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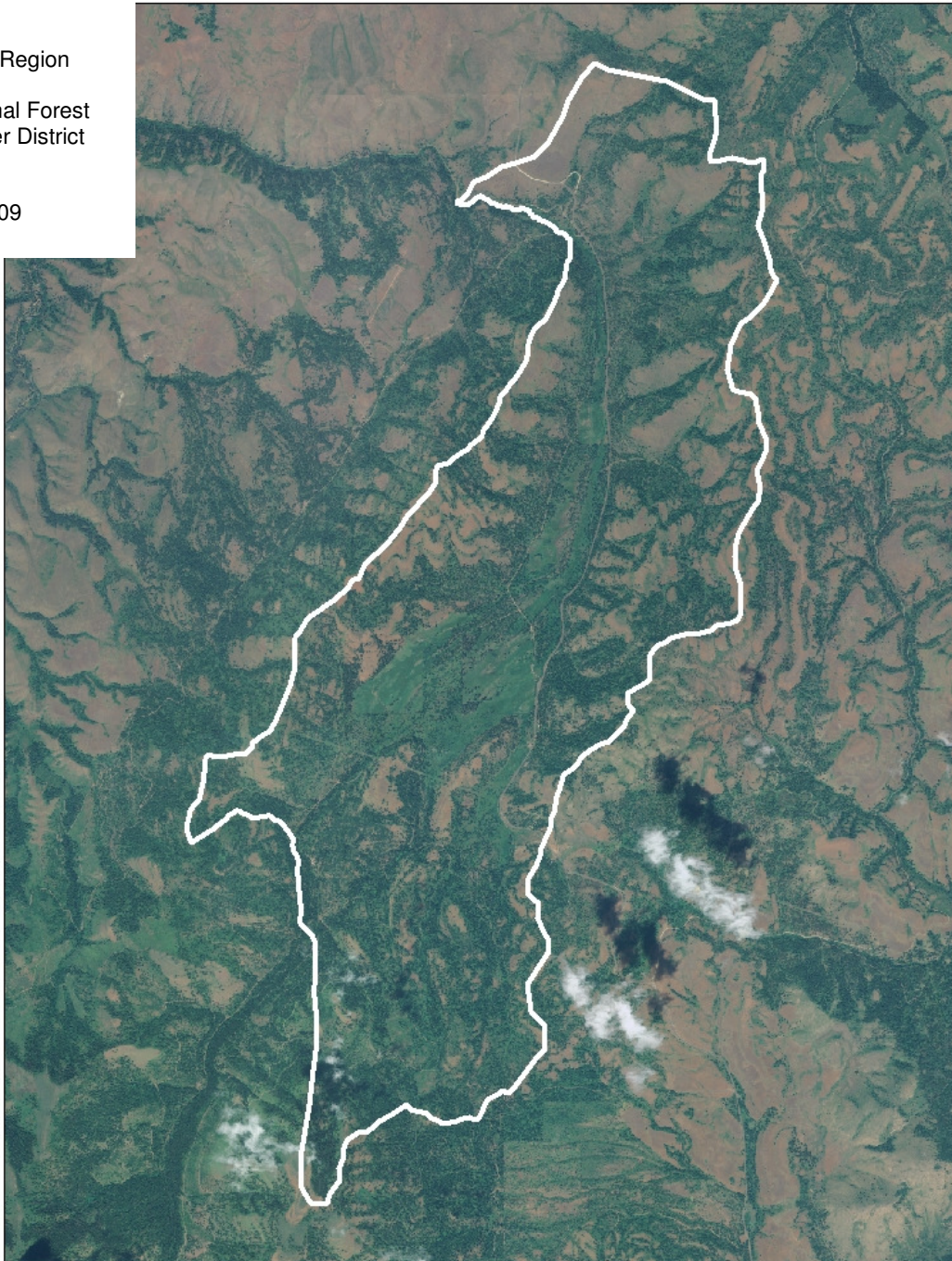
Forest Service
Intermountain Region

Payette National Forest
Council Ranger District
Council, Idaho

September 2009

Crooked River Vegetation Management Project

Decision Notice Finding of No Significant Impact



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**Crooked River Vegetation Management Project
Decision Notice (DN)
And
Finding of No Significant Impact (FONSI)**

USDA Forest Service
Council Ranger District
Payette National Forest
Adams County, Idaho

DECISION

After reviewing the Environmental Assessment (EA), wildlife, fish and plant Biological Assessments (BAs) and Evaluations, specialist reports, activity tables (Forest Plan Consistency), and public comments for the Crooked River Vegetation Management Project it is my decision to implement Alternative B, with modifications (hereafter called the Selected Alternative). My decision also includes implementation of monitoring plans (Appendix A) and mitigation measures and design features identified in the EA and BAs (EA Table 2-5, pages 2-21 to 2-30; Project Record).

The Selected Alternative is described in Chapter 2, and comparatively displayed against the other analyzed alternatives in Table 2-1, 2-2, and 2-3 of the EA. Figures 1 and 2 in this DN display vegetation treatments and road management associated with the Selected Alternative. This decision will utilize mechanical thinning and prescribed fire to manage vegetation and reduce fuels along the wildland urban interface (WUI) and throughout the project area. This decision will implement actions to promote large tree structure and old forest characteristics, improve habitat for white-headed woodpeckers, and the Northern Idaho ground squirrel (NIDGS), manage roads, and improve watershed condition on approximately 5,500 acre. Due to typical mapping inaccuracies all measurements (e.g., acres, miles) provided hereafter are close approximations. Specifically, this decision will implement:

Mechanical thinning on 1,700 acres,
including 17 acres within the riparian

conservation area (RCA) of an intermittent stream channel, to prepare denser forested stands for prescribed underburn. Canopy cover (as measured excluding natural openings common in the Project Area) will be reduced to approximately 30-55% (20 - 100 trees per acre) depending on forest conditions and the potential vegetation group (PVG). Canopy cover will not be reduced below approximately 40% in PVG-6 (Cool Moist Grand Fir). Mechanical thinning prescriptions in all PVGs will be designed to promote growth of large, seral tree species, such as ponderosa pine, and Douglas fir, and will leave clumps of trees to optimize benefits to wildlife. Commercial harvest systems will include 1,600 acres of ground-based and 90 acres of skyline. Trees will be removed to the landings with limbs and tops attached to reduce fuel loads and for utilization as biomass products.

Mechanical thinning on 200 acres (part of 1,700 acres described above) and application of prescribed fire on 400 acres to improve habitat for NIDGS. Based on stand conditions and NIDGS habitat management guidelines, the canopy coverage in harvested stands would be reduced to 20-30%.

Prescribed fire on 5,500 acres, including 1,700 acres of forested area that will be mechanically thinned first, 1,300 acres of forested area that will not be mechanically thinned, 1,800 acres of non-forested grass and shrubland, and 470 acres of RCA. Prescribed fire will be used to thin 260 acres of conifer plantations to 150-200 trees per acre.

The trees in these plantations are generally 25-50 feet tall.

Treatment of 900 acres within the WUI. The portions of units that are within the WUI (within 1/4 mile of homes, outbuildings, and the Lafferty Campground) will be thinned to the minimum stocking levels and canopy cover. Approximately 270 acres of WUI will be treated with mechanical thinning followed by prescribed fire. Fuels will be reduced on the remaining WUI area with prescribed fire alone (EA, Chapter 3.2, Table 3.2-5).

Chipping slash piles located on landings for biomass products (e.g., Council Fuels for School Program).

In addition, the following road management actions will be implemented to respond to concerns over road effects on stream sedimentation, soil productivity, wildlife security and long term access for management. These actions are consistent with the 2009 revised Travel Plan Record of Decision for the Council Ranger District

Construction of 1 mile of system road to replace poorly located unauthorized (non-system) road.

Construction of up to 1 mile of temporary road where needed to access units and landings. This includes 500 feet of road to connect the new road in Gopher Gulch to existing road (Figure 2) which will be used for mechanical harvest then decommissioned. All temporary roads will be decommissioned after use.

Convert 2 miles of existing unauthorized road to system road and put into long term closure (Figure 2).

Decommission 10 miles of road that is currently closed to motorized travel (Figure 2). Approximately 6 miles of additional closed road will be decommissioned if funding becomes available (Figure 2).

Spot graveling will occur on roads used for timber haul to reduce erosion and improve trafficability. As funding becomes available, implement

opportunities to install a cattle guard to replace a gate on RD 50511.

As funding becomes available, implement opportunities to upgrade three culverts (Crooked River, Coyote Gulch, and Moonshine Creek) that are undersized and restrict passage of fish and other aquatic organisms (Figure 2).

MODIFICATIONS TO ALTERNATIVE B

Defer all treatment in large tree class (average overstory tree diameter >20 inches) Units 47, 52, 57, and 58.

Decommission 1 mile of RD 506540700 within the RCA of Dick Ross Creek. This action was analyzed in Alternative C.

MITIGATION AND MONITORING

My decision also includes the design features and mitigation measures specific to this project (EA Table 2-5, pages 2-21 to 2-30) to avoid adverse effects on soils, streams, wildlife, plants, cultural sites, visual qualities, and to limit the spread of noxious weeds. My decision includes all design features and mitigations that are included in the BAs prepared for this project (Project Record). In addition, this decision includes implementation and effectiveness monitoring of coarse woody debris and fuel conditions, NIDGS and white-headed woodpecker habitat, and soil and watershed protection design features (Appendix A).

RATIONALE FOR THE DECISION

I have selected Alternative B, with modifications, because it best meets the purpose and need (objectives) for the project as discussed on pages 1-1 to 1-4 of the EA, and best responds to key issues. The modifications respond to public comments provided on the EA.

I have considered the ongoing analysis being conducted for the Wildlife Conservation Strategy (WCS) and possible amendments to the Forest Plan resulting from the WCS. A key finding of the WCS is the need to conserve remaining large tree and old forest stands particularly those in lower elevation pine forests (WCS

documents on file in the Project Record). In developing a project to maintain or improve habitat for white-headed woodpeckers and other wildlife in the long-term, the ID team designed treatments to be consistent with these findings and the intent of possible amendments to the Forest Plan direction currently being developed. Wildlife biologists and vegetation specialists collaborated to design treatments in the Crooked River project that will conserve large tree stand conditions, including old forest, on 180 acres where they currently exist. In addition, treatments in smaller size class stands have been designed to promote large tree structure throughout the project area. Based on these efforts, I am confident that my decision is consistent with the WCS analysis and findings to date, and will be consistent with amendments to be finalized in 2010.

I have also considered the results of a study on four bird species of concern on the Forest titled "Status of the Flammulated Owl, Great Gray Owl, Northern Goshawk, and Pileated Woodpecker on the Payette National Forest" (Project Record) This study was initiated in response to a court order (Idaho Sporting Congress et al. v. Madrid, CV-99-217-S-BLW, February 4, 2005) to conduct a study of the populations of the above species, to render an opinion on the viability of those species and to recommend restorative measures if necessary to promote viability on the Payette National Forest. The document was written by the Forest wildlife biologist. The Forest wildlife biologist has participated in project field reviews and worked with project specialists to design treatments that will maintain and/or restore habitat for the four species of concern and is consistent with recommendations in the study

In particular, the Selected Alternative: Moves 5,500 acres of vegetation toward the desired conditions defined in the Forest Plan, with an emphasis on promoting the development of large tree forest structures, reducing the risk of uncharacteristic and undesirable wildland fire, while using prescribed fire

to emulate the ecological processes of wildfire.

Makes available 4,500 tons of slash for chipping and delivery to a biomass utilization facility such as the Council Fuels for Schools Program.

Improves habitat for white-headed woodpeckers on approximately 5,500 acres and approximately 400 acres for NIDGS.

Reduces the likelihood of a crown fire within 900 acres of WUI.

The construction of 1 mile of new road will replace an existing road with erosion problems in the bottom of Gopher Gulch, while providing administrative access to the north and south without crossing private land (Figure 2). The new road will also improve access for fire protection along the WUI and facilitate mechanical thinning and fuels reduction on an additional 250 acres of WUI. This new road will be gated and closed to public use to provide wildlife security.

Crooked River is a Forest Plan Aquatic Conservation Strategy high priority watershed for restoration. Decommissioning 10 miles of closed road, including 5 miles within RCAs, will offset the mile of new road construction outside of RCA, rehabilitate 20 acres of RCA, reduce long term road related erosion and sediment delivery to streams, improve soil productivity and hydrologic function, reduce levels of total soil resource commitment, and improve wildlife security.

Replacing culverts on Moonshine Creek, Crooked River, and Coyote Gulch will improve hydrologic function and improve fish passage to suitable fish habitat.

Rational for modifications to Alternative B

I chose to defer treatment of large tree Units 57 and 58 (approximately 55 acres) because of new information provided by the Idaho Department of Fish and Game on flammulated owl habitat use in unit 57, and the current condition of the unit

provides good quality flammulated owl habitat. Deferring treatment of Units 57 and 58 will also protect an elk wallow, goshawk nest site, and a previously unmapped RCA. I chose to defer treatment of large tree Units 47 and 52 (approximately 38 acres) because they currently possess structural characteristics typical of stands where no disturbance has occurred for more than eighty years (i.e., units with large diameter trees and dense canopies). Deferring treatment in Units 47 and 52 also responds to public comments concerning effects to wildlife from treatment of large tree units (Appendix B).

The modification to decommission 1 mile of road along Dick Ross Creek (as analyzed in Alternative C) will rehabilitate an additional 3 acres of RCA, and reduce sediment delivery to Dick Ross Creek. In addition, no public comments were received that specifically opposed decommissioning the road along Dick Ross Creek.

The Selected Alternative does not change authorized public motorized access, and is consistent with the 2009 revised Travel Plan Record of Decision for the Council Ranger District.

The Forest Service interdisciplinary team (IDT) reviewed the modifications to Alternative B that will be part of the Selected Alternative and determined that they would not substantially change the environmental impacts analyzed and disclosed in the EA.

OTHER ALTERNATIVES CONSIDERED

Two other alternatives were considered in detail—Alternative A, No Action; and Alternative C. I did not select Alternative A (No Action), because it failed to achieve the project Purpose and Need, and Forest Plan goals and objectives (Chapter 1 of the EA). Specifically, Alternative A would not: promote growth of large tree structure, improve habitat for white-headed woodpeckers and NIDGS, reduce the risk of uncharacteristic or undesirable wildfire and

the likelihood of crown fire in WUI areas, or improve watershed condition. Given the presence of WUI, the status of NIDGS as an Endangered Species Act threatened species, the lack of large tree structural stands in the area to provide habitat for white-headed woodpeckers, and the high road densities and existing levels of sediment in Crooked River, selection of the No Action alternative was not considered viable.

Alternative C was developed in response to concerns over potential impacts of permanent road construction, and mechanical harvest in 22 acres of RCA.

I did not choose Alternative C primarily because without 1 mile of new road construction to replace existing drainage bottom roads and roads off of private land, 200 acres would be deferred from treatment with mechanical thinning and prescribed fire. As a result there would not be a reduction in the likelihood of a crown fire within the WUI in that area, less vegetation would be moved toward Forest Plan desired conditions, and there would be less habitat improvement for white-headed woodpeckers. In addition, Alternative C would move less vegetation along the RCA of Dick Ross Creek toward Forest Plan desired conditions.

PUBLIC INVOLVEMENT

A Memorandum of Understanding (MOU) was established between Adams County and the Payette National Forest. The purpose of the MOU is to provide a framework for cooperation between the Forest Service and Adams County, Idaho, as a Cooperating Agency, in the planning of this project. Adams County liaison contacts were invited to participate in all ID team meetings and document review.

A legal notice was published in the Weiser Signal American, Idaho Statesman, and Adams County Record on November 6, 2008 requesting comments. A scoping letter was sent to 202 individuals, organizations, and agencies for a 30-day comment period. This process generated 8 written comment letters, and comments

were submitted verbally by 4 individuals. The project interdisciplinary team analyzed the comments for additional issues relative to the proposed action. These comments were considered with the preliminary issues identified from within the agency and were categorized. The disposition of each comment can be found in Appendix E of the EA.

Six members of the public attended an informational public meeting, which was advertised in three local papers, and held at the Council Ranger District office on November 19, 2008. This meeting was held to discuss the Crooked River Vegetation Management Project proposal. The ID Team provided background information on the purpose and need for the project and preliminary project proposals for mechanical thinning, prescribed fire, and watershed improvements. Comments received during the meeting were considered during the planning process.

A legal notice was published in the Idaho Statesman, the Star News and the Weiser Signal American on April 23, 2009, and the Adams County Record on May 5, 2009, requesting comments for a 30-day comment period. Prior to April 23, 2009 (beginning of the comment period) the EA with cover letter requesting comments was sent to the following individuals, organizations, and agencies: Casey Anderson, Dick Artley, Rodney Greenwood, Ron C. Hamilton, Harold A. Powers, Jack and Ava Rubelt, Erik Ryberg, Irene Victory, Ben White, Darla and Rod Johnson, Boise Incorporated, Center for Biological Diversity, Hells Canyon Preservation Council, Idaho Conservation League, Idaho Sporting Congress, Jemmett Family Trust, Moonshine Ventures, LLC, Wild West Institute, Adams County Commissioners, Washington County Commissioners, US Fish & Wildlife Service, Idaho Department of Environmental Quality, Idaho Department of Fish & Game, Idaho State Parks & Recreation, Idaho Power.

In addition letters were sent to 186 individuals, organizations, and agencies with notification of the availability of the EA and 30-day comment period.

A statement was included in the mailings informing individuals and groups that if they did not comment on the project during the November 2008 public comment opportunity, they must comment during the current 30-day comment period to be eligible to appeal.

This process generated 4 written comment letters, and comments were submitted verbally by 2 individuals. These comments were considered when choosing the Selected Alternative. The disposition of each comment can be found in Appendix B of this DN.

TRIBAL CONSULTATION

The project scoping letter was submitted to the Nez Perce Tribe on November 6, 2008 using the "Nez Perce Tribe – US Forest Service Consultation Inquiry Form". The Tribe did not inquire further regarding this project. On November 14, 2008, a scoping letter was sent to the Shoshone-Bannock Tribes of Fort Hall. This document contained a project description and maps. The Tribe did not inquire further regarding this project. On December 11, 2008, Dave Hogen, Acting Council District Ranger, presented information regarding this project to the Shoshone-Paiute Tribes of Duck Valley at the Wings and Roots Meeting. On February 12, 2009 Maura Laverty, Acting Council District Ranger, received comments on the Project from the Shoshone-Paiute Tribes of Duck Valley at the Wings and Roots Meeting.

In April of 2009, Copies of the EA and cover letter were mailed to representatives of the Nez Perce Tribe, Shoshone-Bannock Tribes of Fort Hall, and Shoshone-Paiute Tribes of Duck Valley.

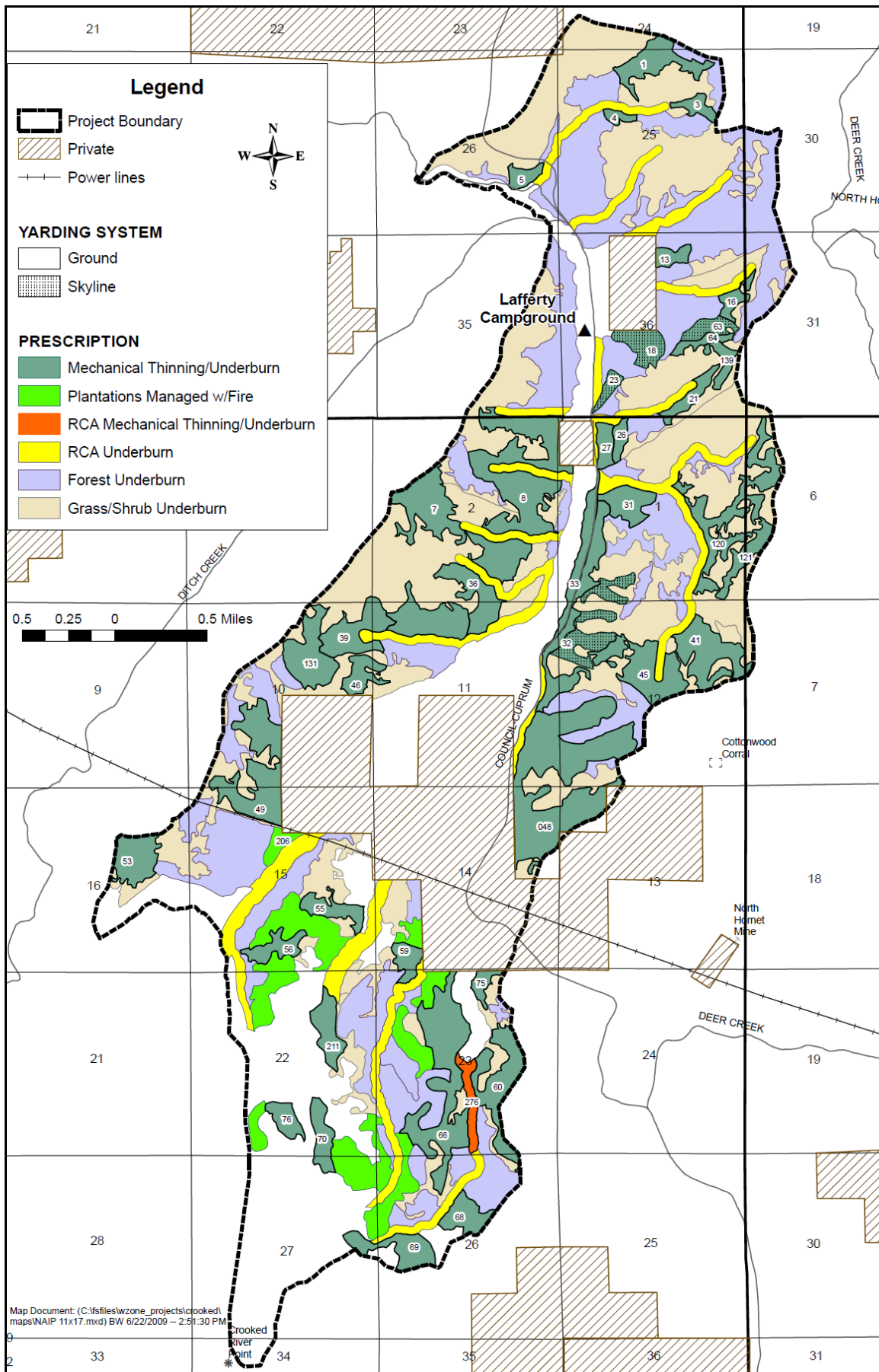


Figure 1. Selected Alternative mechanical thinning and prescribed fire units.

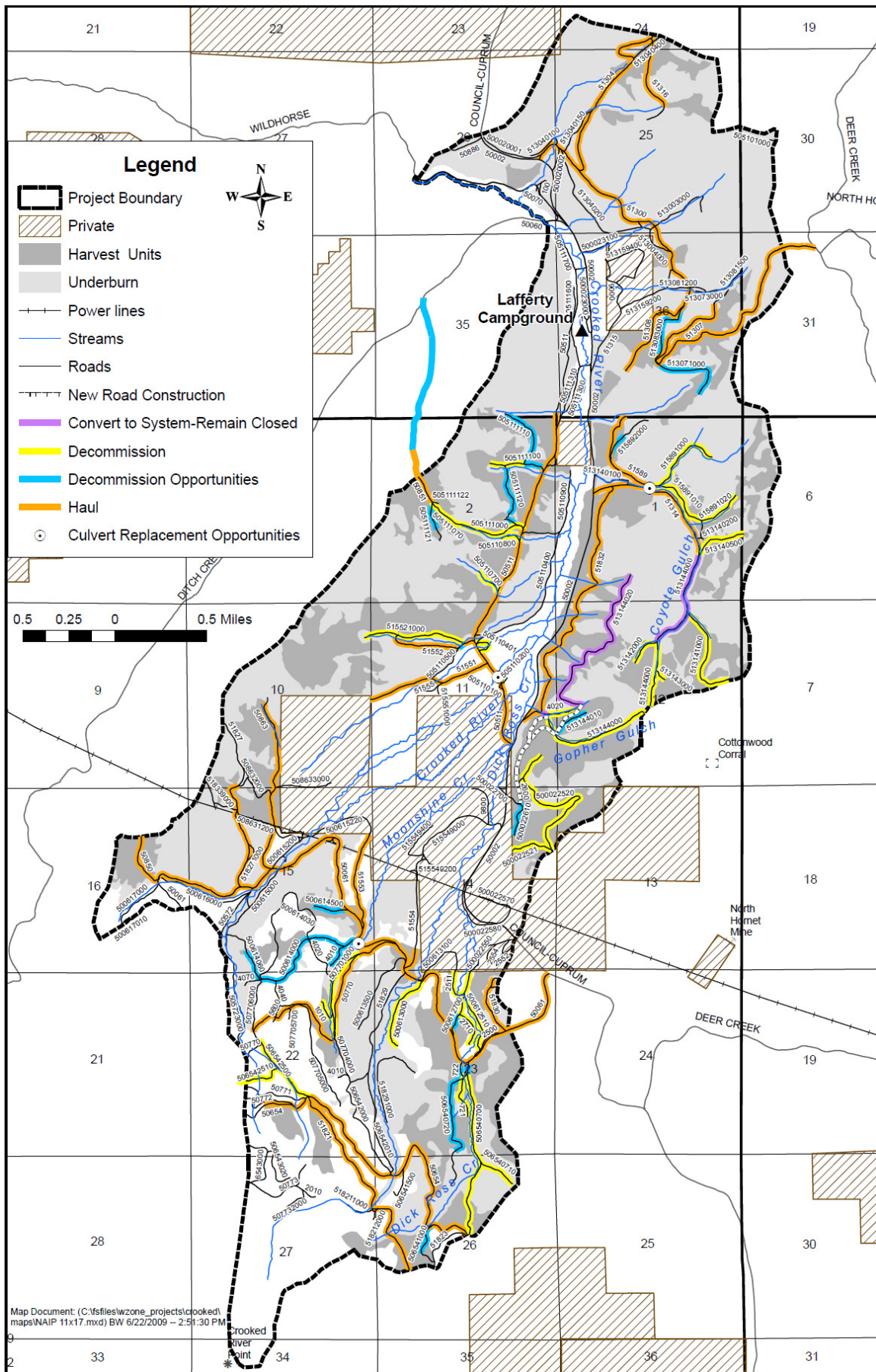


Figure 2. Selected Alternative road management.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

I have evaluated the effects of the project relative to the definition of significance established by the Council on Environmental Quality (CEQ) Regulations in 40 CFR 1508.27. I have reviewed and considered the Environmental Assessment for the Crooked River Vegetation Management Project (2009), which is incorporated by reference herein. Based on the above, I have determined that the Selected Alternative will not have a significant effect on the human environment. For this reason, no environmental impact statement (EIS) will be prepared. My rationale for the FONSI follows.

- (1) *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial [40 CFR 1508.27(b) (1)].*

The proposed project context (society as a whole, affected region, affected interests, and locality) was reviewed, and the intensity (severity) of the negative impacts as a result of implementing Crooked River Vegetation Management Project is minor. The only short-term negative impacts for a long-term benefit are the potential for temporary increases in sediment associated with harvest and road actions (including road decommissioning) and short-term effects on wildlife habitat due to harvest activities. Temporary to short-term effects of sediment delivery would be minimized to negligible levels, due to application of soil and water project design features and mitigation measures (EA, Table 2-5, pages 2-21 to 2-30). Temporary and short-term impacts to wildlife will be minimized through application of timing restrictions and other wildlife project design features (EA, Table 2-5 pages 2-21 to 2-24). Negative temporary and short-term impacts are not expected to affect population viability and long-term benefits are expected for NIDGS, white-headed woodpecker and other Management Indicator Species (EA, Table 2-3, Chapter 3.3).

The project will provide long-term improvements in the health and resiliency of the forest vegetation through:

Reducing fuel loading by whole-tree yarding and implementing prescribed underburns.

Reducing the risk of a crown fire by decreasing tree density.

Thinning to accelerate tree growth and promote large tree structure, and improving tree species composition (favor large fire resilient tree species) while moving coarse woody debris and snags towards the desired conditions discussed in Appendix A of the Forest Plan (Chapter 3, Forest Plan Consistency in each Resource Section of the EA).

- (2) *The degree to which the proposed action affects public health or safety [40 CFR 1508.27(b) (2)].*

Public health will be protected by keeping emissions expected from prescribed burning to a level below the National Ambient Air Quality Standards. Smoke may be noticeable particularly during the morning hours, but the effects will be short-term and within the Clean Air Act standards (EA, pages 1-7 to 1-8).

Impacts of increased road use on forest visitors associated with the period of harvest activities will be managed through appropriate signing warning forest visitors of harvest activities, and where necessary by restricting log hauling during high use recreation periods (EA, Table 2-5).

- (3) *Unique characteristics of the geographic area such as the proximity to historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas [40 CFR 1508.27(b) (3)].*

A cultural resource inventory and report was completed and submitted to the State Historic Preservation Officer (SHPO) for review and response. The SHPO concurred with a "No Adverse Effect" determination (EA, page 1-8), and mitigation measures are included for protection of cultural

resources (EA, Table 2-5, page 2-30). There are no parklands, wild and scenic rivers, prime farmlands, or ecologically critical areas within the project area.

- (4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial* [40 CFR 1508.27(b) (4)].

The degree to which the effects on the quality of the human environment are likely to be highly controversial is considered low. Common issues of controversy over effects on past Payette National Forest vegetation management projects include impacts on large tree structure and associated wildlife habitat, impacts on soil productivity, and road management actions that change public access or have negative impacts on water quality and fish habitat.

A key finding of the Wildlife Conservation Strategy (WCS) is the need to conserve remaining large tree and old forest stands particularly those in lower elevation pine forests. In developing a project to maintain or improve habitat for white-headed woodpeckers and other wildlife in the long-term, the ID team designed treatments to be consistent with these findings and the intent of possible amendments to the Forest Plan direction currently being developed. Wildlife biologists and vegetation specialists collaborated to design treatments in the Crooked River project that will conserve large tree stand conditions, including old forest, on 180 acres where they currently exist. In addition, treatments in smaller size class stands have been designed to promote large tree structure throughout the project area. Based on these efforts, the project is consistent with the WCS analysis and findings to date (WCS documents on file in the Project Record), and will be consistent with amendments to be finalized in 2010.

A study was conducted of four bird species of concern on the Forest titled "Status of the Flammulated Owl, Great Gray Owl, Northern Goshawk, and Pileated Woodpecker on the Payette National Forest." This study was initiated in

response to a court order (Idaho Sporting Congress et al. v. Madrid, CV-99-217-S-BLW, February 4, 2005) to conduct a study of the populations of the above species, to render an opinion on the viability of those species and to recommend restorative measures if necessary to promote viability on the Payette National Forest. The document was written by the Forest wildlife biologist. The Forest wildlife biologist has participated in project field reviews and worked with project specialists to design treatments that will maintain and/or restore habitat for the four species of concern and is consistent with recommendations in the study

Impacts on soil productivity have been analyzed and a variety of project design features and mitigation measures included to protect and maintain soil productivity (EA, Table 2-5, pages 2-66 to 2-28, Chapter 3.6). In addition, road decommissioning and skid trail reclamation activities will restore levels of soil productivity by reducing the amount of the project area in a total soil resource commitment condition (EA, Table 2-3, Chapter 3.6).

The selected alternative will not change existing road access for the public. All existing roads that are open will remain open, and existing closed roads will remain closed or be decommissioned. Decommissioning and road improvements will result in long-term improvements in water quality and aquatic habitat (EA, Table 2-3, Chapters 3.4 and 3.5). The construction of 0.9 miles of permanent road will reroute existing, poorly located, drainage bottom road, to a location where sediment delivery to stream channels is reduced. Rerouting the road and decommissioning the existing road as well as additional road decommissioning in the project will result in a net decrease in sediment delivery to stream channels (EA, Table 2-3, Chapters 3.4 and 3.5). The rerouted road will be gated and closed to public motorized access so that impacts to wildlife from roads will not increase over current conditions.

- (5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks [40 CFR 1508.27(b) (5)].*

This decision will not have effects that are highly uncertain or involve unknown risks. Activities included in this decision have been implemented numerous times in the Forest on similar terrain and forest conditions. This project can be considered a routine project for the Payette National Forest. While any action carries some degree of risk, the proposed action was designed and the analysis summarized in the EA was carefully completed to minimize unique and/or unknown risk. In addition, the Payette National Forest implementation procedures for timber sales, including sale preparation, administration (standard timber sale contract), and prescribed burn plans will ensure that the effects will be similar to those predicted in the EA. The effects on the human environment of implementing the Crooked River Vegetation Management Project are not expected to be highly uncertain or involve unique or unknown risks (Chapter 3 of the EA).

Project design features and mitigation measures have been developed to ensure adverse effects to the human environment are reduced or eliminated (EA, Table 2-5, Chapter 3.7), and monitoring has been included to evaluate the implementation and effectiveness of many of the project design features.

- (6) *The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration [40 CFR 1508.27(b) (6)].*

The Crooked River Vegetation Management Project is not anticipated to establish any precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration. Future timber sale opportunities within the project activity area within the next 10 to 15 years would adhere to Forest Plan standards and guidelines and applicable environmental laws. My decision

implements direction that is consistent with the 2003 Payette National Forest Land and Resource Management Plan (Forest Plan Consistency Tables located in the project Record) and applicable environmental laws (EA Chapter 3.7). Implementation of my decision will not trigger other actions, nor is it a part of a larger connected action.

The road management actions in the Selected Alternative are consistent with the Record of Decision (ROD) for the Payette National Forest, Council and New Meadows Ranger District Snow-free Travel Management Plan.

- (7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts [40 CFR 1508.27(b) (7)].*

For an action to contribute to cumulative effects there has to be an additive or interactive effect. The cumulative effects of the alternatives and the past, present, and future actions are disclosed in Chapter 3 of the EA. The EA discloses there will be no significant cumulative impacts by implementing the Crooked River Vegetation Management Project, including foreseeable future actions (EA, Chapter 3-Environmental Effects under each resource section, and Appendix D).

- (8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources [40 CFR 1508.27(b)(8)].*

Forest Service archaeologists located 17 historic properties in the vicinity of the project area; five of which are eligible to the National Register of Historic Places and will require protection through avoidance (EA,

page 1-8). The State Historic Preservation Office has concurred with the Forest Archaeologist's "no adverse effect" determination (Project Record). If new sites are found during project implementation, they will be protected through mitigation (EA, Table 2-5).

- (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 of 1973 [40 CFR 1508.27(b) (9)].*

Biological Assessments (BA) were prepared for NIDGS and Columbia River bull trout with a determination that activities associated with this project may affect, but are not likely to adversely affect the species. The BA for NIDGS also determined that the action will have no effects on the Canada lynx. A biological evaluation (FSM 2672.42) with a determination of "no effect" was prepared for Chinook salmon, steelhead, and westslope cutthroat trout, none of which occur in or directly downstream of the project area.

The wildlife and fish BAs were prepared in accordance with Joint Counterpart Endangered Species (Section 7) Consultations Regulations, which established an Alternative Consultation Agreement between the Forest Service and both the National Marine Fisheries Service and the US Fish and Wildlife Service. Counterpart Regulations complement the general consultations regulations and specifically support projects conducted under the National Fire Plan.

- (10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment [40 CFR 1508.27(b) (10)].*

The project is designed to meet all applicable Federal, State, and local laws (EA, Chapter 3.7).

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

My decision is consistent with all applicable laws and regulations (EA Chapter 3.7). It also meets Forest Plan direction and applicable standards and guidelines (Chapter 3, Forest Plan Consistency in each resource section).

ADMINISTRATION APPEAL

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215, only by those individuals and organizations who provided substantive comments during the previous comment period on the EA. The appeal must meet the content requirements at 36 CFR 215.14.

Written appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of the legal notice in the Idaho Statesman, Boise, Idaho. The publication date in this newspaper is the exclusive means for calculating the time to file an appeal. Those wishing to appeal should not rely on dates or timeframe information provided by any other source.

Appeals must be sent to:

Appeal Deciding Officer
Intermountain Region
USDA Forest Service
Attn: 1570 Appeals
324 25th Street
Ogden, Utah 84401

Hand-delivered appeals may be submitted to the Appeal Deciding Officer at the above address between the hours of 8:00 am and 4:30 pm MDT, Monday through Friday, excluding holidays. Appeals may also be submitted by fax at (801) 625-5277.

Appeals may be sent by e-mail to: appeals-intermtn-regional-office@fs.fed.us. E-mailed appeals must be submitted in MS Word document (.doc) or rich text format (.rtf). In cases where no identifiable name is attached to an electronic message, a verification of identity is required. A scanned signature is one way to provide verification.


PROJECT IMPLEMENTATION

Implementation of this project decision cannot begin until fifteen business days after the disposition of any appeal, depending on the nature of that resolution. If no appeal is filed, implementation of the decision may begin on, but not before, the fifth business day after the close of the appeal period.

CONTACTS

For additional information concerning the specific activities authorized with this decision, you may contact:

Caleb Zurstadt, Interdisciplinary Team Leader
Payette National Forest
Council Ranger District
P.O. Box 567
Council, ID, 83612
(208) 253-0124



Suzanne C. Rainville
Forest Supervisor
Payette National Forest

Date

Attachments:

Appendix A – Monitoring summary sheets
Appendix B – Comment response table
Appendix C – Addendum to the EA List of Preparers,

Appendix A – Monitoring Plan Summary Sheets

Program Timber Management

Activity, Practice or Effect Harvest unit boundary designation and timber marking.

Project Name: Crooked River Vegetation Management Project

Location: Payette National Forest, Council Ranger District, Crooked River Vegetation Management Project Analysis Area, about 10 air miles northwest of Council, Idaho.

Objectives Ensure that harvest unit boundaries and timber marking meet NEPA and silvicultural prescription specifications

Parameters Boundaries are approximately where shown on NEPA maps and are placed to allow for practical harvest operations. Timber marking meets intent of NEPA and specifics of silvicultural prescription.

Methodology Sale preparation forester will make random checks in all harvest units. Silviculturist will check approximately 30% of units focusing on the more complex logging systems and marking guides.

Frequency/Duration Weekly for duration of sale preparation activities.

Data Storage Quality control notes on silvicultural prescription forms

Analysis Quality will be determined as adequate or requiring rework.

Report N/A

Cost Approximately \$5,000 in salaries

Responsible Individual Jeff Canfield, Silviculturist

Responsible Official: Greg Lesch, Council District Ranger

Prepared by Jeff Canfield

Date 2/24/09

Program: Soil and Water

Activity, Practice or Effect: Project Monitoring, Soil and Water Resource Improvement, Implementation of Treatments

Project Name: Crooked River Prescribed Fire Activities

Location: Council Ranger District, Wildhorse River Watershed, Crooked River subwatershed

Objectives: Determine if prescribed fire objectives have been met within RCA's within the project area, as defined in Chapter 2 (description of Alternatives). Specifically, evaluate ground and ladder fuels consumed, channel shade affected (if any), and soil condition and response to fire.

Parameters: A total of 30 randomly-selected RCA's across the project area will be monitored, with additional sites visited if specific resource concerns arise after prescribed fire operations take place. On-site field evaluation of treatments:

1. Fuels plots to monitor fuel loading before and after prescribed burning
2. Establish photo points and take before (existing condition) and post treatment photos.
3. Heel to toe transects in conjunction with photo points to determine amount and type of ground cover, and severity of burn.
4. Densiometer measurements to evaluate canopy and shade cover

Methodology: Implementation monitoring will be accomplished through field verification of the planned treatments. Where possible, document both qualitative and quantitative comparisons to pre-existing conditions. Photographs will be taken for comparison purposes.

Frequency: In order to establish a baseline, monitoring will begin before prescribed fire activities. Effectiveness monitoring will occur at a minimum the first year after implementation and then at year 3 and 5 unless findings indicate sites either were not affected by prescribed burning or have stabilized and re-vegetated to their natural potential.

Duration: Up to five years.

Data Storage: District files under 2520 Watershed Improvement.

Analysis: Field documentation, summarization of fuels plots, densitometer, heel-to-toe transect data and on-site photographs before and after project implementation.

Report: The written report will follow the format of the monitoring results data form developed on the Payette National Forest and be included in the annual monitoring result publication.

Cost: The total cost will be \$4530.00/year. This covers 6 days for a GS-6 Hydro-Technician and a GS-9 Fuels Technician for effectiveness monitoring of the project, and two days for a GS-11 Hydrologist to evaluate the data and write the report. This also covers \$350 for miscellaneous supplies, including transportation.

Personnel: One GS-6 Hydro-Technician and one GS-11 Hydrologist.

Responsible Individual: West Zone Hydrologist and Hydrological Technicians

Responsible Official: Greg Lesch, Council District Ranger

Prepared by: Melanie Vining, West Zone Hydrologist

Date: 02/24/2009

Program: Fire Management and Vegetation Management

Activity, Practice or Effect: Fire effects in plantations from prescribed burning.

Project Name: Crooked River Vegetation Management Project

Location: Payette National Forest, Council Ranger District, Crooked River Vegetation Management Project Analysis Area, about 10 air miles northwest of Council, Idaho.

Objectives: Determine acceptable parameters for prescribed burning in plantations. Determine if burn plan parameters are meeting objectives or if they should be modified.

Parameters: The objectives stated for burning plantations in this EA are

- Based on stems per acre, no more than 20% mortality would occur in conifers.
- Tree scorch would result in no less than 50% crown ratios on average.
- Post fire stocking levels would be approximately 150-200 trees per acre.

Methodology

- 1) Install pre fire plots designed to measure the success of burning in relation to the objectives.
- 2) Document burn day environmental and fuel prescriptions.
- 3) Document and monitor firing techniques and fire behavior during burn.
- 4) Re-measure the plots.
- 5) Analyze the data and provide a summary of results and recommendations for burning plantations in the future.
- 6) Follow the recommendations from the monitoring on subsequent prescribed burns in plantations.

Frequency/Duration: See Methodology

Data Storage: Data and reports should be filed at the Council Ranger District with the prescribed fire burn plan file. A copy of the data and report should be provided to the Vegetation Specialist on the district.

Analysis: See methodology

Report: See methodology

Cost: Approximately 1,500 per year.

Responsible Individual: Fire Management Officer – usually delegated to the Zone Fuels Specialist. The Vegetation Specialist should be consulted when designing and implementing the monitoring protocol for this monitoring.

Responsible Official: Greg Lesch, Council District Ranger

Prepared by: Paul Klasner – East Zone Fuels Specialist & Jeff Canfield – West Zone Silviculturalist

Date: February 26, 2009

Program: Fire Management and Soils

Activity, Practice or Effect: Effects to Coarse Woody Debris (CWD) from prescribed burning

Project Name: Crooked River Vegetation Management Project

Location: Payette National Forest, Council Ranger District, Crooked River Vegetation Management Project Analysis Area, about 10 air miles northwest of Council, Idaho.

Objectives:

- 1) Determine effects to CWD from prescribed burning in relation to the Forest Plan guidance.
- 2) Determine if mitigation measures regarding CWD are effective or if alternative mitigation would be more effective.

Parameters: The mitigation for this issue should be reviewed when designing the protocol.

Methodology:

- 1) Install pre fire transects that measure CWD by size class and decay class.
- 2) Measure fuel moistures using oven and protimeter within 2 days pre burn.
- 3) Document parameters under which burn was completed.
 - a) environmental conditions
 - i) temperature
 - ii) relative humidity
 - iii) winds
 - iv) fine dead fuel moisture
 - v) soil moisture
- 4) Document firing techniques used on plots
 - a) head fire, backing fire, or flanking fire.
 - b) if fire was applied directly to CWD, or not.
- 5) Remeasure plots post burn
 - a) within 1 year
- 6) Remeasure plots prior to and after any subsequent maintenance burning.
- 7) Analyze data and complete a summary report that documents findings

Frequency/Duration: See Methodology

Data Storage: Council Ranger District. Data and reports should be stored with prescribed fire burn plan files.

Analysis: See Methodology

Report: See Methodology

Cost: Approximately 1,500 per year.

Responsible Individual: Zone Fire Management Officer – typically delegated to Zone Fuels Specialist. The Forest or Zone Soils Specialist will be consulted when designing monitoring protocol.

Responsible Official: Greg Lesch, Council District Ranger

Prepared by: Paul Klasner – East Zone Fuels Specialist and Dean Martens – Forest Soils Scientist

Date: February 26, 2009

Program: Fisheries Resource

Activity, Practice or Effect: Riparian Conservation Area (RCA) buffers, road decommissioning in RCAs, culvert replacements.

Project Name: Crooked River Vegetation Management Project

Location: Crooked River subwatershed, Council Ranger District

Objectives: RCA buffers are the correct width. To determine if mitigations associated with road decommissioning in RCAs, and culvert replacement are implemented. Insure fish passage is provided at culvert replacements.

Parameters: RCA buffer widths, erosion mitigation completeness, stream simulation.

Methodology: Quantitative measurements will be taken of RCA buffer widths. Qualitative assessments and photo point monitoring will occur to assess completeness of erosion mitigations on road decommissioning in RCAs, and culvert replacement.

Frequency/Duration: During layout of harvest units and implementation of salvage a fisheries biologist or technician will review at least 20% of the Riparian Conservation Area buffers. A fisheries biologist or hydrologist or qualified technician will review road decommissioning within

RCA, and culvert replacement. Decommissioned roads within RCA and replaced culverts will be visited annually for three years following completion of work.

Data Storage: Council Ranger District

Analysis: Comparison of current conditions with post-treatment conditions.

Report: An annual summary report will be provided to the District Ranger

Cost: RCA buffer width monitoring GS-11, 3 days and GS-5, 3 days = \$1300 during the year of implementation. RCA road decommissioning, and culvert replacement GS-11, 3 days and GS-5, 3 days = \$1,300 during the year of implementation, GS-5, 1 day annual post implementation monitoring = \$125. Annual report completion GS-11, 2 days, GS-5, 5 days \$1200

Responsible Individual: Journey Level Fisheries Biologist

Responsible Official: Greg Lesch, Council District Ranger

Prepared by: Caleb Zurstadt, Fisheries Biologist

Date: 6/21/09

Program: Terrestrial Species

Activity, Practice or Effect: Monitor effects of project activities on the Northern Idaho ground squirrel (NIDGS).

Project Name Crooked River Vegetation Management Project

Location: Payette National Forest, Council Ranger District, Crooked River Vegetation Management Project Analysis Area, about 10 air miles northwest of Council, Idaho.

Objectives

1) Determine if habitat enhancement project, which expanded the amount of suitable habitat, road closures, and the opening of a dispersal corridors, are benefiting NIDGS in the Cottonwood Corrals, Halfway, and Rocky Comfort Flat colonies.

2) Determine effectiveness of project design features and mitigation measures for NIDGS.

Parameters: Monitoring will focus on changes in habitat suitability, and the population of NIDGS in the Cottonwood Corrals, Halfway, and Rocky Comfort Flat colonies. Visual observations of the effectiveness of the mitigation measures before, during, and after implementation would be completed.

Methodology: Monitoring will focus on changes in NIDGS habitat suitability, and NIDGS population numbers and distribution in the Cottonwood Corrals, Halfway, and Rocky Comfort Flat colonies. Visual observations of the effectiveness of the mitigation measures would be completed, before, during, and after implementation.

Frequency/Duration: Beginning in the spring following project activities, field-check all habitat enhancement units three times during the April to June period and three times again during the July to August period, for evidence of an increase in NIDGS population size and an expansion of NIDGS distribution for the Cottonwood Corrals, Halfway, and Rocky Comfort Flat colonies. The following two years, check each unit once during the same two periods. A total of three years of monitoring the expansion of the population should be sufficient. Effectiveness of mitigation measures should be reviewed at least weekly, if harvest activities take place during the time that NIDGS are active above ground (April 1 through August 15).

Data Storage: Quality control notes on silvicultural prescription forms and NIDGS reporting to the PNF Forest Wildlife Biologist, NIDGS Technical Team, and Idaho Department of Fish and Game (IDFG).

Analysis: Conduct a comparison of current conditions with post-treatment conditions and changes in NIDGS population numbers and distribution of the Cottonwood Corrals, Halfway, and Rocky Comfort Flat colonies.

Report: A summary report will be provided to the Council District Ranger, PNF Forest Wildlife Biologist, NIDGS Technical Team, and IDFG.

Cost: About \$2,000 the first year following treatment of NIDGS units and about \$1,000 each of 2 years thereafter.

Responsible Individual: Jon Almack, West Zone Wildlife Biologist, Payette National Forest

Responsible Official: Greg Lesch, Council District Ranger

Prepared by: Jon Almack

Date: 01 July 2009

Program Terrestrial Species

Activity, Practice or Effect: Monitor effects of project activities on the white-headed woodpecker (WHWO).

Project Name: Crooked River Vegetation Management Project

Location: Payette National Forest, Council Ranger District, Crooked River Vegetation Management Project Analysis Area, about 10 air miles northwest of Council, Idaho.

Objectives

1) Determine if habitat enhancement project, which expanded the amount of suitable habitat, road closures, and the opening of a dispersal corridors, are benefiting WHWO.

2) Determine effectiveness of project design features and mitigation measures for WHWO.

Parameters: Monitoring will focus on changes in habitat suitability, and habitat use by WHWO.

Methodology: Monitoring will focus on changes in WHWO habitat suitability, and WHWO presence in the units treated for WHWO habitat improvement.

Frequency/Duration: Beginning in the spring following project activities, field-check all WHWO habitat enhancement units three times during the March to June period, for evidence of an increase in habitat use by WHWO. The following two years, check each unit once during the same period. A total of three years of monitoring local WHWO habitat use should be sufficient.

Data Storage: Quality control notes on silvicultural prescription forms and WHWO reporting to the PNF Forest Wildlife Biologist, USFS Rocky Mountain Research Station (Bozeman Lab, Montana State University), and Idaho Department of Fish and Game (IDFG).

Analysis: Conduct a comparison of current conditions with post-treatment conditions and changes in WHWO habitat use.

Report: A summary report will be provided to the Council District Ranger, PNF Forest Wildlife Biologist, USFS Rocky Mountain Research Station (Bozeman Lab, Montana State University), and IDFG.

Cost: About \$2,000 the first year following treatment of WHWO units and about \$1,000 each of 2 years thereafter.

Responsible Individual: Jon Almack, West Zone Wildlife Biologist, Payette National Forest

Responsible Official: Greg Lesch, Council District Ranger

Prepared by: Jon Almack

Date 01 July 2009

Appendix B – Response to comment on EA

PAYETTE FOREST Crooked River Vegetation Management Project 30-DAY PUBLIC COMMENT ANALYSIS PER 36 CFR 215

ISSUE IDENTIFICATION/ RESOLUTION STRATEGY

The attached Issue Resolution Strategy is provided to help facilitate compliance with 36 CFR 215. The intended use of this table is to organize the public's comments, identify analysis requirements, and to determine if a comment is substantive.

Substantive comments are defined as “comments within the scope of the proposed action, specific to the proposed action, have a direct relationship to the proposed action and include supporting reasons for the Responsible Official to consider” (36 CFR 215.2). Substantive comments provide meaningful and useful information from commenters about their concerns and issues and can be used to enhance project analysis and project planning.

Coding options are as follows:

Extraneous and/or statement of opinion. (1)	Comment can be dismissed because either the cause of effect or the resource of concern is absent. For example, the issue of domestic sheep transmitting disease to bighorn sheep may be irrelevant because either domestic sheep (cause) or bighorn sheep habitat (affected resource) are absent.
Outside Scope (2)	Comment can be dismissed because it's not within the scope of actions to be considered in alternatives or covered under the Purpose and Need of the Proposed Action.
Beyond Scope (3)	Comment can be dismissed because it is beyond the Regional Forester's authority to resolve in this specific analysis, or it is better addressed at a different scale or outside of the revision process. For example, it may be used if we get public comments over grazing fees, global warming, etc.
*Concern will be discussed/analyzed in the document (4)	Comment is addressing an issue we have already covered in our proposed action and purpose and need statement or will be covered in chapter 1, 2, or 3 of the environmental document.
Legal Requirement and/or Forest Plan Consistency Requirement (5)	This comment addresses an issue we are already legally mandated to address and/or is required to be followed by the Forest Plan.
Definition of procedure (6)	Comment is a question and/or incorrect definition of our procedures and requires a follow up phone call by a specialist, team leader, NEPA coordinator or district ranger.
Need additional analysis – possibly drive an alternative or a change to the document (7)	A legitimate concern by the public that does not meet the above definitions. This concern could be an issue that drives an additional alternative.

***In the case of this Comment Response Table concerns were discussed/analyzed in the Environmental Assessment, rather than "will be..."**

Comments from letters have been paraphrased for this table. Specialists had access to the entire letter when responding to these concerns. All letters and more extensive responses (when necessary) are in the project record.

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho State Parks and Recreation, Jeff Cook - May 6, 2009				
We were concerned about the impacts that this project could have on the Lafferty Campground and public access. This project will not decommission any roads that are currently open to motorized travel. Decommissioning activities would discourage non-motorized uses along these routes.	4	Yes	Thank you for your comment. You are correct; the project will not decommission any roads where motorized travel is authorized. Decommissioning the closed roads will make foot and horse travel more difficult along the route. On some decommissioned routes a trail might be left to allow livestock and horse travel to facilitate livestock management.	Caleb Zurstadt
Some log hauling activities will occur on the Council-Cuprum Road past the Lafferty Campground. The EA mentioned that no logging hauling would be allowed during heavy use recreation periods (like opening day of hunting season). If a substantial amount of log hauling is going to occur, the district should consider prohibiting log hauling during weekends and holidays. This action would increase recreation traffic safety on the Council-Cuprum Road. At a minimum, the road should be posted for logging traffic.	4	Yes	Log haul would not be allowed on opening days for (rifle) deer and elk season. Signs would be posted where log trucks are entering the highway	Jeff Canfield
We encourage the Council Ranger District to sign the Record of Decision for this project.	4	Yes	Thank you for your statement of support.	Caleb Zurstadt

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Darla and Rod Johnson, Wildhorse/Crooked River C&H permittees - May 26, 2009				
Decommissioning RD 505111000, 505110800, and 506111070 will not effect cattle movement because it is open ground, but would prefer that ATV access is left on RD 50851 and the rest of road down to Ditch Creek road to allow for cattle movement and salting. Would like to maintain ATV access on 5158910000 to get to developed spring. Need ATV access on RD 513144000, and 513141000 to access a developed spring. Need cattle trail on RD 513144000, from Coyote to Gopher gulch.	4, 5	Yes	Roads are decommissioned to meet Forest Plan standards, objectives, and guidelines for offsetting temporary and short term impacts from the project, improve watershed condition in the long-term, and return the Forest floor to a more productive state. Where appropriate livestock trails will remain on decommissioned roads. Allowing ATV access to salting areas or spring developments will be considered and coordinated on a site by site basis through normal allotment administration procedures and is outside the scope of this EA. decision.	Caleb Zurstadt
Casey Anderson, Manager of OX Ranch - May 18, 2009				
If the Forest Service has to close roads used for the project consider using gates instead of tank traps to block the roads. Tank traps require more work and expense to fill in if future access is needed.	4	Yes	The Forest will consider all effective methods for closing roads to unauthorized motorized use. Along with effectiveness and needed access, the availability of funding must also be considered when deciding on a method for road closure.	Caleb Zurstadt

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Hells Canyon Preservation Council - May 15, 2009				
HCPC thanks the Forest Service for its development of Alternative C, an alternative that does not propose new road construction, increases the amount of roads to be decommissioned, and drops harvest activities within RCAs. For the following reasons we strongly urge the Forest Service to adopt Alternative C	4, 5	Yes	Thank you for your statement of support for Alternative C with modifications. The construction of short sections of temporary road is needed to access log landings which are often better placed a short distance from existing roads. The temporary road that was planned to access Unit 23 will no longer be needed because mechanical treatment will not occur (see Decision Notice). The alternative to temporary roads is often long skid	Caleb Zurstadt, Mel Vining, Jon Almack, Jeff Canfield

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Hells Canyon Preservation Council - May 15, 2009				
<p>with additional modifications (no temporary road construction) rather than the Proposed Action (Alternative B).</p> <p>One of our main organizational concerns is new and temporary road construction that generally accompanies timber harvest projects. Roads, even if "temporary" by description, can have significant affects on the environment. There is abundant science dealing with the adverse affects of roads on wildlife and watersheds. This comes in the form of habitat fragmentation, soil compaction/erosion, sedimentation, introduction and spread of invasive weed species, increased likelihood of off road vehicle abuse, and increased risk of fire, to name a few impacts.</p> <p>Road density is correlated with wildlife habitat effectiveness and quality of fish habitat; the more roads, the greater the likelihood for sedimentation, disruption of hydrology, and the elimination of wildlife security. Temporary roads are not necessarily temporary in impact. Humans often continue to use these roads long after the supposed expiration of their temporary nature. Soil compaction/ disturbance and sedimentation impacts may continue to persist. The natural recovery process can take decades. In the interim, once a road has been established, it is likely to continue to be used, resulting in significant environmental impacts. As a result of these road associated adverse effects, HCPC strongly believes that the Forest Service should focus on reducing these impacts through increased</p>			<p>trails to landings with many passes, which due to the high number of passes can create as much compaction as temporary roads. Temp roads can also allow for more logical placement of landings. This could mean moving a landing away from a busy road, getting it away from an RCA, doing less soil excavation to build the landing, or putting a landing in a place where biomass can be more easily processed. Temporary roads would be rehabilitated following use. Rehabilitation would involve ripping to the depth of compaction, full recontour to slope, scattering organic matter (as available) to provide 35-50% effective cover ground cover, and seeding and fertilizing where necessary.</p> <p>Under Alternative B all Watershed Condition Indicators, such as sediment, LWD, RCA function, would be maintained or improved with project design features. Where logging would occur in 22 acres of RCA, design features include a 30-ft no harvest buffer on the intermittent channel and 120 ft no harvest buffer on the perennial. All machinery would remain on existing roads. Prescription for thinning would be designed to favor large tree structure and move the vegetation toward the Forest Plan desired condition.</p> <p>Road construction in Gopher Gulch is proposed to access units for mechanical thinning without having to cross private land or use the old, poorly designed road system within Gopher Gulch. The existing old road beds have poor drainage and were constructed adjacent to the ephemeral channel; therefore, they will be decommissioned to improve watershed condition. Without the old roads the new road would provide long term access for management of forested stands, and fire protection. The road would remain closed to public use with a gate to maintain elk and other wildlife security, but designed and maintained to minimize surface erosion.</p> <p>Both Alternatives B and C provide for road closures and road decommissioning. Neither alternative eliminates wildlife habitat security. These closures will provide more intact and secure wildlife habitat, by decommissioning roads in the project area. Temporary road construction would be used to access forested stands for silvicultural treatment, moving the stands toward the historical wildlife habitat conditions, following Forest Plan standards and guidelines. The proposed permanent road construction would provide access to the area for future stand management, thus reducing the need for more road construction in the future. This road would be closed to public access year-round to maintain elk and other wildlife security. Road access management falls under the</p>	

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Hells Canyon Preservation Council - May 15, 2009				
decommissioning and true restoration, turning more road miles to trail miles, not building new roads.			new Travel Management Plan and would provide for continued closure of most of the roads in the project area. Enforcement of road closures can be difficult, but may improve with the revised Travel Management Plan, improved maps, and public education.	

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
An EIS should be done for this project due to its size and the certainty of adverse impacts, as required by NEPA. For a series of court decisions affirming this contention, start with Foundation For North American Wild Sheep on Lexus or Google and go from there. A quick example: the EA states there will be negative effects from sediment with Alt. B. Adverse effects need not be certain to require an EIS, but it's required if they may occur.	4, 5	Yes	Thank you for your comment. Please see rational for the Finding of No Significant Impact for the Crooked River Vegetation Management Project.	Caleb Zurstadt

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
Economics. The economic section needs to be fleshed out and verified. This is vital because the mitigation promised to offset damage from logging and roading, and the benefits promised like culvert removal etc. depend on funding being available. The EA projects sale income of \$650,000 or so on 9 mmbf. But the Gray's Creek Project projected 28 mmbf and income of well over \$1 million, yet only 11 mmbf of sawtimber was sold. Much of the mitigation promised has not been done due to lack of funds. The EIS should tell where funding will come from , i.e. the needed \$340,000. The EIS should disclose what will happen if the loot doesn't materialize. You must guarantee that your mitigation will occur, or it is likely that you'll violate NFMA's prohibitions on excess sediment.	4, 5	Yes	<p>Mitigations for erosion control will be completed immediately. Adequate road decommissioning will occur to offset new road construction. Any reduction in road miles would reduce baseline sediment yield in the long-term.</p> <p>The Forest will likely supplement project funding using a stewardship contract to pay for implementation. The stewardship contract would include commercial thinning, biomass removal, road decommissioning and road improvements, such as graveling and culvert replacement. In this way implementation of project components, such as road decommissioning, are not dependent on timber receipts for funding.</p>	Caleb Zurstadt Jeff Canfield

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
Water quality-fisheries. The EA doesn't disclose Equivalent Clearcut Acres (ECA) figures for the project area, and the Wildhorse River drainage. This is a baseline fact that must be included in any NEPA document. // The watershed analysis area is too small, encompassing only Crooked River. You should analyze not only the subwatershed and effects, but also the entire Wildhorse Watershed. If the ECA for Wildhorse is already excessive, removing more canopy in Crooked River exacerbates the problem. // The lack of canopy, i.e. shade not only along streams but also on the slopes contributes to the temperature problem in Crooked River and Wildhorse (?) by causing runoff earlier in the year due to premature snow-melting. The increased volume generates additional sediment. The massive development in Crooked River and wildhorse has caused the movement beyond natural runoff cycles. This must be fully disclosed and analyzed in an EIS. It's unfortunate the EA didn't do it// The EA mentioned timing of flows, due to canopy removal, but failed to analyze and disclose and discuss this issue; there are no figures for this effect. There is no disclosure, discussion, analysis of ECA literature and science.	4, 5	Yes	<p>A discussion of ECA and the hydrologic risk rating for stream channels within the project area is included in the Water Resource Specialist Report for this project, on file in the project record (pages 9 and 20). Existing and anticipated changes in ECA are discussed at the subwatershed scale (Crooked River 6th field HU) because studies quantifying the effects of ECA have been largely focused on smaller watersheds (most less than 1 square mile) (Muir et al. 2008). These studies indicate measurable increases in water yields when greater than 20% of a basin is harvested; under Alternative B (the alternative resulting in the greatest number of acres treated), ECA in the subwatershed would increase by 5.3%. This change is not anticipated to result in measurable increases in water yield over the existing condition. With the application of project design features and mitigations such as application of RCAs and road decommissioning respectively, this change in ECA would not be expected to cause measurable changes in the magnitude or overall timing of runoff from the existing condition and changes at the watershed scale would likely be immeasurable. Furthermore, changes in water yield for most studies were observed the year following harvest; as slope revegetated departures from previous flows decreased (Stednick 1996; Muir 2008).</p> <p>Discussions of ECA for both the Summit Gulch and Lick Creek projects (EAs) are included in the respective project records, and in the cumulative effects portion of the Water Resources Specialist Report for the Crooked River Project (page 20).</p>	Mel Vining,

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
Increasing temperature and sediment impacts bull trout and violates the ESA. The EA fails to disclose this eventuality. Relegating impacts to the project file and failing to do a BA before you completed this EA violated NEPA, and it's a reason for you to do an EIS, i.e. uncertainty.	4, 5	Yes	<p>Actions in the Crooked River Vegetation Management Project are similar actions as described in 50 CFR 402.12 (g). The Columbia River bull trout BA and BE for this project was prepared in accordance with Joint Counterpart Endangered Species (Section 7) Consultations Regulations, which established an Alternative Consultation Agreement between the Forest Service and both the National Marine Fisheries Service and the US Fish and Wildlife Service. Counterpart Regulations complement the general consultations regulations and specifically support projects conducted under the National Fire Plan.</p> <p>Based on distribution and monitoring surveys, bull trout use of the streams within the project area is incidental. Bull trout habitat occurs primarily upstream of the project area. However, both the EA and BA discuss project effects to sediment and stream temperature. Mitigations such as RCA buffers, erosion control, and design features for prescribed fire to protect stream shade along perennial streams, will insure that effects to bull trout would be negligible.</p>	Caleb Zurstadt
Grazing. Grazing increases and attendant cattle damage to slopes and streams and riparian areas should have been disclosed and analyzed. Cattle grazing in the subwatershed add sediment, which shallows the streams and raises temperatures. Increased forage predicted for this project, and the projected increase in grazing should have been analyzed.	2, 4	Yes	<p>The Fisheries and Water Resources Specialist Reports include a summary and discussion of the baseline condition of fish habitat and watershed condition. Specifically the table of WCIs baseline condition discloses the current condition of sediment, substrate embeddedness, temperature, RCAs, streambank stability, and other indicators that would be influenced by grazing. Appendix D also includes disclosure of livestock grazing history in the project area.</p> <p>Allotment permit modification is outside the scope of this project. Standards for allowable use and seasons of use will not change with this project even with increases in predicted forage following forest thinning and prescribed fire.</p>	Caleb Zurstadt,

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
Forest vegetation and bird species. The EA fails to disclose and analyze old growth species effects (flow, goshawk, pileated woodpecker, great gray owls). How much habitat is there, and will there be for each viz a viz the whiteheaded woodpecker. There should be a full discussion, which I've never seen, of why you choose the white-headed, i.e. give it priority over the other species. We are concerned that some cutting units and burning may affect FLOW nesting and foraging areas. The EA doesn't seem to address these concerns.	4, 5	Yes	The Crooked River project has no "old growth" stands, but does have several old forest stands and large tree stands. The project will not move any large tree stands to medium tree stands (see proposed action in Chapter 2 EA). Pileated woodpecker (PIWO), flammulated owl (FLOW), northern goshawk (NOGO), and great gray owl (GROW) are all discussed in project documents. The EA specifically discusses habitat requirements and project effects for PIWO, FLOW, and NOGO. The Wildlife Specialist Report has similar discussions for these species, as well as GROW. GROW were not included in the EA discussions only because our evaluation indicated that presence of this species in the project area was highly unlikely. The EA mitigation table (Table 2.5) lists several wildlife mitigations that follow Forest Plan standards and guidelines to protect known nest sites and habitats that are important for wildlife persistence. Habitats for many wildlife species occur within the project area. These areas will be surveyed for reproduction, feeding, bedding, and denning sites, prior to project initiation. The forest thinning and burning activities, required by the Forest Plan, are designed to improve habitat for several wildlife species, while moving the forest toward historical conditions that were maintained by a fire regime with a decreased risk of stand replacement wildfires. This historical habitat condition, in many locations, is consistent with habitat requirements for white-headed woodpeckers. This does not mean that every acre of treated habitat will be altered in favor of white-headed woodpeckers alone, nor does it mean that the forest should not be treated to move stands to that historical condition, if other species may be detrimentally affected in the short term. Forest-wide, we manage for viability of all wildlife species, by providing adequate habitat with appropriate quality and distribution.	Jon Almack

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
Fire-fuels. The EA fails to support the contention that opening up the forest by logging and thereby making it drier will reduce fire. You should consider the information of Huff, et al.	4	Yes	<p>This comment raises a valid concern that was considered when developing the proposal but not specifically addressed in the EA.</p> <p>One point that does need to be clarified is that the purpose of the project is to reintroduce fire into the ecosystem, and reduce the risk of uncharacteristic and undesirable wildfire. The purpose of this project is not to "reduce fire" as stated in the comment received. The definitions of uncharacteristic and undesirable wildland fire can be found on page 3-17 of the Crooked River VMP EA (2009). Both the forested and grassland/shrublands in the project area are fire dependent ecosystems and excluding fire is not the desired condition identified in the Forest Plan.</p> <p>The stands selected for treatment in this project were in areas that historically had frequent, low-intensity fire regimes. This was validated through numerous field visits and reinforced by numerous fire scars and the tree structure and species composition of older trees and stumps in logged areas. Studies done by Barrett (1994) and Crane (1986) in similar ecosystems support the fire regime and fire history identified in the EA.</p> <p>Depending upon the alternative selected, this project could reintroduce fire into over 5,000 acres of fire dependent ecosystem. In some stands reintroducing wildland fire (prescribed burning) without prior thinning would achieve the objectives identified in the Forest Plan. In other stands, approximately 1,500-1,700 acres of mechanical pretreatment (thinning) would be necessary prior to reintroducing prescribed fire. In these stands, thinning is needed to reduce canopy bulk densities and increase canopy base heights prior to the reintroduction of prescribed fire.</p> <p>The information in Huff et al (1995) is acknowledged and was accounted for in fire behavior modeling in fuel moisture and windspeed adjustments made for treated versus untreated conditions. The premises that: 1) logging and thinning opens a stand, making it more susceptible to drying from solar radiation and wind;& 2) thinning makes the surface fuels less sheltered by overstory trees so that the midflame windspeed will be higher than in non-thinned stands are both valid. These influences were accounted for in modeling fire behavior. What is not accounted for in Huffs research is the potential for torching and crowning fire behavior as addressed in the EA. See Table 3.2-4 on page 3-22 of the EA for a summary of torching and crowning modeling results. The discussion in section 3.2 of the EA and the fire and fuels specialist report also explain this concept in greater detail.</p>	Paul Klasner

Concerns	Category of Comment #	Substantive yes or no	Forest Service Response	Assignment
Idaho Sporting Congress, Ron Mitchell - May 19, 2009				
Wildlife. The EA should have insurances that not timber cruisers, but wildlife biologists identify where nesting areas and roost trees are located so that they aren't destroyed by logging and burning.	4, 5	Yes	All District staffs and field crews participate in identification of wildlife habitat features. The Wildlife Biologist has the major responsibility to include these sites in the mitigation table and the sale contract, by communicating directly with the Timber Management Assistant and the Sale Administrator. See EA mitigation table (Table 2.5)	Jon Almack
Lack of Information. NEPA provides for conserving paperwork. But justification for your conclusions in an EA require more than the sweeping conclusions you've provided. Justification for your project can't be buried in your files, but must occur within the four corners of the EA itself.	2	No	Thank you for your comment.	Caleb Zurstadt

Appendix C. – Addendum to the EA, Appendix G List of Preparers

The following individuals made significant contributions to project development by completing field work, data analysis, and contributions to early drafts of the EA. The names of these individuals were erroneously not included in the list of preparers in Appendix G of the EA. The work of numerous field technicians, not listed below, should also be recognized.

Michael McGee - Fisheries
Mary Farnsworth - Council District Ranger
Bill Gamble - Hydrology
Karen Gamble - GIS Support
Shelly Lewis - Fire/Fuels
Clark Lucas - Silviculture
Lon Schultz - Wildlife
Dick Thompson - Hydrology