



File Code: 2400; 2670
Date: July 11, 2023

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Dear Conservation Groups:

I am corresponding in response to your letter dated April 20, 2023, regarding Reconsideration of the Spruce Beetle Epidemic and Aspen Decline Management Response (SBEADMR). You have raised two topical issues: Canada lynx and steep slope logging.

Issue: Despite significant impacts from SBEADMR to lynx analysis units (LAUs), and an update to the vegetation polygons for calculating lynx habitat, the GMUG has not reinitiated formal consultation with USFWS nor completed any supplemental NEPA analysis to determine impacts to lynx. This is unlawful....

Response: We reached out to USFWS on this raised issue and they determined that re-initiation of formal consultation is not warranted.

Management activities were not the driving result in conversion of habitat exceeding Southern Rockies Lynx Amendment (SLRA) Standard VEG S1. Rather, natural disturbance from the spruce-beetle epidemic is the driving cause. The SBEADMR Biological Assessment and USFWS's Biological Opinion (BiOp) dated June 2, 2016, were set up to account for the changed condition resulting from spruce-beetle induced tree mortality. The effects analysis anticipated that LAU conditions would change over time. Tables 1 and 18 in the Biological Assessment addressed the changed condition. Table 1 specifies that vegetation management in lynx habitat would not occur when LAUs exceeded the 30% unsuitable condition, except where overstory mortality exceeded 90% and lacked adequate understory to support snowshoe hares and lynx.

SLRA at Attachment 1-2 to 1-3 **emphasis added:**

Standard VEG S1

*Where and to what this applies: Standard VEG S1 applies to **all vegetation management projects** that regenerate forested stands, except for fuel treatment projects within the wildland urban interface (WUI) as defined by HFRA, subject to the following limitation: ...*

The standard: Unless a broad scale assessment has been completed that substantiates different historic levels of stand initiation structural stages limit disturbance in each LAU as follows: If more than 30 percent of the lynx habitat in an LAU is currently in a stand



*initiation structural stage that does not yet provide winter snowshoe hare habitat, no additional habitat may be regenerated by **vegetation management projects**.*

Beetle outbreaks were considered in the SBEADMR BiOp (p. 9-10, 12) as an event that would cause changes to LAUs and management response.

When the yellow-light trigger for the SRLA Standard VEG S1 is approached, the SBEADMR adaptive management action is to: “Discontinue treatments in suitable lynx habitat. Stands with extensive over-story mortality (>90%) that lack an understory can continue to be treated since they are already considered unsuitable via SRLA.”

Projects had ceased in the Cathedral and Stewart Creek LAUs before 2021, which was when we learned that the yellow-light trigger of 25% of habitat LAU in a stand initiation structural stage condition were reached, in compliance with the SBEADMR FEIS, BA and the terms of the BiOp even though vegetation management projects were not the result of the cause of the habitat conversion. We estimate that 159 acres (or 0.5%) of lynx habitat in the Stewart Creek LAU and 32 acres (or 0.2%) of lynx habitat in the Cathedral LAU of habitat conversion were the result of vegetation management activities from the last salvage sales sold in 2016 and 2017. No other sales have been sold since July 14, 2017 (Cathedral Salvage) within those two LAU’s.

Annual reporting to USFWS occurs under the SRLA BiOp, and to the SBEADMR Adaptive Management Group.

My staff has confirmed with USFWS that mapping/inventorying lynx habitat conditions using the best scientific data available is not a decision or action that requires consultation. A habitat inventory using the best available scientific information is not an activity that may affect listed species or critical habitat. The GMUG’s purpose of updating habitat mapping was to conserve lynx and lynx habitat and to make sure we meet our requirements under the SBEADMR BiOp. See Endangered Species Act Section 7(a)(2).

Since lynx were listed in 2000, there have been multiple habitat mapping iterations and updates within the range of lynx in the United States, informed by what has been learned about lynx biology and habitat use. Forests also periodically update acres of suitable and unsuitable habitat using FSVeg data and treatment data derived from the Forest Service Activities Tracking System (FACTS). Mapping updates are based on best available information in order to manage for lynx habitat conservation, and is a habitat inventory, not a NEPA decision. Habitat mapping accounted for the influence of dead overstory from the spruce-beetle epidemic on lynx habitat, which was anticipated in the SBEADMR Biological Assessment and BiOp.

Our mapping/inventorying efforts have not resulted in authorization or planning of any SBEADMR treatments in areas that were previously considered lynx habitat but are now not. If any SBEADMR treatments are proposed in lynx habitat, a determination of whether or not such actions comply with the analysis in the SBEADMR EIS and decision would need to be made at that time.

Issue: Steep slope logging was never considered or authorized when SBEADMR was approved in 2016. In the original SBEADMR decision, the GMUG solely authorized treatments on slopes over 40 degrees by chainsaw. Areas with steep slopes were excluded from analysis under the

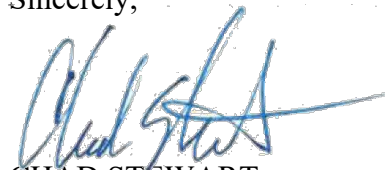
SBEADMR EIS because of the difficulties associated with steep slope logging. See SBEADMR Appendix H1 Response to Comment Report at 142 (stating: “Topographical features will be factored into the placement of group retention and ridges will be avoided. Moderate to steep slopes have already been filtered out based on suitability.”)....

Response: SBEADMR EIS used analysis assumptions based on traditional commercial logging systems and skid trails within the “suitable timber” area identified in the 1993 Amended Forest Plan (Forest Plan). Telski was authorized as a pilot project and as such the only SBEADMR project proposed to use cut-to-length and tethered logging technologies (referred to by Conservation Groups as “steep slope” logging).

This authorization came about after numerous meetings, field trips, consideration of effects analysis in SBEADMR FEIS and coordination with the SBEADMR AMG and interested public which included plans to conduct monitoring if the pilot project were implemented. The AMG recommended that this proposal and associated checklist changes move forward for FLT approval in their April 21, 2022, meeting. Three design criteria associated with tethered cut-to-length technology developed in concert with the AMG recommendation were determined to be consistent with the Forest Plan in the *SBEADMR Supplemental Information Report on Cut-to-length and Tethered Logging Technologies* signed on December 5, 2022, (clarified after the AMG October 24, 2022, meeting to specify that this technology was approved on a pilot project basis only).

As there is no longer consensus among the AMG as demonstrated by participation of AMG members in your letter regarding this pilot project, the project will not occur as proposed at this time under SBEADMR. To meet our commitment to transparency in the implementation of SBEADMR, this letter will be shared with the AMG as notification of cancellation of the Telski tethered cut-to-length pilot project.

Sincerely,



CHAD STEWART
Forest Supervisor

Enclosure: SBEADMRSIRTetheredCTL1Dec2022

cc: SBEADMR AMG; Sean Ferrell; Matt Vasquez; Carlyn Perovich