

P.O. Box 586  
Orofino, ID 83544  
Phone: (208) 476-3615  
Fax: (208) 476-8902



Commissioners  
Vince Frazier, Chair  
Mike Ryan  
Rick Miller

January 25, 2024

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JAN 30 2024

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Objection Reviewing Officer  
USDA Forest Service, Northern  
Region 26 Fort Missoula Road  
Missoula, MT 59804

**RE: Objection to the 2023 Land Management Plan for the Nez Perce-Clearwater National Forests**

The Board of Clearwater County Commissioners object to the "2023 Land Management Plan for the Nez Perce-Clearwater National Forests" (Forest Plan) and the proposed Hoodoo and Mallard Larkins RWA released by the Responsible Official, Cheryl Probert, Forest Supervisor, Nez Perce-Clearwater National Forest.

**"A statement of the Issues and/or part of the ... plan revision to which the objection applies"**

The identification of Recommended Wilderness (RWA), particularly Hoodoo, failed to adequately recognize Mining Districts (Black Lead Mining District, Private Property and motorized recreation that is either in or near the proposed Hoodoo RWA. Wild and Scenic Rivers designations for the North Fork drainage area.

The Forest Plan looks to manage RWA as non-motorized and manage other activities as if it was wilderness. There are Mining Districts in this area that have been established for many years and these districts should be allowed to continue. There is private property with homes near the RWA and the citizens need to be able to access their property. There are areas outside of Roadless Areas that have become part of the Hoodoo RWA that have motorized recreation activities, and these should continue.

The designation for the Wild and Scenic Rivers would impact recreation, logging and mining.

**"A concise statement explaining the objection and suggesting how the proposed plan decision may be improved."**

Wilderness and Recommended Wilderness have very specific management constraints given by the Wilderness Act and Forest Service policy. The Wilderness Act was established prior to understanding factors that are relevant today, such as the number of species listed as threatened and endangered within the region. If these impacts were accurately identified, recommending areas as wilderness would reach the level of, "may affect, likely to adversely affect" listed species, including the adverse effect to other species. We will discuss these management constraints and effects in the next section below.

**"If applicable, the objector should identify how the objector believes that the Plan revision is inconsistent with law, regulation or policy and"**

The plan does not recognize the importance nor the current existence of mining claims, particularly the Black Lead Mining District and other mining claims and their critical role in the exploration and recovery of essential elements and mineral resources that are important to the security and economic well-being of the United States. **30 U.S.C. Chapter 2, Sec. 22 R.S. 2319 recognizes the Mining Districts authority to regulate over mineral lands belonging to the United States:**

Declares all valuable mineral deposits in lands belonging to the United States free and open to exploration to citizens of the United States under regulation prescribed by law and according to the local customs and rules of miners in the several mining districts.

Recommending wilderness is inconsistent with the Endangered Species Act.

Climate change needs to be accurately represented. The plan defines climate change as:

*"Climate change is a variation in the usual weather patterns that occur in a particular place. This change can be measured and persists for an extended amount of time, usually decades or longer."*

This definition implies that climate change is not a natural fluctuation in weather patterns measured in 10-year events. Some studies in recent years indicate that human activities may impact climate change, but this cannot be substantiated.

The important point here is that climate change, if it is indeed, it is a result of natural changes and human activities are not a substantiated factor and should not be considered in the plan.

There are direct adverse effects to fish and wildlife, including listed species. The Forest Plan is accurate in that climate change "contributes to more frequent and intense extreme events and disturbances in addition to wildfire, including floods, drought, insect and disease outbreaks, and the spread of invasive species". These changes are going to significantly alter fish and wildlife.

These are not insignificant adverse impacts from climate change to fish and wildlife, including listed species.

The 1964 Wilderness Act, applied in today's world as a means to protect fish and wildlife without any type of management strategy, would be detrimental and ridiculous to assume that this land would thrive without management. There must be a realization that to establish an area as wilderness and to falsely believe that a hands-off approach within a wilderness will provide adequate protection would be to deny current scientific research. Yet this is exactly what the Forest Plan suggests is a hands-off approach. ("MA2-DC-RWILD-02") defines:

*"Recommended wilderness areas are characterized by a natural environment where ecological processes and disturbances, such as natural succession, fire, avalanches, insects, and diseases are the primary forces affecting the composition, structure, and patterns of vegetation."*

This direct hands-off approach causes and contributes to: more frequent wildfire, including floods, drought, insect and disease outbreaks, and the spread of invasive species.

Another direct effect to fish and wildlife is fire. With fuel loads higher than natural conditions, increases in insects and disease, the fires in the future will continue to adversely alter the habitat of fish and wildlife. It identifies threats to these by roads and timber harvest but ignores uncharacteristic fires as a threat.

*"So, as a matter of policy, managing an area to be untrammelled, natural, and undeveloped [wilderness] is managing for grizzly bear and other wildlife special features such as lynx or wolverine for example."*

The items being recommended for developing resilience of aquatic ecosystems needed for the protection of listed species cannot be implemented in wilderness due to the lack of ability to use motorized equipment, helicopters, snowmobiles and UTV's will greatly affect and produce inefficient biological assessments pertaining special wildlife studies.

*"Neither timber harvest nor timber production are allowed in designated wilderness or within areas designated as recommended wilderness (i.e., Primitive Roadless)."*

To allow fire to burn without proper management and control could directly destroy large areas of habitat for our special wildlife. (Grizzly, Lynx and Wolves and etc.)

Clearly the guidelines to manage an area as wilderness is in direct conflict with management decisions to allow these areas to burn uncontrolled.

Lastly, there is a significant financial cost of uncontrolled wildfires within some of these areas. This is money that cannot go to improving habitat(s) for threatened or endangered species or other resources.

Only Congress can designate wilderness. Managing areas as wilderness or as close to wilderness as possible is different from protecting the wilderness character, which is the requirement. Region 1 has taken an approach beyond the intent of the Wilderness Act. This is demonstrated by the fact that other.

Regions protect wilderness character without managing as Wilderness. We believe that the Forest Plan, as it relates to RWA, is outside of the Wilderness Act.

Clearwater County Commissioners are in agreement with Idaho Counties areas in the improvement of the Forest Plan.

**"A statement that demonstrates the link between prior substantive formal comments attributed to the objector and the content of the objection, unless the objection concerns an issue that arose after the opportunities for formal comments."**

The Forest Plan decision could be improved by not recommending areas as wilderness and, instead, establish these areas as special management areas; areas that provide not only resource protection, but allow for the ability to protect and/or manage listed and other species of concern without the adverse impact caused by the requirements of a recommended wilderness.

The Forest Plan could also be improved by allowing existing activities (bicycles, motorized trails, use of chain saws) logging and mining to continue until such time as Congress designates the areas as wilderness.

The proposed Forest Plan decision could be improved by not recommending additional

Wilderness and instead establish those areas as special management areas. Doing so would provide not only resource protection but allow for the ability to protect and/or manage listed and other species of concern without the adverse impacts caused by Wilderness or Region One's treatment of recommended Wilderness.

Such a designation would allow existing activities (bicycles, motorized trails, use of chain saws and needed fire response) to continue until such time as Congress may elect to designate the area as Wilderness.

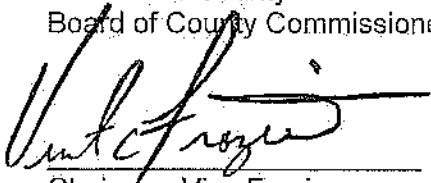
Under the Wild designation the proposed river corridor would be withdrawn from mineral entry not allowing the use of water for the mining process.

Under the scenic designation the proposed river corridor remains open to mineral entry, but restrictions may apply. What does this mean?

We look forward to resolving this objection and would like to continue working closely with the Forest Service.

Sincerely,


Clearwater County  
Board of County Commissioners




Chairman Vice Frazier



Commissioner Mike Ryan



Commissioner Rick Miller

 Board of County Commissioners  
Clearwater County  
P.O. Box 586  
150 Michigan Avenue  
Orofino, Idaho 83544

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Reviewing Officer  
Northern Regional Office  
Attn: Clearwater Travel Plan  
26 Fort Missoula, MT  
59804

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