described.

Fuel Loading and Fire Suppression

In addition, when wildland fires occur, the road system often serves as a focal point for fire management activities, whether as ingress/egress routes or tactical and/or strategical action points like anchor points, an advantageous location from which to start constructing a fireline. Roads can also be used as firebreaks or to burn out from so as to create a defensible space by consuming flammable fuels. Fuel characteristics, such as loading, continuity, and arrangement along the road system can affect the safe use of the road for any management activity because of the direct effect those characteristics have on potential fire behavior. In the front country, where this project is proposed, this is especially important.

Preparedness activities in advance of fire occurrence can help ensure effective fire management action. Fuel loads along the roadside should be kept to a minimum to allow safe ingress and egress during wildfire situations. When access to fires is limited, additional safety and risk management concerns arise and must be evaluated, eliminated, or mitigated, delaying emergency response. The risk of fighting fires with large numbers of snags or working in areas of limited accessibility where escape routes are compromised would require mitigating or eliminating those concerns or possibly not engaging firefighters. Since this project is in the roaded front country, Forest Plan direction and Values At Risk generally necessitate suppression actions (Fire Management Unit direction, Forest Plan and Cohesive Strategy).

Proposed fuel treatments would focus primarily on decreasing surface fuels following removal or drop and leave treatment. Implementation of the proposed action would have favorable consequences for the fuels resource, and will meet the stated purpose and need for the project, because overhead hazards adjacent to and within falling distance of the road systems would be addressed, and potential fire behavior would be reduced post-treatment as fuel loads are treated. Fuel reduction treatments are often labor-intensive to implement and as a result, costs are often high. Where trees are felled and left on site, no cost offset would be coming from timber receipts, so other funding sources will need to be obtained in order to implement these treatments.

Safety, Risk Management and Transfer of Risk

An unavoidable tenet of risk management is that choices made today affect all future options. Successful risk management not only minimizes unnecessary exposure, but also depends on how well we can recover from or tolerate the consequences of undesirable outcomes. When applying a “life first” lens of risk management to the Roadside, Administrative, and Recreation Site Maintenance Project, we must recognize how choices I make now will affect the safety of employees, wildland fire responders, forest visitors, and local communities, presently and into future. Accepting marginally increased risk today with a capacity to manage exposure, is preferable to transferring risk into the future and hoping that those who inherit my decisions are adequately equipped to deal with the consequences, whatever they might be.

Latent risk associated with this decision involves the loss of life and property of individuals and communities exposed to hazard trees, hazardous fuels accumulation, and wildland fire.

In this context, risk also involves the loss of options available to land managers for restoring and maintaining fire resilient landscapes and safely and effectively responding to wildland fire events.

I have considered the transfer of risk that occurs when choosing to utilize strictly hand crews to drop and leave hazard trees rather than choosing to contract mechanical equipment to fell and remove hazard trees. Implementing a drop and leave strategy for all of roadside hazard tree abatement could increase the amount of exposure of hand crews directly to falling limbs, broken off tops, and, trees that fall unpredictable, where the work is accomplished in that manner. Utilization of mechanical equipment to accomplish the removal of hazard trees in areas suitable for mechanical equipment will significantly reduce exposure to agency employees and contract crews by greatly reducing the number of personnel needed and the amount of time needed to accomplish the work. Additionally, with mechanical equipment felling, the operator is far less exposed to hazards of felling fire weakened trees because of the additional protection afforded within the cab of the equipment.

Figure 9. Fuel loading at the junction of the 547 and 535 roads, prior to any felling of hazard trees. (Photo taken June 10, 2016)

Figure 10. Fuels along the 500 road south of Pete Forks after the road has been cut out to allow vehicle passage but no additional hazard trees have been felled. Picture also shows soil disturbance from entire rootwads being uprooted when trees fall (Photo taken August 5, 2016)

It is not unusual for fuel loadings of 75-100 tons per acre to occur after remaining dead trees fall after a wildland fire event on the Nez Perce Clearwater NF's (Figures 9 and 10) In the peak of the Northern Rockies fire season, wildland fires occurring in areas with fuel loadings that exceed 40 tons per acre of dead and down woody material, are generally high in intensity and severity, making them exceedingly difficult to control. Allowing fuel loadings of this magnitude to accumulate along roads may render these roads unsuitable for use as control lines. This unfortunately decreases options fire responders and managers have available in the future to safely manage wildland fire, including fire being managed for resource benefit.

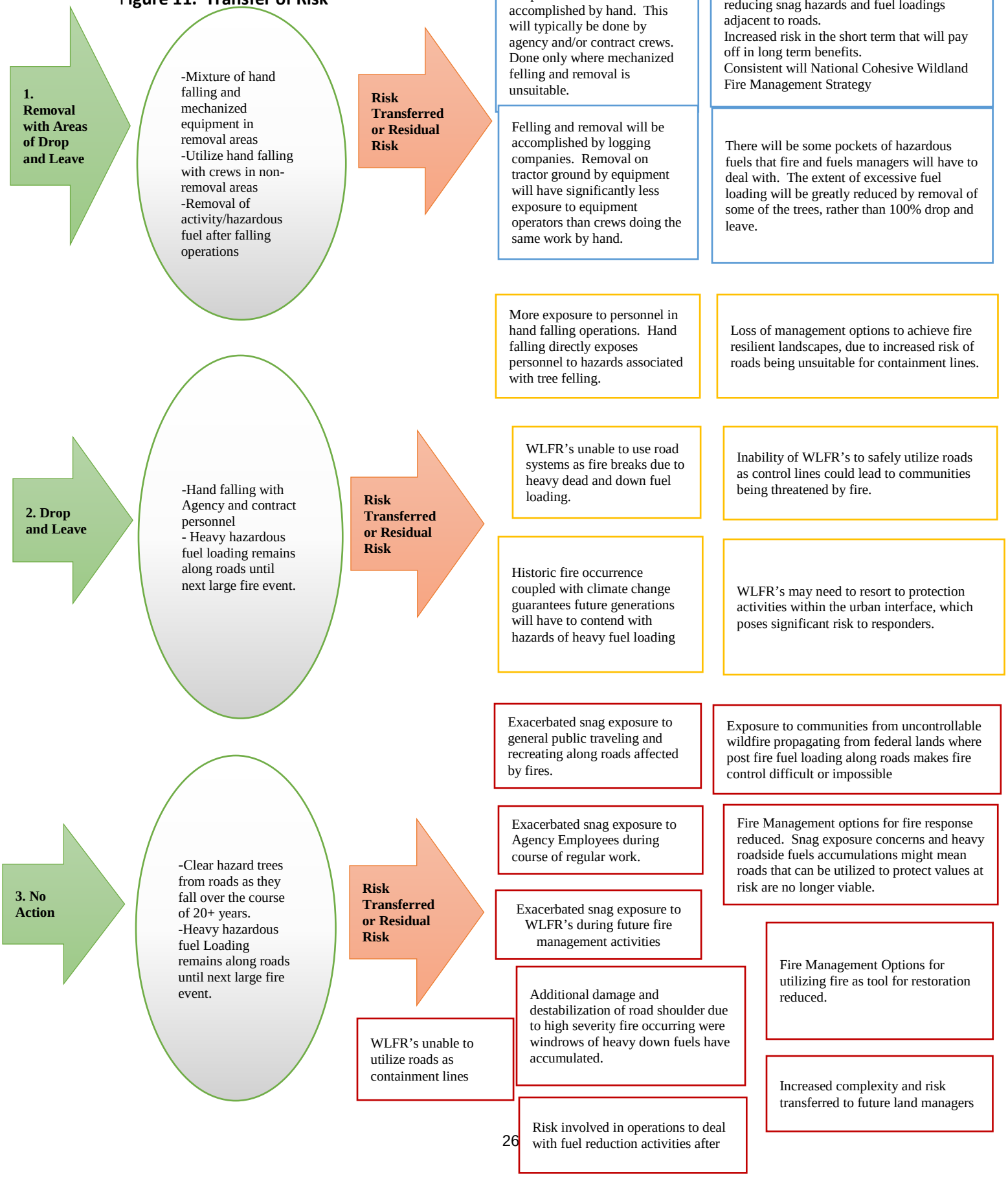
Over the past decade, existing roads become increasingly utilized as containment lines for large wildland fires occurring on the Nez Perce Clearwater National Forests. This was especially true during the 2015 season when suppression resources were stretched thin nationally. Additionally, the increase in snag hazards, from the effects of insect and disease outbreaks, has made direct attack of these fires very risky to wildland fire responders.

For the past six years the average number of wildland fire responders "hit by a tree" is 10.5 per year. Remember that is only what is reported, many people get hit by trees and don't report it. There is an average of 1 wildland fire responder fatality a year from trees. Some years there are zero, other years 3 or 4. In 2016 there has been one Forest Service fatality from a fallen tree. There has never been a year without serious injuries from trees. Fifty percent of "hit by a tree" instances involve no chainsaws.

Utilization of existing roads as containment lines is often safer and more effective in increasing the odds that wildland fire responders go home safe at the end of the day. Maintaining roads post fire, including mitigating of hazard trees, and reducing fuel loadings

adjacent, is essential to creating opportunities to restore fire resilient landscapes by taking action to minimize risks now. Not doing so is effectively transferring increased risk to future generations of wildland fire responders, managers, agency employees, public visitors and local communities. Figure 11 shows the transfer of risk process based on the no action, proposed action and decision scenarios.

Figure 11. Transfer of Risk



Key Resource Considerations in my Decision

Modifications to the proposed action were made following a road-by-road review of the entire project. During this review, I determined that the project and analysis was complete, rigorous and met every definition of a hard look. As I describe in more detail below, resource concerns were taken into account and those areas that had the potential for impacts were removed from the beginning. Additionally, social considerations were taken into account from project conception. For instance, the majority of closed roads within the project were removed from the beginning, prior to scoping and analysis. Those left in were retained for specific reasons. However, in order to be responsive to public comments, the prescriptions for several road segments were changed from removal to drop and leave. Changes were made in response to comments made by interested parties despite the fact that the proposed action, as documented in the EA, addressed many if not all resource concerns and would not have significant impacts, as documented in the Finding of No Significant Impacts. These changes can be implemented without affecting our ability to meet the purpose and need, other than the increased cost of implementing drop and leave rather than commercial removal treatments. The project record includes a detailed segment by segment listing of roads and the actions considered on those road segments as the project was developed and refined. On some roads of particular note, I myself viewed the roads to get a better understanding of need and conditions on the ground.

Administratively closed Roads

Each of the administratively closed roads that remained in the project were reexamined. Following this review, I have decided to change all administratively closed roads to drop and leave hazard tree removal only. I believe it is critical to current and future risk management to drop the hazard trees on these administratively closed roads. The roads are used by the public, just not in full-sized vehicles and through travel management we have decided that they will remain on the system. I determined that commercial removal would not be utilized on administratively closed roads since fuel loads on most of those routes could be addressed without removal of the boles. This is not the case universally however. This change to the decision does result in transfer of risk into the future when those routes are needed for fire suppression or future management, even with fuels abatement. This will also result in considerably higher costs of implementation since the Forest will have to pay for the activity rather than having the commercial value of the trees cover those costs. Safety of employees and risk management will be key considerations in the implementation of the drop and leave portion of the project.

Roads adjacent to Idaho Roadless Areas

After receiving comments during the 30-day notice and comment period and again after the EA was posted for additional review, the IDT and I re-assessed each road segment adjacent to Idaho Roadless Areas. Several of the segments proposed for removal were along maintenance level 1 roads (roads 1190E and 9555A in particular), these segments were changed to drop and leave. Other segments were also changed from removal to drop and leave to reduce potential resource impacts, due to the nature of the burned vegetation, and to preserve wild and scenic river outstandingly remarkable values. In general, if the purpose and need could still be met while changing the prescription to drop and leave, I have made the decision to do that.

There are two notable exceptions: the 362 road in the Jay Point Fire and the 443 road in the Wash Fire. Both of these roads are bordered by IRAs on both sides, are open roads and are

the main travel corridors in these areas. Additionally, all or parts of these road segments burned at high severity with high tree density as indicated by nearly 100 percent mortality. These two segments will remain as available for timber removal, with two mitigations added—1) equipment may not leave the road prism to remove timber and 2) a one tree length maximum extent. Any hazard trees that cannot be reached from the road would remain on-site (drop and leave). As the photographs below indicate, Drop and Leave of all the hazard trees along these roads would require extensive fuels manipulation in order to avoid creating a fuel hazard. In addition, in order to mitigate the fuel loading, the boles would generally need to be removed. Mechanical equipment would also be required to reduce fuels to acceptable levels and this would cause more resource impact than commercial removal from the road prism.

Figure 12 shows the 443 road in the Wash Fire and Figures 13 and 14 show segments of the 362 road on the Jay Point Fire. Figure 15 shows the large amount of downed fuels as of July 2016. Table 5 shows the revised maximum acres of treatment within Idaho Roadless Areas by prescription.

Figure 12. 443 Road in Wash Fire Perimeter.

Figure 13. Road 362 (Tom Beal Road) in the Jay Point Fire Perimeter in fall of 2015.

Figure 14. Road 362 (Tom Beal Road) in July 2016.

Figure 15. Fuel loads on Road 362 from blow-down since the fires, prior to felling of immediate hazard trees.

Table 5. Idaho Roadless Area Affected Acres by Roadless Area and Prescription

Idaho Roadless Area	Drop and Leave	Removal	Removal- no equipment off road, maximum one tree length	Total Roadless Acres
Bighorn - Weitas	131.8	-	-	131.8
East Meadow Creek	14.6	-	-	14.6
Eldorado Creek	4.4	-	-	4.4
Gospel Hump	31.4	-	-	31.4
Hoodoo	68.9	-	-	68.9
John Day	0.2	-	-	0.2
Lochsa Face		-	27.3 (Rd 362)	27.3
Mallard	34.3	-	-	34.3
Mallard-Larkins	14.3	-	-	14.3
North Lochsa Slope	78.3	-	-	78.3
O'Hara - Falls Creek	1.1	-	49.1 (Rd 443)	50.2
Rackliff - Gedney	196.5	-	-	196.5
Sneakfoot Meadows	2.3	-	26.3 (Rd 362)	28.5

Idaho Roadless Area	Drop and Leave	Removal	Removal- no equipment off road, maximum one tree length	Total Roadless Acres
West Meadow Creek	92.6	-	99.0 (Rd 443)	191.7
Grand Total	**670.6**	**0.0**	**201.7**	**872.3**

While there may be some short duration effects to the inventoried roadless areas or the wilderness characteristics of the roadless areas as documented in the EA, they are generally limited to the actual implementation activities (e.g.-hazard tree falling, machinery on roads, etc.) rather than the results of the activity (e.g.-stumps following timber cutting and removal). The treatment areas are extremely small in size and scope, occurring on less than 1 percent of any given IRAs area and one tree length or less (100 to 150 feet) from existing forest roads. On-the-ground results of similar Forest activities has generally resulted in "clumpy" removal of trees, **not** extensive, linear 200 foot wide clearcuts (Nez Perce-Clearwater Roadside Hazard Tree Project #41316, 2013). Post fire mortality site evaluations by the IDT indicate that this project would be expected to yield similar results. The proposed activities are not expected to be substantially noticeable due both to their limited size and scope, as well as the likelihood that vegetation regrowth will quickly screen evidence of hazard tree removal such as stumps or openings.

The proposed activities are within the effects documented in the Idaho Roadless Rule FEIS Ch. 3.4: "*Road Maintenance*. None of the alternatives would restrict or limit road maintenance. In general, those activities needed to maintain a road's current design standard, maintenance level, or traffic service level would be permitted. Maintenance activities needed to meet new environmental or safety requirements resulting from law, regulation, or policy would also be permitted". (Idaho Roadless Rule FEIS, chap. 3.4, p. 154).

The proposed activities are consistent with the Idaho Roadless Rule and have been evaluated for consistency by the Idaho Roadless Commission. Proposed activities will not significantly affect the potential for any of the 14 IRAs within the project area to be considered for wilderness future wilderness evaluation.

Adjacent to Wild and Scenic River Corridors

Road segments slated for removal immediately adjacent to a Wild and Scenic River Corridor (Road 443 on the Wash fire and Road 101 on the Woodrat Fire) were reviewed in response to social concerns regarding commercial removal of timber adjacent to the Wild and Scenic Rivers. None of the project was, or is, within the designated corridor. I have determined that this decision will not impact the Outstanding Remarkable Values or the Wild and Scenic corridors themselves. The project is fully outside the designated Wild and Scenic River corridor. In addition, the WSR Outstanding Remarkable Value of concern outside the corridor is visual resources, and they have already been modified by the fire itself and addressed and mitigated by project design features. The other ORVs will also be protected by the project design features and other implementation guidance that the Forest does as a routine matter. A section 7 analysis was conducted and shows the project will not invade the designated Wild and Scenic Rivers nor the eligible river segments, not would the project

diminish values of scenery, recreation, fish or wildlife (Project Record Section 7 analysis, 2016).

Sedimentation Concerns

Two fires may have induced erosion to near Forest Plan thresholds for percent erosion increase over baseline, albeit still far below any thresholds of significance as documented in the FONSI. These fires burned with extensive areas of high burn severity according to mapping and BAER reporting in the fall of 2015. Field review of these areas in 2016 indicate that understory recovery has been excellent, except in areas of reburn. This understory recovery is integral in the reduction of sediment. Figures 16, 17 and 18 show understory recovery in the high severity burn of the Teepee and Wash fire areas. The contribution from this and cumulative projects was a very small portion of the increase. These include the Tepee Springs Fire (specifically near the Plant Creek drainage) and the Wash Fire. The Wash Fire sediment concerns have been alleviated based on the changes made to administratively closed roads and to roads adjacent to IRAs. In the Tepee Springs area, administratively closed roads were also changed to drop and leave and the other cumulative projects (Van Keating Fire Recovery CE and Chair Point Fire Recovery CE) were cancelled due to other unrelated circumstances. In this area project layout has begun and on-the-ground adjustments are reflected in my decision, both the spatial extent and tree removal associated with this portion of the project have decreased substantially from that assessed in the EA. Landslide prone lands have been field verified on the ground and this alone reduced the project area within this drainage. Much of the mileage prescribed as removal in this decision is considered as optional volume due to the lack of merchantable trees and oftentimes lack of trees in general. While the hazard trees would still be mitigated, a purchaser of the timber sale would have the option to remove those trees or not. If they choose not to remove the trees, the hazard trees would still be felled under the drop and leave category. It is highly likely that a large portion of the timber would not be removed under the commercial contract due to decline in merchantability from blue stain, checking, and the economics of removing few trees spread along a long road system. I am confident that these changes will reduce the potential impacts, specifically sediment transmission, further insuring compliance with the Clean Water Act.

Figure 16. Understory recovery along Plant Creek road in severely burned area of the Tepee fire. Photo taken July 26, 2016.

Figure 17. Understory recovery along Allison Creek road in moderately burned area of the Tepee fire. Photo taken May 22, 2016.

Figure 18. Understory recovery along at the junction of the 443 road in Meadow Creek drainage on May 14, 2016.

Responding to Issues and Concerns (EA Section 1.9)

Initial issues and concerns raised during the scoping period included the removal of timber in Idaho Roadless Areas, activities along administratively closed roads, the spatial extent of the project, segmentation and/or connected actions of post-fire NEPA analyses and the use of a Categorical Exclusion to document NEPA compliance. As shown above, I have been very responsive to the public by incrementally making modifications to the project throughout the analysis and public involvement timeframes (both formal and informal). Much of this information is described previously in the "Key Resource Considerations" section of this decision.

In response to the request from the public for additional NEPA analysis and documentation, an EA was prepared for this project.

Since the original scoping and comment periods, the magnitude of the post-fire projects on the Nez Perce-Clearwater has been reduced. At the time of public comment and scoping periods, 3 EA's, 9 CE's and 3 ESD's were being pursued in addition to the BAER work on the forest. At the time of this decision, the post-fire projects, in addition to the BAER work, consist of this RARSM decision with the associated ESD, one other EA without an ESD request and 3 CE's. Many comments inquired or voiced concern with the number and scale of the entire post-fire workload, these comments were made prior to the significant reduction in the number of projects underway.

A 30-day notice and comment period again solicited comment on the proposed action and summary of anticipated environmental effects. The proposed action and anticipated effects was described in

sufficient detail to meet the NEPA and 36 CFR 218 regulations regarding notice and comment. Comments raised during this comment period were summarized and responded to in the EA, appendix E. A draft version of the EA was posted to the external website in May and has been available to the public since. No additional written comments have been received since the posting of the draft EA.

Administratively Closed Roads

Administratively closed (maintenance level 1) roads were not excluded from the project during the coarse filter and fine filter process. While these roads are not used by the public in full sized vehicles, they remain part of the Forest's infrastructure and are used by the public for both non-motorized and motorized recreation. Additionally the roads may be used for administrative use and fire suppression purposes. Field crews assessed each and every road covered by the Road, Administrative and Recreation Site Maintenance (RARSM) project (Hyperlinked Photo Field Review Maps, Project Record, 2016). Roads that were overgrown, barricaded or otherwise not drivable were not included in the proposed action. Roads in which some level of recreational or administrative use was evident were included in the proposed action. Maintenance of these roads is important, not only from a hazard mitigation and safety perspective, but additionally maintenance of these roads post-fire is critical to prevent further ecological damage. Plugged culverts and ditchlines resulting from trees, debris and sediment could cause additional sedimentation and erosion from the roads. Disrupted hydrologic connectivity, such as what would occur when culverts and ditches become plugged by debris and sediment, are much more likely to cause mass wasting events. Maintenance of these roads post-fire is critical to avoid ecological impacts such as landslides and sediment delivery to streams. This decision dropped 34 miles of administratively closed roads from the removal category to the drop and leave category. This changes was in response to public comments questioning the need for hazard tree mitigation along administratively closed roads. While the need to mitigate the hazard is undeniable, the method in which we mitigate the hazard is part of the decision being made. As such, to respond to the public comments and requests, these miles of administratively closed roads will not be made available for commercial removal. One commenter opposed hazard tree mitigation on administratively closed roads, suggesting that instead they should be allowed to close themselves over time as trees fall. The recent travel plan projects (Clearwater National Forest Travel Plan and Nez Perce Forest Designated Routes and Motorized Vehicle Use [DRAMVU]) have determined the need for these routes to remain a part of the transportation system on the Forests.

Public Involvement

Several members of the public commented regarding opportunity for public involvement and perceived lack of analysis in the proposed action for 30-day notice and comment were topics raised by the public. In response, I posted a working draft of the Environmental Assessment to the Forests' public web-page and solicited additional feedback on areas where some commenters felt the analysis did not support analysis conclusions or where they felt we did not include or examine relevant information. Although some commenters stated that the *Proposed Action for 30-day Notice and Comment* document did not provide sufficient detail to make meaningful comments, after posting to the website and circulating the working draft EA by email, the Forests did not receive any additional feedback other than re-mailed letters from the first comment period and general statements of support or opposition. In addition, I spoke to members of the public concerned with the project in order to insure I fully understood their positions (see *public involvement and scoping section* in DN and in EA-section 1.8).

Extent of Hazard Tree Removal

The proposed action mitigates hazard trees with a potential to negatively impact roads, administrative sites and recreation sites affected by the 2015 wildfires. The proposed action specifies a maximum distance of 200 feet on each side of the road, recreation or administrative site. The actual distance would be based on the likelihood of a tree to fall and block the roadway. Site specific considerations include height of the tree, slope and the probability of retained trees having the ability to "domino" and negatively affect the road. Generally, on the downhill side of the road on steeper slopes, the distance considered would be less than one tree length. On the uphill side of the road or on flat slopes, up to two tree lengths would be considered. The maximum extent would be 200 feet. No live trees would be felled. Hazard tree and mortality guidelines, based on peer reviewed science and local species specific considerations would be used to identify the trees to be felled. If a tree does not have the potential to endanger the road, administrative site or recreation site, or users of those sites, the tree would remain. This decision is far less than what was in the proposed action. As such, this concern has been addressed.

Concerns regarding connected actions and cumulative effects

The concern regarding connected actions and cumulative effects was voiced when the Forest was proposing 8 area salvage projects in addition to this RARSM project. The Upper Lolo EA (and associated ESD request), Big Hill CE, Van Keating Ridge CE and Chair Point CE projects have been dropped. The extent of the remaining projects have also been greatly reduced. The ESD request for the Woodrat project has also been dropped.

The Road, Administrative and Recreation Site Maintenance Project overlaps and is immediately adjacent to the Woodrat and Lost Hat/Snowy Summit fire salvage project areas. The Deadwood Insect and Disease project is also adjacent to the RARSM project. The RARSM project is not a roadside salvage project. The purpose and need is clearly described as reducing hazards to users of forest roads, recreation sites and administrative sites and maintaining that forest infrastructure. Thus the purpose of the projects is very different. An interdisciplinary discussion with the responsible official occurred early in project development regarding this topic. It was decided that both this project and the area salvage projects would analyze the project areas described in the respective proposed actions. The overlapping areas would be included in both projects, and analyzed in both projects. Implementation of the project would only occur once, however, each individual project would analyze that overlapping area with that projects specific prescription and spatial extent. For instance, the overlapping areas in the Woodrat project area were analyzed in this EA with a maximum 200 ft extent (based on a trees ability to fall and block or damage the roadway) and the Woodrat project also analyzed the area with that project's prescription and spatial extent applied. The other two adjacent projects were analyzed similarly. The overlapping areas were fully evaluated in both environmental documents, with the consideration that any project would only be implemented once.

Furthermore, Under 40 CFR 1508.25, "connected actions" are connected if they automatically trigger other actions; cannot or will not proceed unless other actions are taken; and are interdependent parts of a larger action and depend on the larger action for their justification. Each of the proposed fire recovery projects can and would proceed regardless of whether or not the other ones proceed; each individual project is not an interdependent part of a larger action and do not depend upon the larger action for their justification; and each individual CE and EA does not automatically trigger other actions. As such each of the individual projects are not "connected actions"; and therefore, do not require analysis in the same NEPA document.

The purpose and need statements from the proposed Fire Recovery projects and the Road, Administrative Site, and Recreation Site Maintenance project are different. The Road, Administrative Site, and Recreation Site Maintenance project will provide for long-term public and employee safety, particularly in those places of relatively high public use or concentrated administrative use by Forest Service employees.

Cumulative effects were considered and are included in the resource analyses in the EA and project record. All areas not directly overlapping, were analyzed as cumulative actions in both the RARSM and the area salvage project. While the analysis was duplicative, the projects are not connected actions due to the vastly different purpose and need for actions, independent utility, and a lack of interdependency between the projects. The RARSM project is not a fire salvage project and the area salvage CEs are not intended to maintain forest infrastructure.

The process of responding to the 2015 wildfires and project development process was broken into several steps, as described in the *Other Alternatives Considered* section and as documented in the project record (Post Fire Selection Process, 2016 and Roadside Post Fire Selection Process, 2016). Each project proposed is separate by purpose and need, geographical space (and thus does not have overlapping direct or indirect impacts), temporal space, or all a combination of these. The RARSM project is distinct in the purpose and need for action. Other post-fire projects were developed from specific and unique attributes that made those projects different from the others. Analyzing all the projects together would have diluted the effects analysis due to the large geographic scale (millions of acres). The project packaging at the time of this decision is the most appropriate way to look at projects together that have the same purpose and need and are similar to one another. Analysis of projects that are not geographically proximal and do not have overlapping direct and indirect impacts are best analyzed alone so that subtle impacts do not become lost as the scale increases.

Aquatics, Soils and Sedimentation Concerns

Potential impacts to aquatic and soil resources, primarily sedimentation and erosion potential were raised as a concern. Site specific analysis in the aquatic resources report, hydrology report and soils report took a hard look at direct and indirect impacts of the proposed action and cumulative impacts of the proposed action combined with past, present and reasonably foreseeable actions including the other area salvage proposals. Potential impacts were measureable in the Teepee Springs area, primarily in the Plant Creek prescription watershed and on the Wash Fire (EA sections 3.2, 3.5, 3.5). The National Marine Fisheries Service and Fish and Wildlife Service concurred with the Not Likely to Adversely Affect determination in Letters of Concurrence from each agency. This decision further reduces the extent of activities most likely to cause impacts. The reduction of removal acres and specifically the change from a removal prescription to a drop and leave prescription on administratively closed roads on all of the project but specifically on the Wash and Teepee Springs Fire areas has further reduced the potential impacts that were already below any thresholds of significance. The Teepee Springs Fire area salvage projects (Van Keating and Chair Point) have been cancelled and thus will not contribute additional impacts to the watersheds in the area. Finally, utilization of equipment off existing roads will not be permitted in the Teepee Springs fire area. Due to the urgent nature of this project and the danger associated with these areas, I have limited the number of employees being on the ground in these areas. As such, alternate methods of analysis were used in some cases where we didn't have time or field data.

Potential Impacts to Idaho Roadless Areas

The *Proposed Action for 30 day Notice and Comment* (March 2016) contained an abbreviated effects analysis for Idaho Roadless Areas. This abbreviation combined with commercial removal proposed in

IRAs was brought up as an issue by several stakeholders. In response to these comments, a full roadless analysis was conducted on the actions proposed in the 14 IRAs potentially affected by the project. While this analysis found and clearly documented no significant impacts were going to be realized from the proposed action, in further response to the public's continued interest on this issue, my decision modified the proposed action to only impact roadless areas where the action is absolutely critical to implement the purpose and need for action. All administratively closed roads within or immediately adjacent to IRAs have been changed to drop and leave. Most other open road segments adjacent to IRAs will also be implemented as drop and leave as a result of this decision with two notable exceptions: the 443 road in the Wash Fire perimeter and the 362 road in the Jay Point Fire perimeter both serve as main access routes within the transportation system, experience high fire severity and associated high mortality of the overstory and have high tree and volume densities. The combination of these factors makes anything but removal of the boles of the trees impractical and likely to create fuel accumulation conditions that would need to be modified through mechanical means with a high likelihood of causing more ecological impacts than removal would cause. However, to be responsive to the sensitive social nature of the roadless areas, despite otherwise being fully consistent with the rule and NEPA, this decision mandates that along these two road segments within IRAs, all equipment would stay on the existing road prism and no tree more than one tree length from the road would be removed.

While there may be some short duration effects, they would generally be limited to the actual implementation activities (hazard tree falling, machinery on roads, etc.) rather than the results of the activity (e.g.-stumps following timber cutting and removal). The treatment areas are extremely small in size and scope, occurring on less than 1 percent of any given IRAs area and within one tree length or less from existing forest roads. On-the-ground results of similar Forest activities has generally resulted in "clumpy" removal of trees and not extensive, linear 200 foot wide clearcuts. Post fire mortality site evaluations by the IDT indicate that this project would be expected to yield similar results. The proposed activities are not expected to be substantially noticeable due both to their limited size and scope, as well as the likelihood that vegetation regrowth will quickly screen evidence of hazard tree removal such as stumps or openings.

The proposed activities fall within the effects documented in the Idaho Roadless Rule FEIS Ch. 3.4: "*Road Maintenance*. None of the alternatives would restrict or limit road maintenance. In general, those activities needed to maintain a road's current design standard, maintenance level, or traffic service level would be permitted. Maintenance activities needed to meet new environmental or safety requirements resulting from law, regulation, or policy would also be permitted". (Idaho Roadless Rule FEIS, chap. 3.4, p. 154).

The proposed activities are consistent with the Idaho Roadless Rule and have been evaluated for consistency by the Idaho Roadless Commission. Proposed activities will not significantly affect the potential for any of the 14 IRAs within the project area to be considered for wilderness future wilderness evaluation (Roadless Specialist Report, Project Record).

Concerns regarding impacts to Wild and Scenic Rivers

Since the *Proposed Action for 30-day Notice and Comment* was released in March 2016, it was noted that the analysis needed to insure the project protects the Outstandingly Remarkable Values (ORV's) within the corridor and does not adversely impact the designated Wild and Scenic Rivers and disclose any adverse impacts to the Outstanding Remarkable Values (ORVs) of those rivers, including impacts to the designated corridors and to the ORVs for the rivers. In response to this concern, several additional analyses were conducted and the proposed action was modified in direct response to this concern. A Wild and Scenic River Determination was completed for each of the designated rivers (Selway, Lochsa and Salmon Rivers) and for the eligible river segments (Hungery Creek, Lolo Creek

and Meadow Creek). These analyses showed no impacts to the designated corridors, the ORVs of those corridors or to the eligible river segments and determined that a section 7 analysis was not required, as documented in the determination (Wild and Scenic River Determination, project file).

In addition to the additional analysis, this decision modified the extent of the removal portion of the project to better balance the protection of the Wild and Scenic Rivers with the need to mitigate hazards to the public. In the Woodrat, Wash and Teepee Springs Fire areas, areas closest to the Wild and Scenic Rivers and many other areas uphill from the designated corridors were modified from tree removal to drop and leave prescriptions. **The project does not include any activity within the designated corridors.** Furthermore, the visual resource project design features (numbers 29-33) will further ensure no adverse impacts to the visual quality ORV. Other ORVs examined include fish, wildlife, recreation, and cultural resources, as documented in the project file in each resource report and in the Section 7 analysis.

I have reviewed the *Alternative Analyzed in Detail* (EA, Section 2.4.2), and have found that it is responsive to the issues and concerns as well as purpose and need for action. Throughout this environmental analysis I have been involved in refining the proposed action to address resource needs, concerns from the public and changing environmental conditions. Through this process we have considered a wide range of alternatives, described in this DN and in some that were specifically listed in the Environmental Assessment (EA, Section 2.3). The decision reflects this continual refinement of the alternatives. Issues raised throughout the process are reflected in this decision as well as the *Other Alternatives Considered* portion of the EA and listed below.

Conclusion

This action is necessary to fulfill my responsibility of taking actions that contribute to the safety of Forest employees, visitors, and users, to the extent practicable. Additionally, the decision maintains forest infrastructure, including system roads, recreation sites and administrative sites that were damaged by the wildfires of 2015. Maintenance of this infrastructure is critical to the continued safe use by the public and employees and helps to prevent future negative impacts that could occur when maintenance is not performed in a timely manner. These system roads have been evaluated in travel management plan decisions and the forest travel analysis process. Those efforts indicate that these roads are needed for the management of the Forest. The recreation and administrative sites are also sites that the Forest will continue to operate.

As shown above, I have made modifications to the initial proposed action in order to be responsive to comments and concerns from some members of the public. Some changes were also made to address potential resource concerns and insure compliance with the Forest Plan and other laws and regulations. These modifications are site-specific and reflect personal knowledge of the conditions on the ground and the environmental analysis. I have reviewed the decision with the local District Rangers. In making my decision I have also reviewed the Environmental Assessment and its Appendices as well as the project record upon which the analysis is based. I have spoken personally with members of the public, local and state government officials, Nez Perce Tribe Executive Committee members and staff, and many others. The majority of the comments from stakeholders have been in support of the project and the emergency situation determination. Two organizations had concerns, mainly with the extent of the project activities off the road prism, the commercial aspect of the removal, and activities on administratively closed roads or within Inventoried Roadless Areas. They also had concerns that the emergency situation determination would not allow for meaningful public input. I have modified the project to address many of these concerns while taking care of the most immediate hazards and

maintenance needs. Those modifications also demonstrate that throughout this process, the public has had meaningful input which affected the decision directly.

Other Alternatives Considered (EA Sections 2.1 through 2.3)

Forest Officials and Interdisciplinary Team members used a coarse filter/fine filter approach to narrow down the scope of the post-fire project proposed on the Nez Perce-Clearwater following the 2015 wildfires. All affected areas were originally considered, but through the coarse filters, the projects were reduced. These coarse filters excluded areas where timber removal is not allowed by rule or law (wilderness areas, certain Idaho Roadless Rule themes, etc.), and areas where impacts to other resources are not acceptable or not allowed in the Forest Plans (landslide prone areas, riparian areas, etc.). During the fine filter lens, the IDT took a closer look at areas that needed to be modified in order to reduce potential impacts to resources. During this stage the project design criteria were developed to further reduce impacts. Each of these incremental steps which narrowed the project towards the current proposed alternative represents an alternative that was considered but not analyzed in detail.

On September 10th and 15th, 2015, a team of staff and resource specialists met and initiated a rapid assessment to help guide the Forests' post-fire recovery and restoration efforts. Core members of this team included hydrologists, a soils scientist, silviculturists, foresters, geographic information specialists, and the Forests' environmental coordinator. Two Forest level staff officers attended these meetings and represented the Forests' leadership. The rapid assessment followed two paths, one to identify salvage opportunities and the other to determine post-fire recovery and restoration needs for road maintenance and hazard tree removal along roads and within administrative and recreation sites for the safety of staff and the visiting public. Only the road maintenance and hazard tree removal assessment process is described within this document (the Roadside, Administrative and Recreation Site Maintenance project (RARSM)).

Phase 1 of the rapid assessment for the RARSM consisted of a coarse filter screening process that used current GIS layers to determine locations of roads and administrative and recreation sites potentially impacted from fires. Road layers were used to validate maintenance levels for each road segment (levels 1 through 6), roads designated as administratively closed (i.e., gated) or open, and any roads that would receive priority consideration if they were designated as a County Evacuation Route(s). All administratively closed/gated roads were evaluated not only for safety of Forest Service staff and the visiting public, but their need for access for future fire suppression activities were considered as well. All Idaho Roadless Rule areas, with the exception of Back Country Restoration areas were eliminated from consideration. Based upon this initial coarse filter review approximately 238 miles of roads totaling 7,476 acres (acreage is based on a maximum hazard tree corridor of 200 feet on both sides of the road), were identified for field reconnaissance to collect core field data. Field reconnaissance consisted of GPSing road segments and administrative and recreation sites, photo documentation of each road segment and site, and collection of the following additional data:

- Roads access was verified as open, administratively closed/gated, or overgrown. Decommissioned roads were not surveyed.
- Type of road surface: native, gravel, or paved.
- Estimated side slope (percentage) for both above the road and below the road.
- Road slope in percentage.
- Identification of any major road failures (slumps/slides).
- Identification of erosion or mass wasting.
- Burn severity (average for each road segment).

- Tree size: average DBH by segment.
- Percent of tree species mix.
- Type of damaged infrastructure.

All field data and photo documentation collected was then given to the NEPA interdisciplinary team assigned to conduct the fine filter assessment and environmental analysis for the Roadside, Administrative and Recreation Site project. All of this data and related photos are part of the administrative record for this project.

The fine filter screening criteria addressed in Phase 2 of the rapid assessment for the RARSM project consisted of the following:

- Field verification of Riparian Habitat Conservation Areas (RHCAs).
- Field verification of burn severity.
- Identification of critical habitat for TES.
- Cultural resource surveys to determine if cultural resources are present in the project area.
- Soils surveys for Landslide Prone (LSP) areas and/or Detrimental Soil Disturbance issues from past management activities.
  - There would be no harvest on soils that are field verified as landslide prone.
  - No harvest on slopes greater than 60 percent.
- Identify fuel loading issues.

Based upon the rapid assessment process (i.e., the coarse/fine filter screening process), the subsequent environmental analysis conducted by the interdisciplinary team, and considering public input, hazard trees will be cut on approximately 133 miles of road totaling a maximum of 5,044 acres. On approximately 46 miles of road totaling a maximum of 1,600 acres hazard trees will be cut and hauled away, and approximately 87 miles of roads totaling a maximum of 3,444 acres the hazard trees will be cut and left to address resource issues. Fuels reduction treatments will be conducted on these cut and leave portions of the project.

Figure 19 shows an example of the roads that were dropped from the proposed action as a result of this field work and review. This data was also used by the specialists as they completed analysis on the project. Photographs hyperlinked to the mapped road segments were used to verify mortality, visualize soil and fuels concerns and reaffirm the status of each road segment.

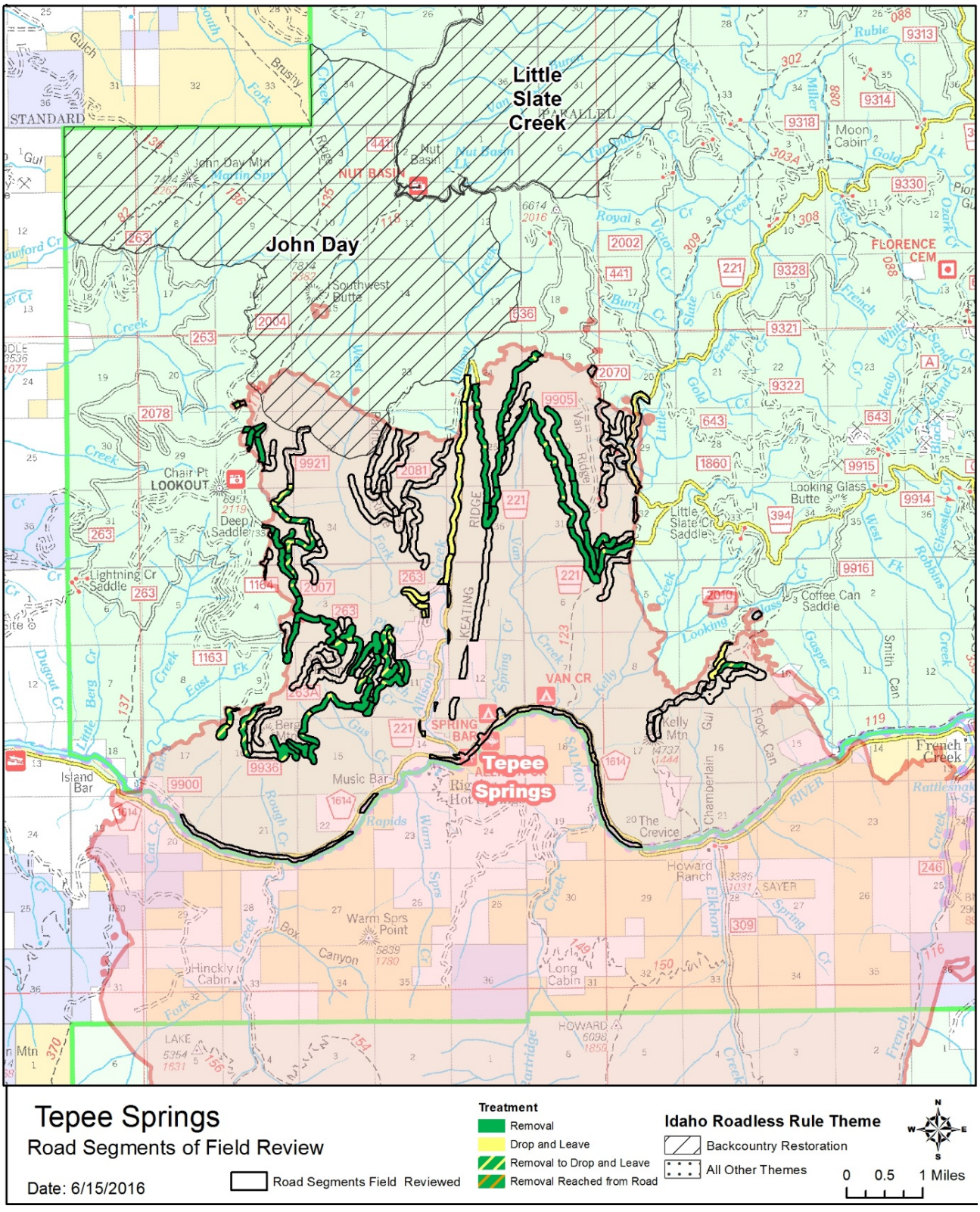


Figure 19. A sample map of all roads field-reviewed on the Teepee Fire and analyzed as part of the proposed action, with subsequent prescription modifications.

This same data was used by myself and others as we responded to public comments by altering the proposed action in this decision. Every road segment that was adjusted was analyzed spatially, in relation to other designated areas (such as Wild and Scenic Rivers and Idaho Roadless Areas), and photos of each segment modified were reviewed. In some instances, roads considered for modification were left as they were described in the proposed action after looking at photos. All road segments were reviewed a number of times during the project, including field visits to many road segments myself prior to making this decision (Probert Field Notes, project record).

After reviewing the comment letters and concerns, the IDT considered the following alternatives to the proposed action in addition to the multitude of alternatives considered as part of the coarse filter/ fine filter exercise. While these alternatives were not analyzed in detail individually in the environmental assessment, **this decision does incorporate ideas from these alternatives into the final decision**. These changes constitute a reduction in the spatial extent of the project and a reduction in the impacts disclosed in the EA, and therefore these alternatives did not need to be analyzed in detail in order to be partially selected in this decision. With the exception of continuing to propose scaled back removal in the Idaho Roadless Areas, this decision incorporated in part or in whole all of the alternatives requested below. Since the comment periods and the analysis in the EA, this decision has morphed to incorporate all of the concepts specifically requested by the public as discussed below.

1. *An alternative that reduces the maximum width of the treatments down from 200 feet*. This alternative was eliminated from detailed analysis in the EA because 200 feet represents the maximum; the average actual width in most cases will be less. This concept was clarified in the EA and this DN to show that our intent is to indeed treat a lesser extent than 200 feet where practicable. The treatment width will be adjusted during implementation according to slope and other factors; for example downslope width areas will often be less than 200 feet. Only dead and dying trees would be cut, and areas that experienced low severity fire contain many live trees. The purpose and need for public safety would not be met in most areas if the treatment width is too narrow. Furthermore, OSHA regulations specify a two tree length area in which “danger” trees are to be identified and mitigated (29 CFR 1910.266).

   Figure 20 shows an areas treated using a similar prescription following the 2012 wildfires. While nearly every tree met the definition of a hazard tree in this area, because the height of the trees was low, the extent of the harvest was much less than the 200 foot maximum. Conversely, figures 21 and 22 show where both the extent of harvest was reduced and many trees did not meet the mortality guidelines used on the 2012 project at the time (Scott Guidelines). Since implementation of the project, several of the trees that did not meet the guidelines have since died.

Figure 20. Reduced treatment width based on tree height and slope following 2012 Sheep Fire and associated hazard tree removal projects.

Figure 21. Reduced treatment width showing live trees remaining after completion of hazard tree removal project on the 2012 Sheep Fire.

2. *An alternative that drops some selected sections of road treatment because of possible effects to soils, wildlife, watershed, or heritage concerns*. This alternative was eliminated initially because the coarse and fine filter approach used to select treatment areas eliminated most potential problem areas. For example no treatment will occur in LSP areas, or adjacent to known historic or cultural important sites. Project design features have been designed to avoid impacts to fisheries, watershed and wildlife resources. Site specific mitigation measures have been added to address heritage resource concerns. The analysis in the EA clearly shows no potentially significant impacts to soils, hydrology, wildlife or aquatic species as documented in the FONSI. However, this decision reduced the extent of the project in key areas and therefore further decreased the potential impacts of the project. Concern of potential sediment reaching waterways in the Plant Creek prescription watershed has been further reduced by a six mile reduction in treatment miles within this area. Furthermore, the cumulative effects projects Chair Point Fire Recovery Project and Van Keating Fire Recovery Project on the Tepee Springs Fire have both been cancelled, alleviating the potential cumulative impact concern of those two actions being implemented together.

3. *An alternative that increases areas of fell and leave timber compared to areas with fell and removal*. This alternative was eliminated because resource concerns associated with heavy equipment and removal would be alleviated through the project design features. Areas of high resource concern would either be avoided (as in LSP) or would not be removed (as in RHCAs). This decision does greatly increase the road miles being treated through drop and leave methods and is responsive to the comments asking for this alternative to be considered. Between the proposed action and this decision, 34 miles transitioned from removal to drop and leave based on a road by road analysis of the need.

4. *An alternative that does not fell trees within Idaho Roadless Areas*. Under the proposed action hazard trees would be cut down on roads adjacent to 14 Idaho Roadless Rule Areas. However, only trees identified as posing a hazard to employees or forest visitors using the adjacent road would be felled. Mitigation of hazard trees is not precluded in the Idaho Roadless Rule. This alternative was eliminated from further analysis because it does not respond to the need to mitigate safety hazards to users of forest roads nor the need to maintain infrastructure. See *Idaho Roadless Areas*, chapter 3.

5. *An alternative that does not remove trees felled within the Backcountry Restoration Idaho Roadless Rule Theme, but does drop and leave hazard trees within Idaho Roadless Areas.* This alternative was eliminated because removal of timber incidental to actions not prohibited by the Idaho Roadless Rule is allowable. The primary action of hazard tree mitigation is not prohibited by the rule. Removal of the timber is incidental to this activity and necessary to offset the costs of performing such work. No road construction is proposed as part of this project.

   In the making of this decision, every road segment in the EA was analyzed again to determine the necessity of keeping it in the decision to implement the purpose and need. Based on public comments and concern regarding timber removal in Idaho Roadless Areas, the majority of acres in IRAs were changed to drop and leave (Table 5). Those few acres left as removal, on the 443 road in the Wash Fire and on the 362 road in the Jay Point Fire, will be implemented only to minimize any potential impacts within the IRAs. Only the timber that can be reached from the road (within one tree length) would be available for removal, and no heavy equipment would be allowed to operate off the road prism. This action is necessary due to the tree density, fire severity and amount of use on these main system roads (Figures

12-14). Without removal, the concentration of activity fuels and the fuels manipulation activities required to reduce these fuels to acceptable volumes would have a greater impact on the ecosystem than removal without any off-road activity. This alternative not analyzed in detail was in large part (with the exceptions noted above) the decision I have made in this Decision Notice.

When there are no unresolved conflicts concerning alternative uses of available resources (NEPA, section 102(2)(E)), the EA need only analyze the proposed action and no action alternative and can proceed without consideration of additional alternatives. (36 CFR 220.7(b)(2)(i)).

Figure 22. Post hazard tree removal on the 2012 Sheep Fire.

No Action (EA Section 2.4.1)

If the No Action alternative were to be selected, current management plans would continue to guide management of the project area. No maintenance targeted at mitigation of effects resulting from the 2015 wildfires would be implemented and trees that pose a hazard to the life and safety of forest users and employees would not be felled. Other methods of addressing the increased health and safety risk would be considered, including closure of routes and sites deemed too risky to allow continued use with unmitigated hazards. Roads closures have already occurred on the 443 road in the Wash Fire Perimeter. This route was closed immediately after the fire due to public health and safety concerns associated with hazardous conditions following the fire (Order No. 01-17-06-15-015). I signed a closure order continuing this closure on August 8th, 2016 (Order No. 01-17-06-16-008) due to the continued unmitigated unacceptable level of risk associated with travel on this road. Without action to maintain the road and mitigate hazard trees, this closure will be of indefinite length.

Fire killed and weakened trees would continue to fall and block Forest roads. Forest visitors and workers will continue to be exposed to hazardous conditions as trees fall, cause resource damage, and block safe ingress and egress to national forest lands. Maintenance actions would not occur and forest infrastructure would be at risk. Lack of maintenance could render infrastructure in less than safe conditions and may result in closure of roads, recreation sites or administrative site in the future. As trees weaken and begin falling, the exposure to forest users, employees and fire fighters increases. At some point in the future the risk would be such that we effectively will lose the ability to use these roads for fire suppression. Figure 23 shows a photo of an area affected by wildfires in 2012 where hazard trees were not removed. Trees continue to fall and impact the road prism and users of the road. This can be expected to continue for many years into the future. Some roads, such as the 443 road in the Wash Fire would remain closed to the public as a result of the unmitigated hazard. Figure 24 also show areas untreated following the Sheep Fire in 2012 and the many hazards to the road.

Some routes groomed for winter snow machine use would be potentially negatively affected by the no action alternative to the point of not being viable routes for a number of years. While manual manipulation of felled trees across the route could be done by the Forest Service employees, contractors or volunteers, funding is limited to accomplish these actions. Bucking of downed logs does not respond to the overhead hazard caused by dead and fire weakened trees. Groomed routes that could be negatively affected by the no action alternative include: 101, 103, 104, 284, 421, 464, 468, 500, 535, 547, and 595 roads.

A lack of maintenance activities would potentially impact a number of resources, including recreation, sedimentation, fisheries and others. See EA sections 2.4.1; 3.1; 3.3.2.2; 3.4.2.1 and 3.7.1.1.

Figure 23. Hazard trees continuing to impact the road in untreated areas following the 2012 wildfires.

Figure 24. Hazards to an untreated section of road 4 years post-fire.

Public Involvement and Scoping (EA Section 1.8)

As described in the background, the need for this action arose in response to the 2015 wildfires in the roaded front country. A proposal in response to the purpose and need was listed in the Schedule of Proposed Actions in November 2015. This proposal was originally scoped under three CE (Categorical Exclusion) categories: 36 CFR 220.6(d)(3) Repair and maintenance of administrative sites; 36 CFR 220.6(d)(4) Repair and maintenance of roads, trails, and landline boundaries; and 36 CFR 220.6 (d)(5) Repair and maintenance of recreation sites and facilities. A legal notice describing the proposal and inviting comment was published in the Lewiston Tribune on December 4, 2015. The Forests mailed 330 scoping letters and posted the legal notice and letter on the Nez Perce-Clearwater website. These notices requested that comments be received by December 28. The Forests received 20 comment letters in response; commenters included five interest groups, two county commissioners, thirteen individuals, and the Nez Perce Tribe.

I decided to transition from a CE to an EA for NEPA documentation based on comments from the public asking for additional analysis and opportunity to comment. The project still meets the categorical exclusion categories as originally proposed.

Forest Service representatives discussed the proposal with many individuals, agencies, organizations and stakeholders during the entirety of the process, from conception through analysis. The Idaho Roadless Commission, Idaho Department of Fish and Game, Nez Perce Tribe, Rocky Mountain Elk Foundation, Wild Turkey Federation, Trout Unlimited and the Clearwater Basin Collaborative' s Working Group, Recreation Subcommittee and Landscape Health Subcommittee were all provided formal and informal presentations regarding the project. In person conversations with three of the five comment period responders, including Friends of the Clearwater, Idaho Conservation League and the Nez Perce Tribe, clarified questions regarding the proposal prior to the comment period ending.

A 30-day notice and comment period began on March 29th, 2016 with publication of a legal notice in the paper of record, The Lewiston Tribune. During this comment period, comments were received from two individuals, two organizations and the Nez Perce Tribe. The response to these comments is included in the EA (Appendix E).

Using the comments from the public, other agencies, and the Nez Perce Tribe, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included removal of felled dead and dying trees in Idaho Roadless Areas, activities on administratively closed (maintenance level 1) roads and the removal of timber resulting from mitigation of potential safety hazards (see EA Section 1.9).

In response to comments requesting additional information and analysis and concern that the ESD would limit opportunity for public involvement, a draft EA was made available to the public on May 3, 2016. Notification, by e-mail, was sent to all interested parties that had commented on either the scoping notice or the 30-day comment period. Feedback was requested by May 11, 2016. Two groups and one individual responded to the request for feedback. No new comments or issues were raised during this feedback period. In addition, I personally spoke with several of the commenters to determine their concerns after reviewing the analysis. **Based on these comments, I further reviewed the analysis, gathered additional data, and modified the proposed further as shown in this decision using the same filtering approach used to create the proposed action.** Despite the ESD, I have obtained meaningful public comments, outside a defined comment period, and adjusted the analysis and decision accordingly.

The proposed action was modified in this decision as a response to the public concerns regarding removal of timber in Idaho Roadless Areas, removal of timber along administratively closed roads, removal adjacent to Wild and Scenic River Corridors, and the sedimentation cumulative impact concern specifically in the Plant Creek area of the Tepee Springs Fire and the Wash Fire. Public input has helped shaped the project from conception through the decision, including the change from a CE project to an EA analysis. Three alternatives proposed by the public were incorporated in their entirety into this decision and one other alternative proposed was incorporated in part.

While an Emergency Situation Determination has been requested and granted, forgoing the objection period, this project has been responsive to public comment from the onset. The decision made here is directly in response to comments from several interested parties. While there is no formal objection period, review and edits were made and suggested from Regional Office staff and leadership as a result of public comment on the project. The Regional Office has reviewed and suggested modifications to the proposed action based on Regional Office specialist review of the EA, proposed action and public comments. The majority of the differences between the proposed action and this decision were in direct response to public comment, as was the initial decision to transition from a Categorical Exclusion to an Environmental Assessment. This added informal review and response period in direct response to public comment makes timely implementation even more critical.

Comments from many others indicated a desire for more to be done in response to hazard mitigation and additional post-fire projects in general. Both Clearwater and Idaho Counties responded to the original scoping for this RARSM project and indicated they and their constituents would like to see an expanded scope and scale for this project. In altering the proposed action in response to public comments and now making this decision on a lesser extent than originally proposed, we responded to the two organizations asking for a pared down project.

Finding of No Significant Impact

Based on the site-specific environmental analysis documented in the EA and the further modifications I have made in this decision to address comments received from the public, I have determined that this is not a major Federal action that would significantly affect the quality of the human environment; therefore, an environmental impact statement is not needed. This determination is based on the design of the selected alternative, context of the project, and the intensity factors (40 CFR 1508.27) as discussed below.

Context

Based on the documentation in the EA and project record, I find that the effects of the project are not significant as disclosed in chapter 3 of the EA and would have a negligible effect at the District and Forest scale. The EA implements direction set forth in the Forest Plan. The project is limited to discrete areas immediately adjacent to existing roads, is limited in size and the activities are limited in duration. Effects are local in nature and most appropriately viewed in that context.

The Forests include about four million acres of NFS lands, a land area approximately 500,000 acres larger than the State of Connecticut. Some 300 distinct wildfires burned a total of over 184,000 acres within this National Forest during the summer of 2015. This project would address post-fire hazards on and immediately adjacent to some of the existing roads, trails, and recreation sites within 22 of these fire areas. Cumulatively, this project and the other proposed post-fire projects would directly affect no more than 3 percent of the area burned during the summer of 2015 (Post-Fire Activity Map, 2016). These limited actions are spread over five Ranger Districts (Lochsa/Powell, Moose Creek, North Fork, Red River and Salmon River). Maintenance to the road, administrative and recreation sites would occur beginning in the summer of 2016 and continuing through the summer of 2017 to address safety concerns. Activities would not impact live healthy trees that survived the fire, but rather fell and or remove trees already killed by the wildfires in order to promote health and safety of the public and Forest employees.

Intensity

The following factors were considered to evaluate intensity.

1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

Adverse and beneficial impacts have been assessed and were not found to be significant. My finding of no significant environmental effects is not biased by the beneficial effects of the action. The analysis considered not only the direct and indirect effects of the projects, but also their contribution to cumulative effects. Past, present and foreseeable future actions have been included in the analysis. Adverse effects from the selected alternative have been minimized or eliminated through project design features and mitigation measures. For this project, there are no known long-term adverse effects or cumulative effects to resources such as inventoried roadless areas, wildlife, water quality, fisheries, recreation, or heritage resources. Impacts are beneficial for safety of Forest Service Employees and the public we serve as well as the maintenance of the Forest's infrastructure and the prevention of potential negative impacts associated with maintenance of our infrastructure. As such, I find that the selected alternative is not a significant federal action.

2) The degree to which the proposed action affects public health or safety.

Public health and safety is a critical part of the purpose and need for action. The wildfires of the summer of 2015 impacted areas the Forest Service purposefully congregates forest users and employees, including roads, recreation and administrative sites. Action is needed to provide for safe travel and residence at these sites. The proposed action mitigates the hazards resulting from the 2015 wildfires to the extent and degree practicable.

My decision would have no significant or unacceptable effects on public health or safety, because Occupational Safety and Health Administration (OSHA) safety regulations would be met during implementation and Forest Service inspectors would monitor all aspects of implementation to ensure public safety. Timber purchasers are required to comply with all State and Federal fire requirements and regulations. These types of activities (road maintenance, logging, hauling) have historically occurred on the Forests without creating public safety or health problems. The risk of effects on public health and safety during project implementation are low. The risk of effects on public health and safety without implementation of the project is high to extreme. The *Transfer of Risk* section in the Decision Notice describes the trade-offs made in selecting the action of the decision notice rather than the proposed action. The selected alternative increases the likelihood that users and employees of the Forests return home safely from their visit.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

No prime farmlands, parklands, wild and scenic rivers, wilderness, potential wilderness, wetlands, floodplains or ecologically critical areas overlap within the proposed treatment areas. Portions of the Road, Administrative and Recreation Site Maintenance Project lie within the Bighorn-Weitas, Eldorado Creek, Gospel Hump, John Day, Lochsa Face,, North Lochsa Slope, Mallard, Mallard Larkins, O'Hara-Falls Creek, Rackliff-Gedney, Sneakfoot Meadows, Hoodoo East Meadow Creek, and West Meadow Creek Idaho Roadless Areas which are managed under the Idaho Roadless Rule (36 CFR 294 Subpart C). EA section 3.11 documents consistency with the Idaho Roadless Rule and analyzes effects of the proposed action. There would be no significant effects on unique characteristics of the area because of the project design features and mitigations measures (EA, pages 16-20) and based on the effects analysis contained in chapter 3 of the EA.
Federal executive orders (EOs) provide for the protection and management of floodplains and wetlands. The Road, Administrative and Recreation Site Maintenance Project activities have been designed to be consistent with the requirements of EO 11988 and EO 11990.

National Historic Preservation Act (NHPA) compliance was achieved through the use of phased consultation (36 CFR 800.4(b)(2)) concluding with concurrence on the project in July of 2016. The phased consultation process allows the agency to defer final identification and evaluation efforts of historic properties if provided for in a memorandum of agreement (MOA). Indeed a MOA was crafted for the project. Per Appendix A (b) of the 36 CFR 800 regulations the Advisory Council on Historic Preservation in Washington, D.C. declined the opportunity to participate in the development of the MOA. The MOA therefore became a two-party agreement between the United States Forest Service and the Idaho State Historic Preservation Office. That agreement was signed on February 9, 2016. Additionally, the Nez Perce Tribe and both Idaho and Clearwater Counties were each invited to be consulting parties for purposes of NHPA compliance (36 CFR 800.2(c)). Only Idaho County

formally accepted the invitation, however, the Nez Perce Tribe is a consulting party by default (36 CFR 800.2(c)(2)(ii)). Cultural surveys to identify potentially eligible historic properties were completed in the spring of 2016. Nine sites that are culturally significant and/or potentially eligible historic properties have been found thus far and will be mitigated during implementation by buffering the sites and not permitting activities that would risk damage to the sites (see Project Design Criteria #21).

The project does not propose action within any designated Wild and Scenic River corridor. The project is adjacent to two Wild and Scenic Rivers: the Selway River on the Wash Fire and the Lochsa River on the Woodrat Fire and within several miles of a third Wild and Scenic River: the Salmon River. The project was designed to be in compliance with the River Management Plans and Management Guides, and Wild and Scenic Rivers Act as documented in Wild and Scenic River and Eligible Determination (project file). Each Outstanding Remarkable Value of the designated and eligible river segments were evaluated for direct, indirect and cumulative impacts, including impacts to the Wild and Scenic Rivers and corridors. Visually, the project areas adjacent to Wild and Scenic corridors were designed to meet retention guidelines. Additionally, following analysis, the actions adjacent to Wild and Scenic corridors and visible from Wild and Scenic corridors were re-evaluate and changes were made in this decision with the intent to meet and exceed all Wild and Scenic and visual requirements from Wild and Scenic corridors. This included changing many miles of removal to drop and leave prescriptions in the Woodrat, Wash and Teepee Springs Fire areas.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial. While there is some opposition to proposed treatments by a limited number of groups, I believe we have addressed the known relevant biological, social, and economic issues sufficiently to avoid scientific controversy over the scope and intensity of effects. Based upon reports and discussions with professional resource specialists, there is agreement by my staff and other professionals and agencies consulted about the effects and conclusions identified in the analysis. I conclude that the effects of this project do not represent a controversial impact upon the quality of the human environment, provided that the project design features and mitigation measures in section 2.4.2.2 of the EA are implemented successfully. I have also taken into account that opposition to these treatments has been fully considered through documentation and analysis of the no action alternative.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There were no highly uncertain, unique or unknown risks identified in the Road, Administrative and Recreation Site Maintenance Project. Activities approved in this decision are routine projects similar to those that have been implemented under the Nez Perce Land and Resource Management Plan for the past 28 years. The effects analyses discussed in chapter 3 of the EA are based on sound scientific research as well as previous experience implementing vegetation and fuels projects across the Forest. These actions have been applied elsewhere on similar soil and vegetation types. None are unique or involve unknown risks. Pertinent scientific literature has been reviewed and incorporated into the analysis process and the technical analyses conducted for determinations on the impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgement.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The action is not likely to establish a precedent for future actions with significant effects because this action is not unusual in and of itself, nor does it lead to any further actions that are unique. Similar projects have been conducted across Forest. Any future proposals for this area would be subject to NEPA requirements and will require a new NEPA decision.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The analysis considered not only the direct and indirect effects of the proposed action (EA, pages 11-20), but also its contribution to cumulative effects. Past, present and foreseeable future projects and recent wildfires have been included in the analysis (EA, Appendix C). Each resource effects analysis contained in the EA discusses cumulative effects; none were found to be significant (EA, chapter 3). The resources analyzed include: Safety and Road Access (section 3.1), Aquatics (section 3.2), Fuels (section 3.3), Recreation (section 3.4), Soils (section 3.5), Hydrology (section 3.6), Heritage (section 3.7), Timber and Economics (section 3.8), Silviculture (section 3.9), Wildlife (section 3.10), Idaho Roadless Areas (section 3.11), Botany (section 3.12) and Visuals (section 3.13).

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

The action would have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and would not cause loss or destruction of significant scientific, cultural, or historical resources (EA, section 3.7.2). Field surveys have identified no scientific, cultural, or historic resources in the area that would be adversely affected by this decision. All known heritage resource sites have been identified in the project area and would be avoided.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

ESA-listed fish species potentially affected by the project are primarily Snake River steelhead and Columbia Basin bull trout, but also include Snake River fall Chinook salmon, Snake River spring/summer Chinook salmon, and Snake River sockeye salmon (EA section 3.2.2).

Considering both the potential direct and indirect effects of the components of the proposed project, implementation of the proposed action would be not likely to adversely affect Snake River basin steelhead trout or Columbia Basin bull trout. This determination is based on the conclusion (discussed in Section VI) that no individuals of the species are likely to be harmed or harassed by the proposed activities (none which would occur within stream channels) or by transmission of contaminants to stream channels. Because of project design, specific location, and mitigation measures, substantial lasting adverse effects on water quality or stream channel and riparian conditions should not occur, so

habitat for steelhead and bull trout should be maintained in and downstream of the project area in the long term.

Transmission of contaminants or fine sediment to stream channels in any large quantities should not occur, riparian habitat quality would be preserved, and other habitat indicators for steelhead and bull trout will be maintained with essentially no biologically significant impacts. Therefore, designated Critical Habitat for steelhead or bull trout in project area streams would not likely be adversely affected because only discountable or speculative effects to the Primary Constituent Elements were identified.

Implementation of the proposed action would be not likely to adversely affect Snake River fall Chinook salmon or Snake River spring/summer Chinook salmon. This determination is based on the conclusion (discussed in Section VI) that individuals of the species would not be present in proximity to project activities other than log hauling on existing and well-maintained gravel or paved roads, and that transmission of contaminants to stream channels would be discountable. Because of project design, specific location, and mitigation measures, substantial lasting adverse effects on water quality or stream channel and riparian conditions should not occur, so habitat for fall and spring Chinook salmon should be maintained in and downstream of the project area in the long term.

No Snake River sockeye salmon would occur in project activity area streams. This is because sockeye salmon would be present in proximity to Forests land only in the mainstem of the Salmon River and only during spring outmigration (as smolts) and during the summer spawning migration (as adults). The only project activity which would be performed in proximity to the Salmon River is the haul of logs on a paved road. The proposed action should have no effect on sockeye salmon because the possibility of transmission of contaminants to the Salmon River channel would be low, and likely not harmful given the immediate dilution effect of the large volume of water in the river.

Designated Critical Habitat for fall Chinook salmon in the mainstem Clearwater River (below the mouth of Lolo Creek) and for spring/summer and fall Chinook and sockeye salmon in the mainstem of the Salmon River would not be affected (i.e., an NE determination) because no adverse effects to the Primary Constituent Elements in these streams were identified. The location of Designated Critical Habitat for spring/summer and fall Chinook salmon in the project area portion of the Salmon River drainage (outside of the mainstem) is indistinct, but the proposed action should also have **no effect** on this habitat.

The post-fire Roadside, Administrative Site and Recreation Site Maintenance Project's proposed action would not exceed any intensity or severity of impact measures for terrestrial wildlife (EA section 3.10.2. The cumulative impacts of this proposed action in combination with other area salvage projects on the Forest would be limited by the wildlife design criteria in combination with the other projects' focus on treatment of dead and dying trees where the 2015 fires already altered the habitat conditions. The proposed action may affect, but is not likely to adversely affect Canada Lynx, as described in the biological assessment which was concurred with by the US Fish and Wildlife Service.

Proposed activities are not likely to adversely affect lynx due to insignificant effects. There is insignificant existing habitat for lynx and snowshoe hares that will be treated in this project. Although there is mapped habitat, a vast majority of these areas were either burned by the recent fire and/or were already open and lacking the understory and stand structure of lynx habitat. This condition is at least partly due to being with 200 feet of an open road. Existing lynx and snowshoe hare habitat within the LAUs affected by this project are expected to remain available, well-distributed, and connected. No measurable effects to lynx populations at the Forest or Regional scale, or alteration of current population trend, are expected from the activities proposed in this project.

The National Marine Fisheries Service and the Fish and Wildlife Service concurred with these effects determinations with Letters of Concurrence for the project on June 3, 2016 from the National Marine Fisheries Service and May 16, 2016 from the Fish and Wildlife Service. As part of this consultation, the NMFS affirmed that the project is in compliance with the PACFISH biological opinion, specifically the recommendations for the Selway River (also referred to as the Selway BiOp). The NMFS concurred that the project will not have an adverse effect on listed fish species and therefore the recommendations in the Selway Biological Opinion have been satisfied. Furthermore, no new landings or operations on administratively closed roads will be occurring as a result of this decision.

Changes made to the extent of the project in this decision post-consultation will reduce potential impacts from maintenance and hazard tree removal. Consultation was conducted on the proposed action and thus the potential impacts that will result from implementation of this decision are lesser than the potential impacts considered during implementation due to the reduced scope of the project and the transition of 34 miles from removal of hazard trees to drop and leave. This rational and conclusion was verified with the Fish and Wildlife Service and National Marine Fisheries Service. The project effects are less than the BA indicated and as such the letter of concurrence is still applicable and does not require re-initiation of consultation.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

My decision would not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA and discussed in this decision. The project complies with Executive Order 12898 regarding environmental justice. No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis or public scoping and comment processes. The selected alternative is consistent with the Forest Plan, as amended, and other law, regulations and policies as described in the consistency section for each resource in the EA, chapter 3. The selected alternative is consistent with the National Forest Management Act regulations for vegetative management as well as other all applicable state and federal laws as described below.

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that selected alternative will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared.

Findings Required by Other Laws and Regulations

National Forest Management Act (NFMA)

This decision to maintain roads, administrative sites and recreation sites in areas affected by the 2015 wildfires, including hazard tree removal, is consistent with the intent of the Forest Plan's long term goals and objectives. The Nez Perce Forest Plan (Nez Perce FP) (1987) and Clearwater Forest Plan (Clearwater FP) (1987), as amended, guide all natural resource management activities by providing a foundation and framework of standards and guidelines for National system lands administered by the Forests. This proposed action responds to the goals and objectives outlined in these Forest Plans, and helps move the project area towards desired conditions described in these plans for safe and effective transportation systems (Clearwater FP, II-3; Nez Perce FP, II-1, 2). Forest-wide management direction relevant to this project is summarized below.

- Plan, construct and maintain a safe and cost-efficient Forest transportation system that will achieve Forest Plan resource management goals and objectives (Clearwater FP, II-3).
- Review existing system and non-system roads as part of transportation planning to determine road management needs, such as, closures, maintenance and obliteration (Clearwater FP, II-7).
- Provide a stable and cost efficient transportation system through construction, reconstruction, maintenance, or transportation system management (Nez Perce FP, II-1).
- Provide administrative sites and facilities that effectively and safely serve the public and accommodate the workforce (Nez Perce FP, II-3).

Other NFMA Requirements - I have determined the selected alternative is consistent with the following provisions of the National Forest Management Act. This project is designed to mitigate hazard trees and maintain critical Forest infrastructure. The purpose of the project is not timber harvest. The following provisions are discussed for compliance; however, as the project is not timber harvest, the provisions generally do not apply. The record clearly supports this finding, as described here.

. Suitability for Timber Production (16 USC 1604(k)): No timber harvest, other than salvage sales or sales to protect other multiple use values, shall occur on lands not suitable for timber production (16 USC 1604(k)). Guidelines for determining suitability are found in the Forest Service Handbook 2409.13. Proposed removal is within the productive habitat types as described in Cooper et al. 1991.

The purpose and need for the Road, Administrative and Recreation Site Maintenance Project is to maintain critical Forest infrastructure and mitigate hazards that pose a risk to the health and safety of forest users and employees, not to harvest timber. Thus, the project fits into both the protection of other multiple resources (namely safety) and the salvage exemptions listed in 16 USC 1604(k). Furthermore, the vast majority of the project is within areas suitable for timber production despite timber production not being the reason or purpose for the project.

6. Timber Harvest on National Forest Lands (16 USC 1604(g)(3)(E): A Responsible Official may authorize site-specific projects and activities to harvest timber on NFS lands only where:

a. Soil, slope, or other watershed conditions will not be irreversibly damaged (16 USC 1604(g)(3)(E)(i)).

The effects of the selected alternative are disclosed in chapter 3; soils analysis is found in EA section 3.5.2 and hydrology in EA section 3.6.2. The project mitigates hazards to the public and where other resource concerns allow (including soil, slope and watershed conditions) removal of the timber will occur. The project protects the organic matter, soil porosity, and topsoil through the use of best management practices (BMPs), project design features and mitigation measures. Localized and limited losses may occur on landings, skid trails, or where the soil is sterilized with fire; however, over the majority of the unit and the landscape, the processes that contribute to productive soils will be preserved. Damage as a result of the wildfire event will not be compounded upon as a result of the project, as noted in the soils analysis. BMPs, project design features and mitigation measures assure that no irreversible damage to the watershed or stream channel considerations will occur. While the conditions set forth in this provision are clearly met, the project is not a timber harvest project as described in the purpose and need for action.

b. There is assurance that the lands can be adequately restocked within five years after final regeneration harvest (16 USC 1604(g)(3)(E)(ii)).

While the wildfires of 2015 were the agent of mortality, reforestation will occur in areas where successful natural regeneration is unlikely to occur within a 5 year time period. Site conditions suggest regeneration, either natural or through the Forest's reforestation program will be successful with a high degree of confidence. This project is not a regeneration harvest project, rather the intent of the project is to mitigate trees that pose a safety hazard to the public or agency employees.

c. Protection is provided for streams, streambanks, shorelines, lakes, wetlands, and other bodies of water 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 (16 USC 1604(g)(3)(E)(iii)).

The selected alternative implements PACFISH standards and guidelines, BMPs, project design features and mitigation measures to maintain water quality, channel conditions and fish habitat despite not being a timber harvest project. Because of PACFISH buffer retention, there is no change to stream shading or temperature. There is minimal to no effect on sediment due to well vegetated buffers. All current (instream) and future (riparian) wood is retained. The hydrology (EA, section 3.6) and fisheries (EA, section 2) analysis in chapter 3 provide more details.

d. The harvesting system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber (16 USC 1604(g)(3)(E)(iv)).

The project area, treatments and removal systems were selected because of the necessity to reduce the hazard to the public and Forest employees. Safety of the public was the only determining factor in where the project would be located. Timber harvest is not part of the purpose and need. Timber removal will occur where not precluded by other resource concerns in order to fully fund the project. This project is not a timber harvest project. Where resource conditions and social considerations allow, some of the areas were selected for removal of the timber resource to, in part, capture a financial return on the investment. However, this decision was made after all other screens were put in place. The dollar return and output of timber were an afterthought, not a primary driver of the project.

7. Clearcutting and Even-aged Management (16 USC 1604(g)(3)(F): Insure that clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an even aged stand of timber will be used as a cutting method on NFS lands only where:

e. For clearcutting, it is determined to be the optimum method, and for other such cuts it is determined to be appropriate, to meet the objectives and requirements of the relevant land management plan (16 USC 1604(g)(3)(F)(i)).

The wildfires of 2015 were the cause of mortality in these stands. Only dead and dying trees, per the Nez Perce-Clearwater Mortality Guidelines, will be felled. The extent of the removal is limited to 200 feet from the road or the distance in which trees may negatively impact the road should they fall, whichever is greater. The prescription for the areas will be a hazard removal prescription, rather than a clearcut or regeneration harvest prescription. This removal is appropriate to meet the objectives and requirements of the Forest Plan. This project is not a timber harvest project.

f. The interdisciplinary review as determined by the Secretary has been completed and the potential environmental, biological, esthetic, engineering, and economic impacts on each advertised sale area have been assessed, as well as the consistency of the sale with the multiple use of the general area (16 USC 1604(g)(3)(F)(ii)).

An interdisciplinary review was completed and the potential environmental, biological, aesthetic, engineering, and economic impacts were assessed (see chapter 3 of the EA). The project is consistent with the multiple use of the project area.

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

While no trees will be retained that pose a direct threat to roads, administrative sites or recreation sites or to users of those sites because this project is not a timber harvest project and rather a hazard tree mitigation project, cut blocks, patches, or strips will be shaped and blended to the extent practicable with the natural terrain (Project Design Features 29-33). This may include feathering of edges at the furthest extent away from the road. Trees cut and/or removed were killed by the wildfires of 2015 and thus the visual implications were the result of the fire, not the proposed project. Nonetheless, the project has been found to be consistent with the Forest Plan visual requirements. The visual resource section (EA, section 3.13) discusses how the project is designed to accommodate aesthetics.

h. Cuts are carried out according to the maximum size limit requirements for areas to be cut during one harvest operation, provided, that such limits shall not apply to the size of areas harvested as a result of natural catastrophic conditions such as fire, insect and disease attack, or windstorm (FSM R1 supplement 2400-2001-2 2471.1, 16 USC 1604(g)(3)(F)(iv)).

The Road, Administrative and Recreation Site Maintenance Project will only remove trees killed as a result of a natural catastrophic event, namely the wildfires of 2015. The project is designed to mitigate hazard trees, not to facilitate timber harvest. As such, removal will be in accordance with FSM R1 supplement 2400-2001-2 2471.1, 16 USC 1604(g)(3)(F)(iv)).

i. Such cuts are carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and esthetic resources, and the regeneration of the timber resource (16 USC 1604(g)(3)(F)(v)).

Removal, as prescribed, is consistent with the protection of aesthetic, cultural and historic, fish, recreation, soil, watershed, and wildlife resources and with the regeneration of timber resources. Chapter 3 of the EA provides additional information on how removal is compatible with the protection of these resources. Design features and mitigation, EA Section 2.4.2.2, were developed to reduce resource conflict while providing for public safety and the utilization of a portion of the timber felled where appropriate. The purpose of this project is not to harvest timber, but rather to mitigate potential hazards to forest users and employees as they utilize forest infrastructure.

8. Stands of trees are harvested according to requirements for culmination of mean annual increment of growth (16 USC 1604(m)).

This requirement does not apply to Road, Administrative and Recreation Site Maintenance Project because the project is designed to achieve non-timber objectives and the trees being felled and/or removed are already dead or likely to die. This project is not a timber harvest project.

9. Construction of temporary roadways in connection with timber contracts, and other permits or leases: Unless the necessity for a permanent road is set forth in the Forest development road system plan, any road constructed on land of the NFS in connection with a timber contract or other permit or lease shall be designed with the goal of reestablishing vegetative cover on the roadway and areas where the vegetative cover has been disturbed by the construction of the road, within ten years after the termination of the contract, permit, or lease either through artificial or natural means. Such action shall be taken unless it is later determined that the road is needed for use as a part of the National Forest Transportation System (16 USC 1608(b)).

The Road, Administrative and Recreation Site Maintenance Project would not construct temporary or permanent roads nor would it alter the current transportation system.

10. Standards of roadway construction: Roads constructed on NFS lands shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources (16 USC 1608(c)).

No temporary or permanent road construction is proposed as part of the project.

Watershed and Fisheries Resources Regulatory Framework

All Federal and State laws and regulations applicable to water quality are applied to the Road, Administrative and Recreation Site Maintenance Project. These include: Clean Water Act; Forest Plan, as amended by PACFISH; Planning Rule Management Requirements 36 CFR 219.27; Idaho State Water Quality Standards; Idaho Forest Practices Act; Idaho Stream Channel Protection Act; Idaho Best Management Practices (BMPs); and Executive Orders 1198 and 11990 regarding floodplain and wetland management. Consistency with the executive orders was discussed previously.

The Idaho Forest Practices Act regulates forest practices on all land ownership in Idaho. Forest practices on NFS lands must adhere to the rules pertaining to water quality (IDAPA 20.02.01). The rules are also incorporated as BMPs in the Idaho Water Quality Standards. The Road, Administrative and Recreation Site Maintenance Project activities have been designed to be consistent with the Idaho Forest Practices Act.

The Idaho Stream Channel Protection Act regulates stream channel alterations between mean and high water marks on perennial streams in Idaho (IDAPA 37.03.07). Instream activities on NFS lands must adhere to the rules pertaining to the Act. The rules are also incorporated as BMPs in the Idaho Water Quality Standards. Project activities have been designed to be consistent with the Idaho Stream Channel Protection Act. No instream activities are proposed.

Section 404 of the Clean Water Act requires permits to dredge or fill within waters of the United States. The US Army Corps of Engineers administers these provisions. The Forest will apply for a joint permit with the US Army Corps of Engineers and State of Idaho, Department of Water Resource for the selected alternative. In addition, a Section 404(1)(b) Practicability Analysis will be completed for the selected alternative. The results of Section 404(1)(b) Practicability Analysis will identify the Least Environmentally Damaging Practicable Alternative.

On December 12, 2012, the EPA revised the storm water regulations to clarify that a National Pollution Discharge Elimination System (NPDES) permit is not required for storm water discharges from logging roads (40 CFR Part 122; Fed. Reg. Vol. 77, No. 236). NPDES permits for Road, Administrative and Recreation Site Maintenance Project are not required at this time. Under Section 402 of the Clean Water Act, should it be determined than a National Pollution Discharge

Elimination System (NPDES) permit is required for this project to address storm water discharges from logging roads, the Forest Service would comply with any applicable NPDES permitting requirements.

Magnuson-Stevens Fishery Conservation and Management Act

In accordance with applicable requirements of Section 305(b) of the Magnuson-Stevens Act and it implementing regulations (50 CFR Part 600.920), the Forests need to evaluate potential effects of the activities proposed under the project in the SF Clearwater River drainage on Essential Fish Habitat (EFH).

The NMFS designates the freshwater habitat of Pacific salmon species by subbasin (i.e., HUC 4). EFH includes all streams and other water bodies occupied or historically accessible to these species (with certain exceptions), but does not otherwise distinguish individual streams within the subbasins. The project would be implemented in the Clearwater and Salmon River basins where both Chinook (spring/summer and fall run types) and coho (O. kisutch) salmon have (as of December 2014, 79 FR 75449) EFH designated habitat. Some streams are historically accessible to both Chinook salmon types and to coho salmon. Effects to Essential Fish Habitat are documented in the EA, section 3.2.2. The National Marine Fisheries Service concurred with the Not Likely to Adversely Affect determination for Threatened and Endangered Species as documented in the June 3, 2016 Letter of Concurrence.

National Historic Preservation Act of 1966, as amended

Due to the nature of the project, National Historic Preservation Act (NHPA) compliance is being achieved through the use of phased consultation (36 CFR 800.4(b)(2)). This process allows the agency to defer final identification and evaluation efforts of historic properties if provided for in a memorandum of agreement (MOA). Indeed a MOA was crafted for the project. Per Appendix A (b) of the 36 CFR 800 regulations the Advisory Council on Historic Preservation in Washington, D.C. declined the opportunity to participate in the development of the MOA. The MOA therefore became a two-party agreement between the United States Forest Service and the Idaho State Historic Preservation Office. That agreement was signed on February 9, 2016. Additionally, the Nez Perce Tribe and both Idaho and Clearwater Counties were each invited to be consulting parties for purposes of NHPA compliance (36 CFR 800.2(c)). Only Idaho County formally accepted the invitation; however, the Nez Perce Tribe will be considered a consulting party by default (36 CFR 800.2(c)(2)(ii)). Cultural surveys to identify potentially eligible historic properties were initiated and completed on approximately two-thirds of the project in the late fall of 2015 prior to snowfall. During the spring of 2016 the remaining acres were surveyed. Per the MOA, the final cultural resource report was submitted to SHPO in July 2016.

Clean Air Act

The Road, Administrative and Recreation Site Maintenance Project lies within Montana/Idaho Airshed 13; air quality complies with National Ambient Air Quality Standards. There are no non-attainment areas for National Ambient Air Quality Standards in close proximity to the analysis area. All post-fell and/or removal site preparation and fuel reduction treatments shall be conducted according to the requirements of the Montana/North Idaho Smoke Management Unit guidelines. As such, this project is consistent with the Clean Air Act.

Idaho Roadless Rule (36 CFR 294, Subpart C)

Portions of the Road, Administrative and Recreation Site Maintenance Project lie within the Bighorn-Weitas, Eldorado Creek, Gospel Hump, John Day, Lochsa Face, Mallard, Mallard Larkins, East

Meadow Creek, Hoodoo, North Lochsa Slope, O'Hara-Falls Creek, Rackliff-Gedney, Sneakfoot Meadows and West Meadow Creek Idaho Roadless Areas which are managed under the Backcountry Restoration theme as identified under the Idaho Roadless Rule (36 CFR 294 Subpart C). Specifically, within these roadless areas, this project proposes to remove hazard trees from a maximum of 202 acres along seven miles of existing Roads 443 and 362. These activities are consistent with the direction listed under 36 CFR 294.24 (c)(vii). Removal of hazard trees up to a maximum of one tree length from the road prism is permissible under this decision. No equipment will be allowed off the road to facilitate this activity. Furthermore, up to an additional 670 acres of hazard tree mitigation within Idaho Roadless Area themes would occur without removal of the timber or equipment leaving the road. The Idaho Roadless Rule Commission was briefed on this project and concurred with this determination on November 10, 2015 and briefed a second time on project changes at the May 16th, 2016 Roadless Commission Meeting.

Administrative Review and Objection Rights

On May 13, 2016 the Chief of the Forest Service granted an Emergency Situation Determination (ESD) for the Road, Administrative and Recreation Site Maintenance Project per 36 CFR 218.21.

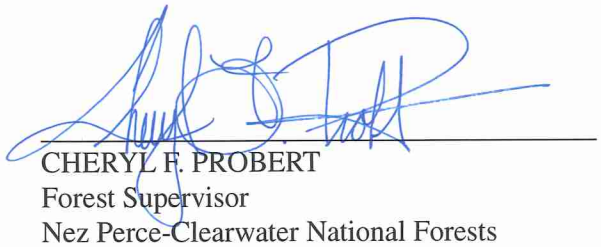
> *An ESD allows for immediate post-decision implementation enabling the Nez Perce-Clearwater National Forests to take action before substantial timber deterioration takes place, putting them in a better position to remove roadside hazards, restore the burned area and reduce the risk of no-bid timber sales (ESD page 3).*
>
> *Swift action is necessary to avoid impacts on human health and safety, natural resource protection, and loss of commodity value. A delay would jeopardize the Nez Perce-Clearwater National Forests' ability to accomplish critical restoration objectives (ESD page 4).*

The ESD formally forgoes the 36 CFR 218 objection process to be responsive to the urgency required to implement the proposed action without compromising human life and safety. As such, there is no administrative review of objection process for this project.

Implementation

Implementation may begin immediately following notification to interested and affected parties pursuant to 36 CFR 218.21(d)(1) and 36 CFR 220.7(d). The ESD granted by the Chief of the Forest Service forgoes the pre-decisional objection process and allows for immediate implementation.

For further information concerning the Road, Administrative and Recreation Site Maintenance Project, contact Zach Peterson, Forest Planner, at (208) 935-4239 or zacharyapeterson@fs.fed.us.



CHERYL F. PROBERT
Forest Supervisor
Nez Perce-Clearwater National Forests

8-17-16
Date

Appendix A- Maps

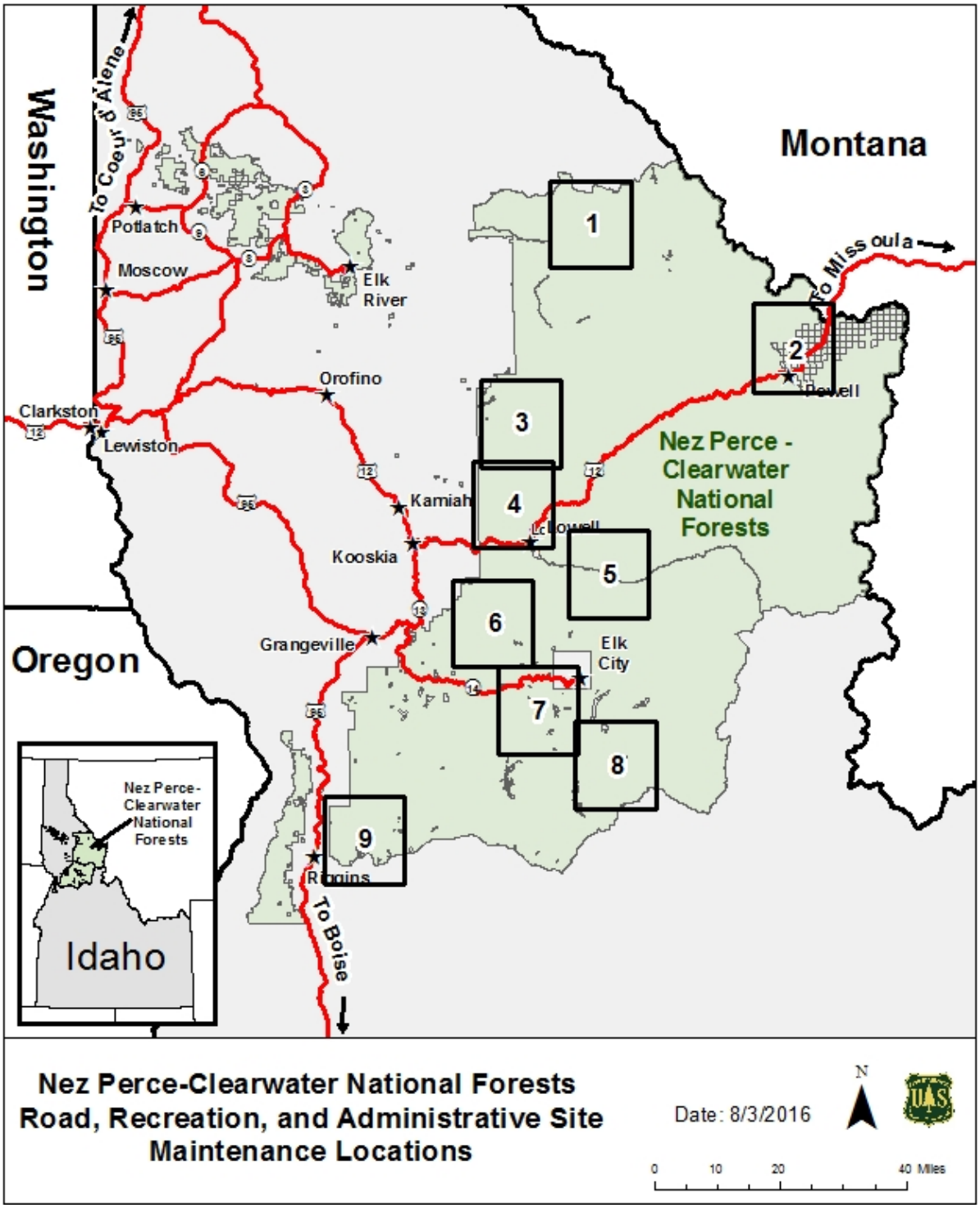


Figure M-1. Vicinity Map.

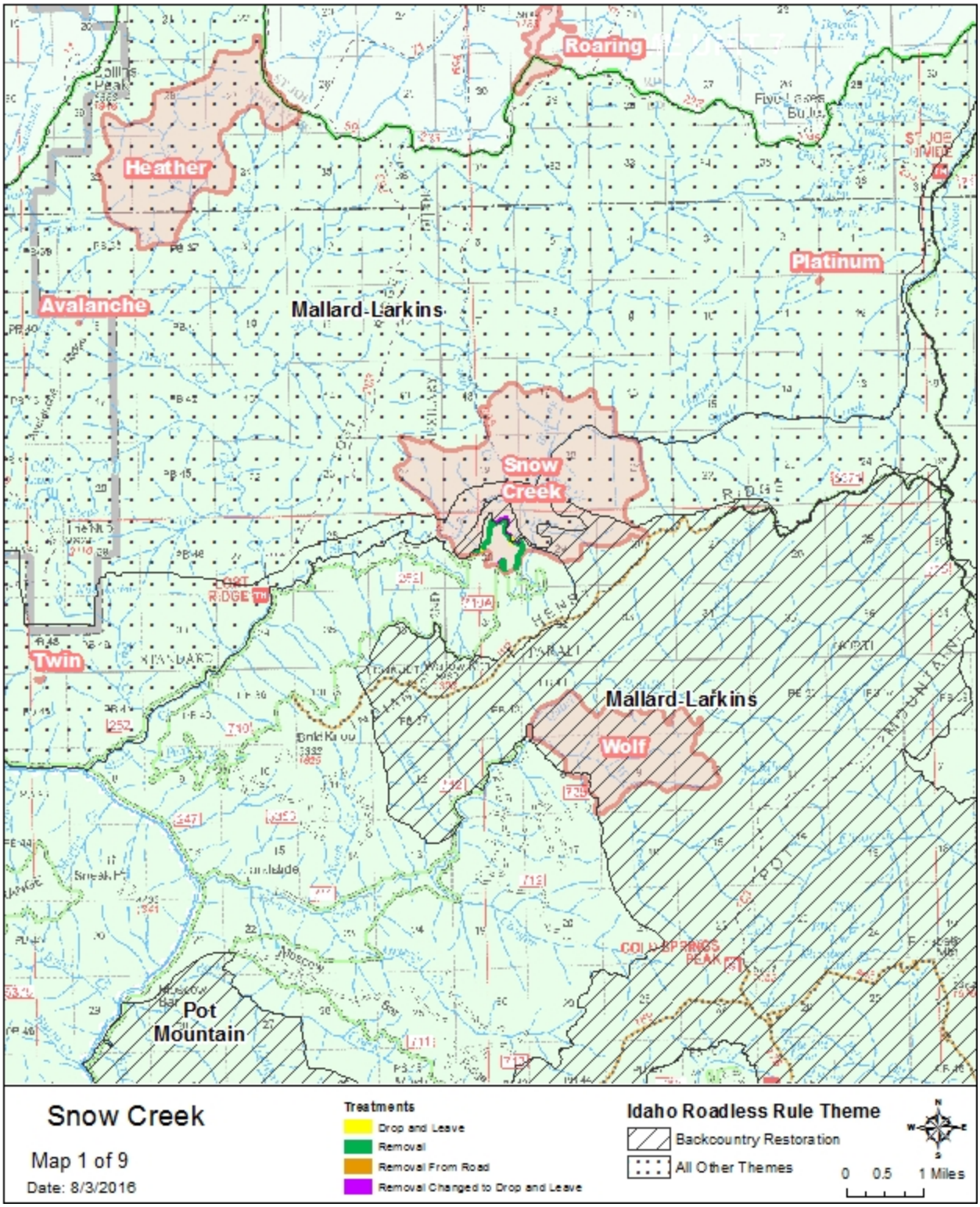


Figure M-2. Snow Creek Fire Area.

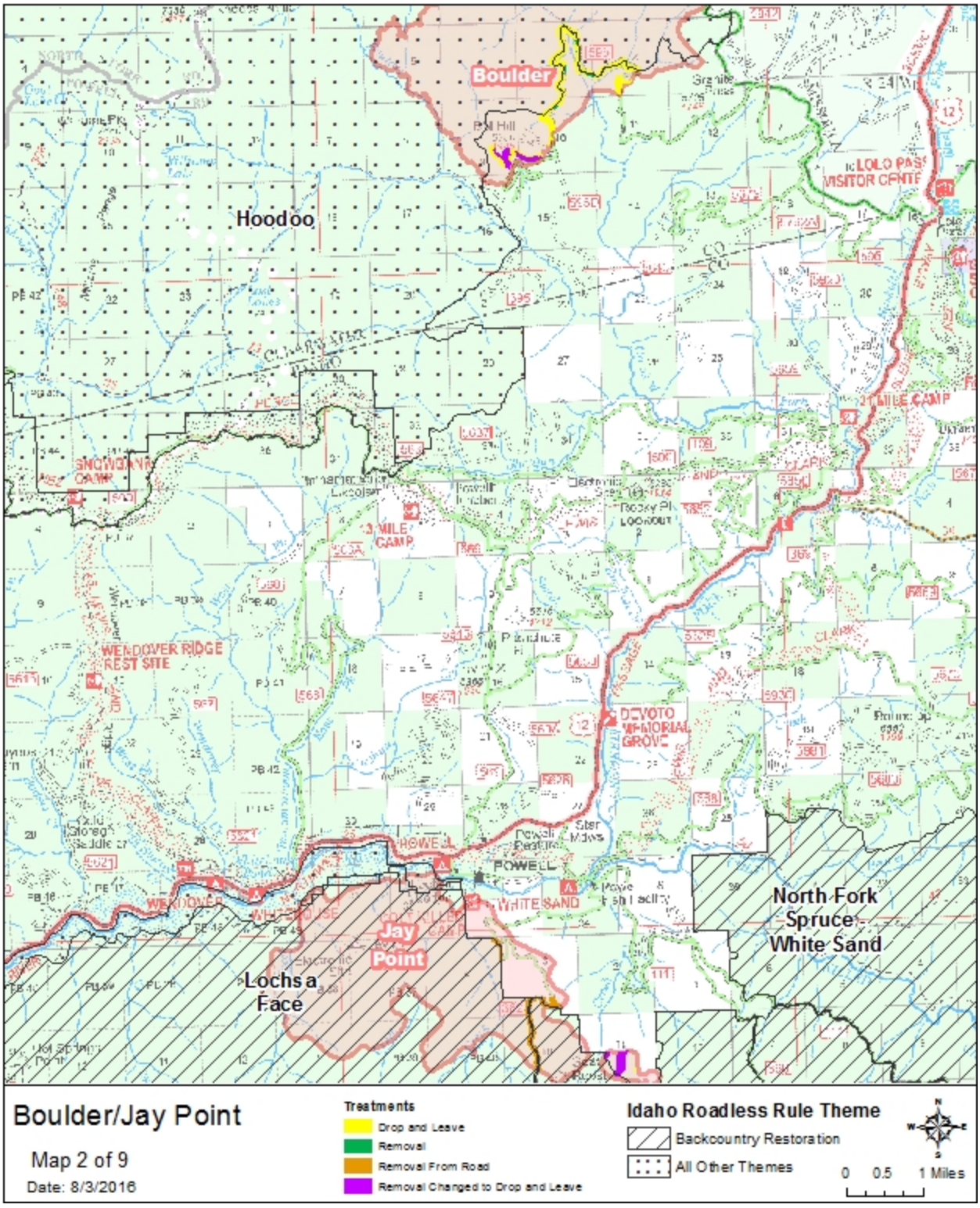


Figure M-3. Boulder and Jay Point Fire Areas

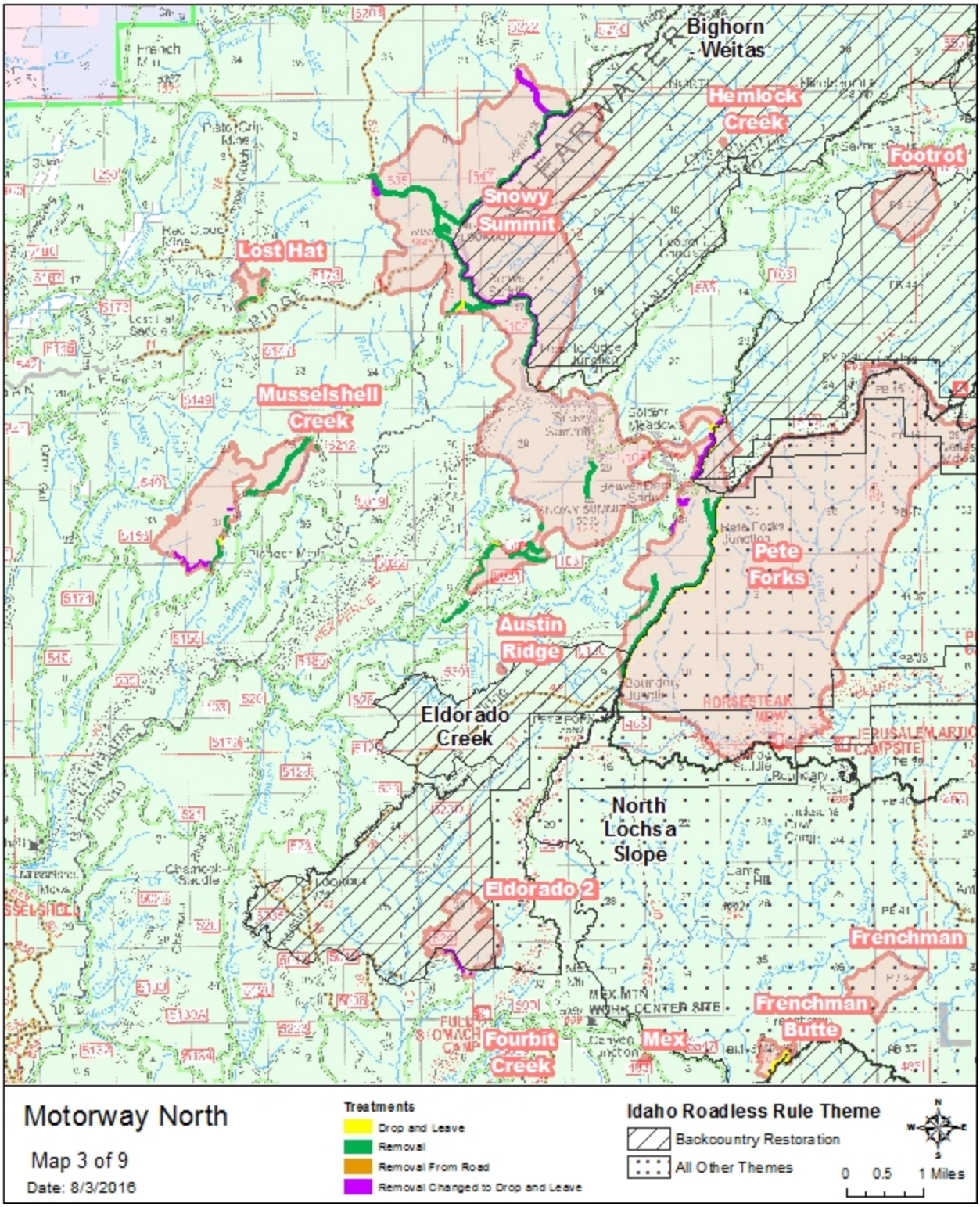


Figure M-4. Motorway North Fire Area.

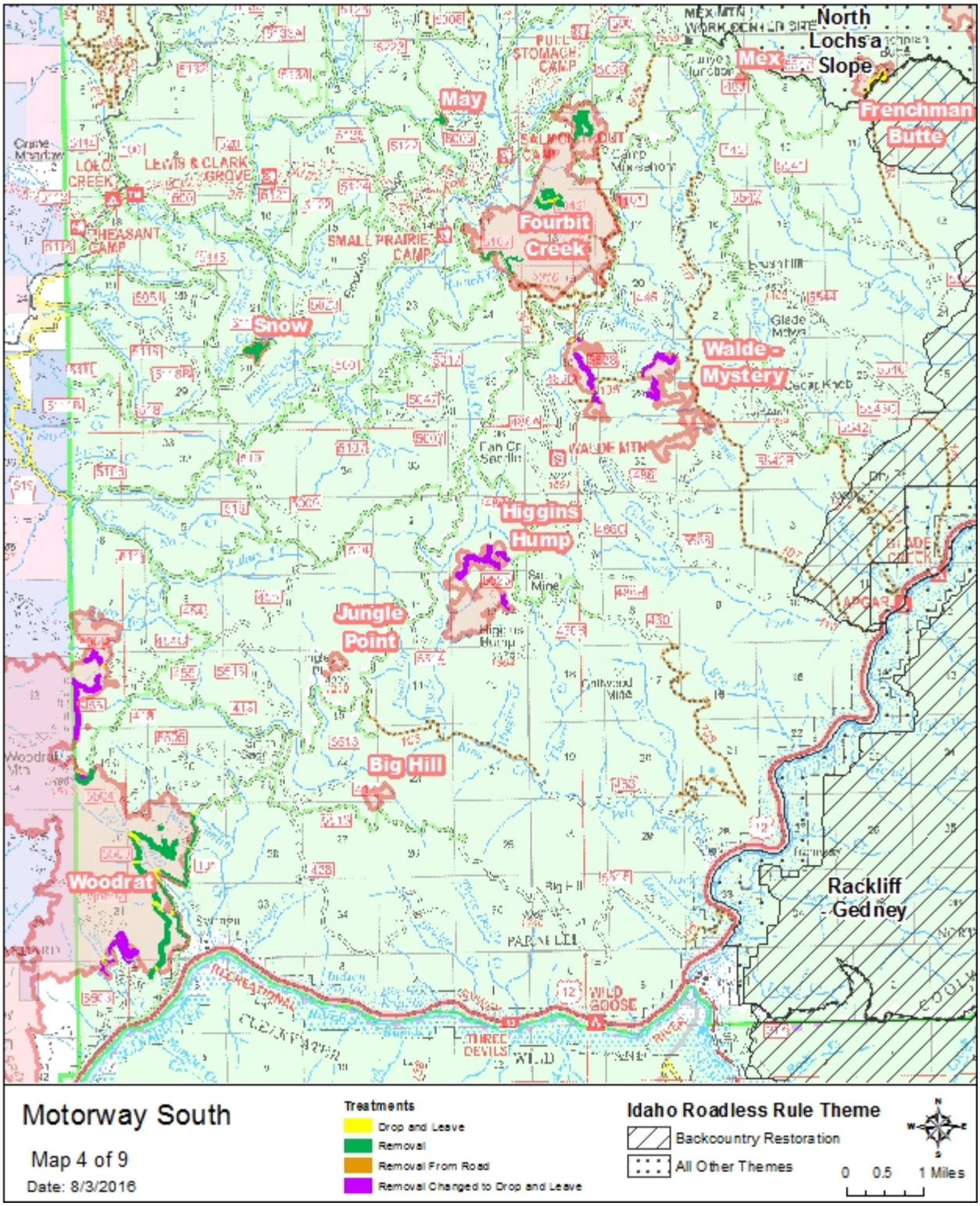


Figure M-5. Motorway South Fire Area.

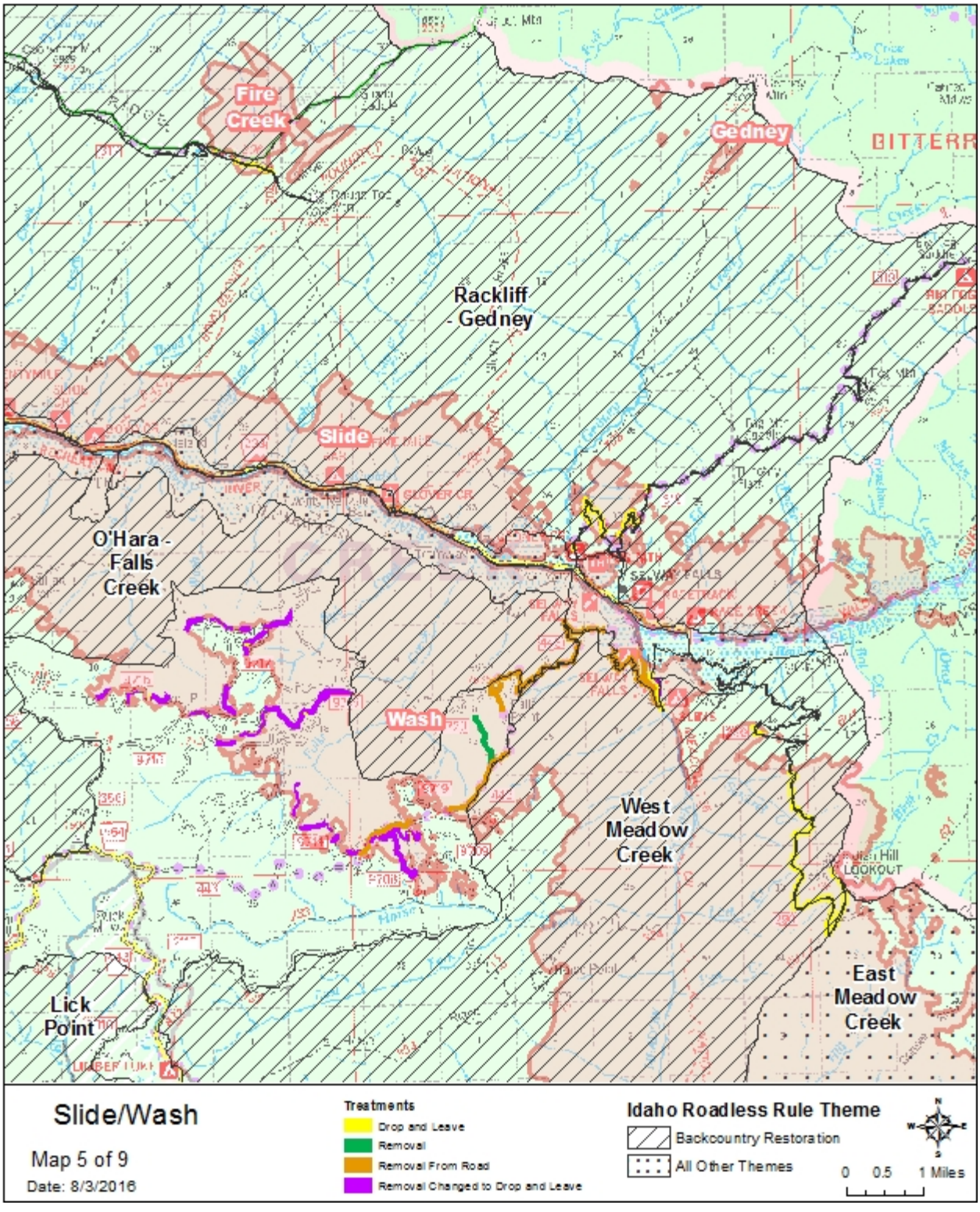


Figure M-6. Slide/Wash Fire Area.

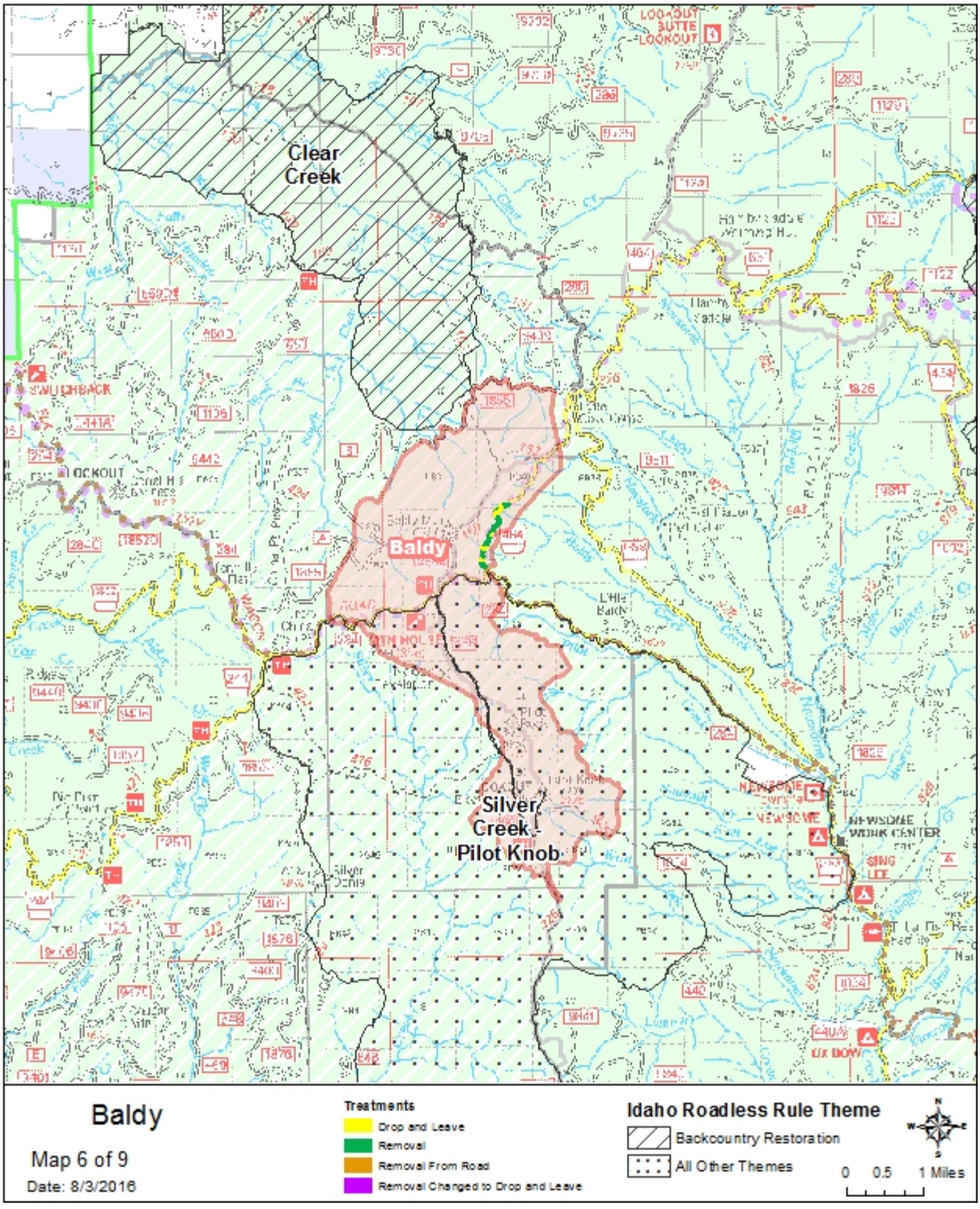


Figure M-7. Baldy Fire Area.

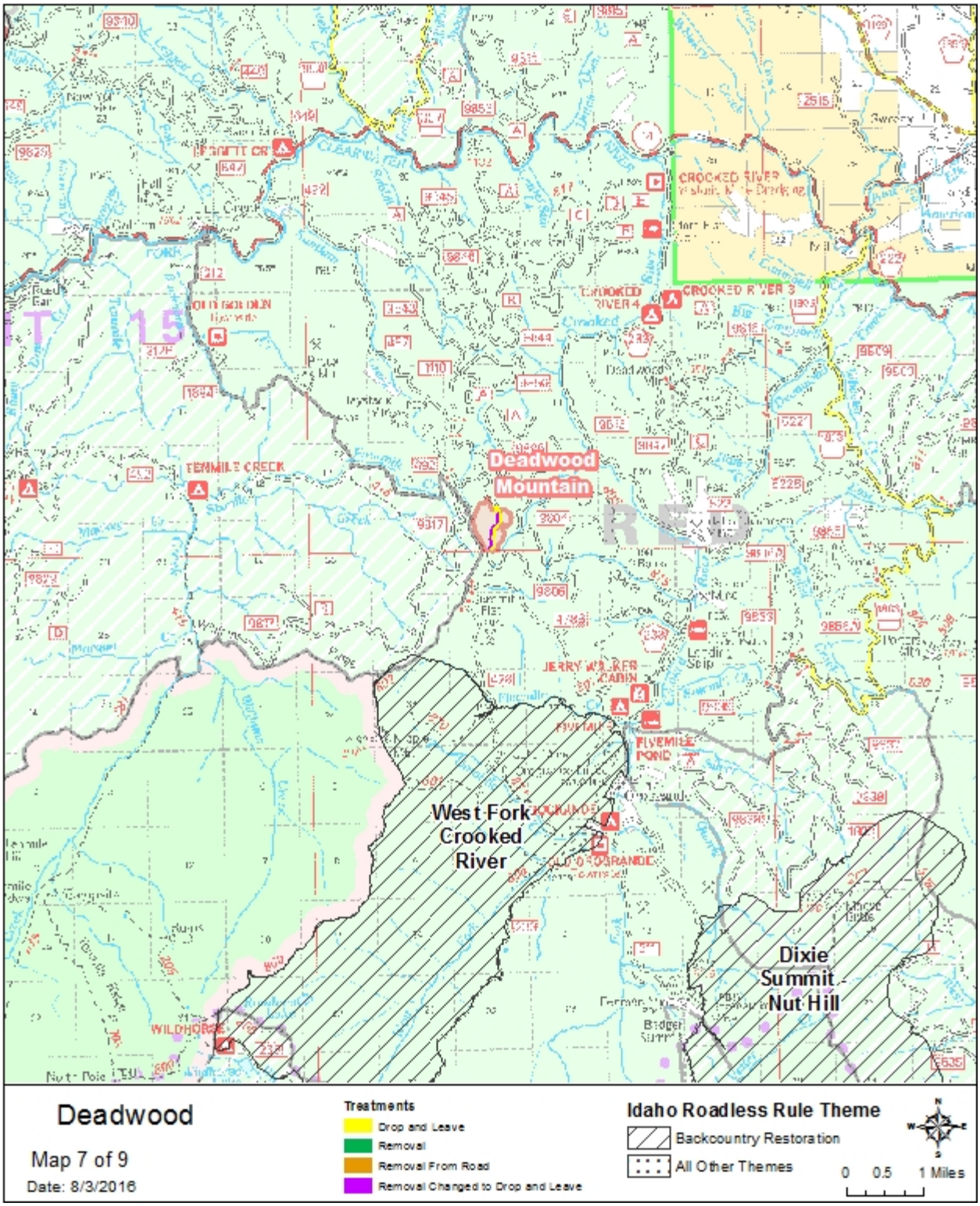


Figure M-8. Deadwood Fire Area.

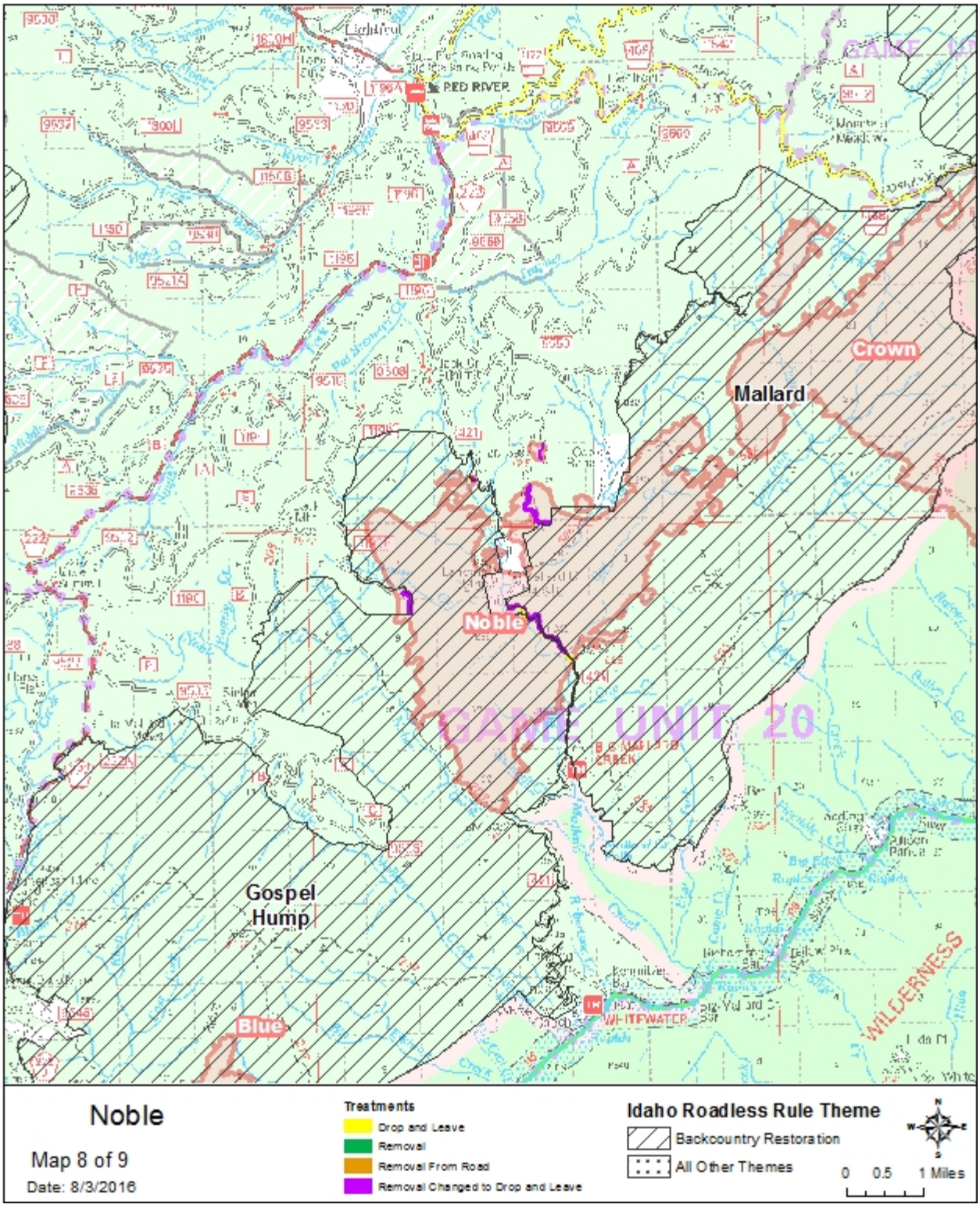


Figure M-9. Noble Fire Area.

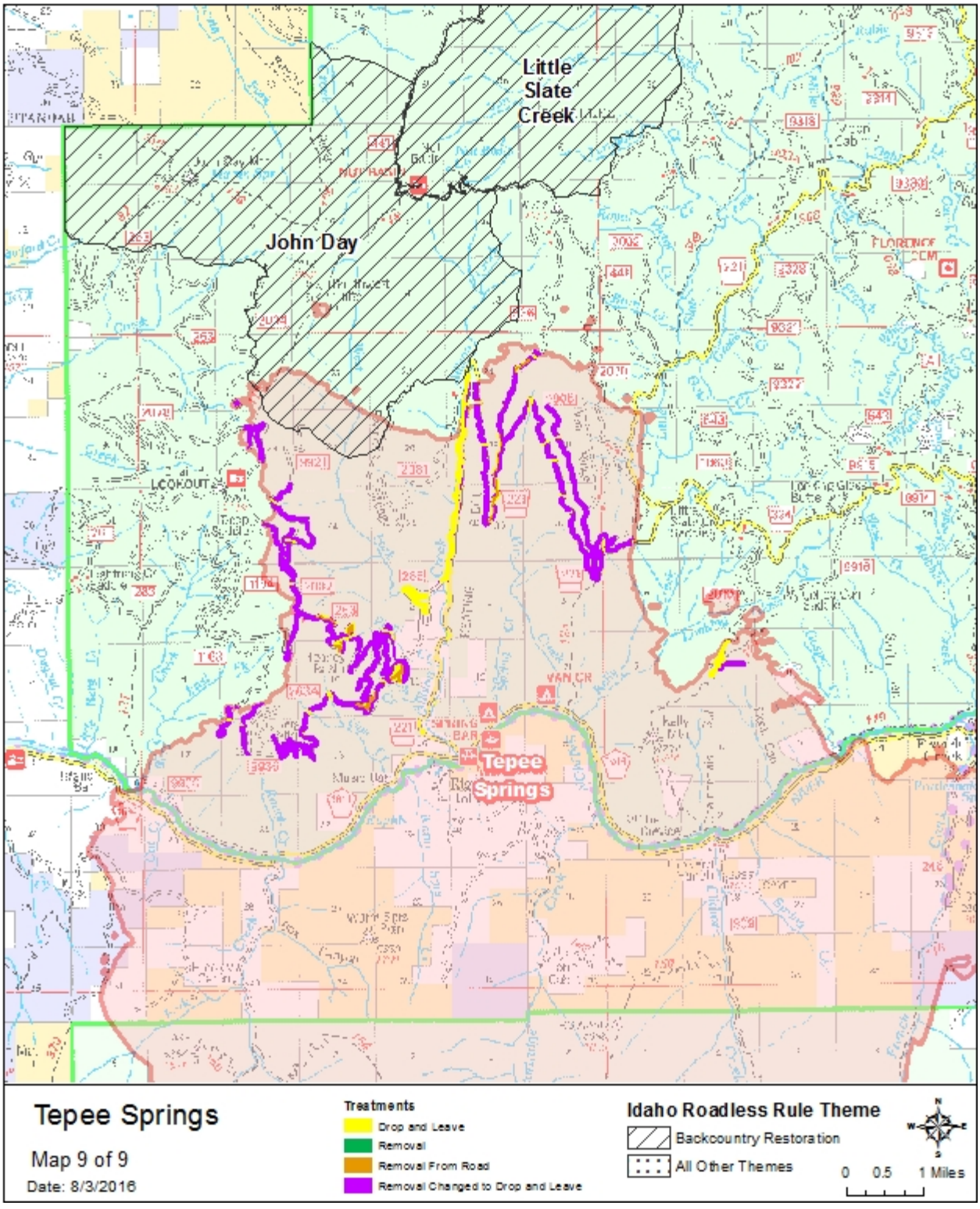


Figure M-10. Teepee springs Fire Area