



File Code: 1570

Date: July 19, 2024

Route To: 218

Subject: Section 16 Project – Objection Response

Dear Objectors:

This letter is in response to objections filed on the Section 16 Project EA and Draft Decision Notice released by Brandon Knapton, District Ranger of the Lochsa-Powell Ranger District on the Nez Perce – Clearwater National Forests. I have read your objections and reviewed the project record. My review of your objections was conducted in accordance with the administrative review procedures found at 36 CFR 218, Subparts A and B.

ADMINISTRATIVE REVIEW PROCESS

The regulations at 36 CFR 218.8 provide for a pre-decisional administrative review process in which the objector provides sufficient narrative description of the project, specific issues related to the project, and suggested remedies that would resolve the objections.

In my review, I considered a variety of issues identified by objectors under the National Environmental Policy Act, the National Forest Management Act, the Endangered Species Act, the Agency's Travel Management Rule, the Clean Water Act, CEQ Guidelines on the consideration of GHG emissions, the Administrative Procedures Act, and associated regulations and policies.

OBJECTION RESOLUTION MEETING

I hosted an objection resolution meeting on July 3, 2024, to permit objectors to discuss the issues they raised in their objections and propose potential remedies. The meeting was attended by the following lead objectors and interested parties:

- Tom Partin, American Forest Resource Council
- Jeff Juel, Friends of the Clearwater

The local leadership from the Lochsa-Powell Ranger District and I appreciated the time and engagement from all who were able to attend.



RESPONSE TO OBJECTIONS AS REQUIRED BY 36 CFR 218.11(b)

After my review of the EA, Draft Decision Notice, and project record, I find the responsible official, for the most part, provided an adequate analysis of issues raised and provided acceptable documentation showing compliance with applicable law, regulation, and policy. However, your objections identified some areas within the project record, EA, and Draft Decision Notice that can be clarified or updated with clearer connections and references to existing data and completed analyses.

Moreover, I am instructing District Ranger Knapton to ensure the following actions are taken before project implementation:

- a. Ensure each resource area adequately:
 1. Defines spatial and temporal bounds for cumulative effects analysis in the EA,
 2. Provides rationale for those bounds in the EA, and
 3. Refers to a provided map of spatial boundaries for cumulative effects, by analysis area, in the project record.
- b. Explicitly address cumulative effects of ongoing and future nearby highway, private logging, and snowmobile use on wildlife, hydrology, plants, weeds, and recreation in the EA **if and where those activities occur within defined cumulative effects analysis areas.**
- c. Ensure the EA, FONSI, and vegetation specialist report state explicitly that they are not harvesting in stands that meet the Green et al. definition of old growth and that any units that do not have exams will be field verified for old growth prior to treatment and not harvested if they meet the Green et al. definition of old growth.
- d. Reformat data tables in 11-002, 11-006 and 11-008 so all the data is on one page and is easily readable.
- e. Provide a more robust description of “intermediate harvest/treatment” and “fully stocked stand” in documents to provide more clarity to the public.
- f. Ensure the analysis discloses how it considered the outfitters recreational activities that “coincide” with the project area.
- g. In the EA or project record, explain the difference between USFWS’s “May be present” status for grizzly bear and the LRMP’s consideration of “occupied” vs. “unoccupied”.
- h. Add the summary sheet for the Regional Programmatic Biological Assessment for Activities that are Not Likely to Adversely Affect Canada Lynx, Grizzly Bear and Designated Canada Lynx Critical Habitat (USFS 2020) to the record.

- i. Clarify whether the project would affect snowshoe hare habitat and correct the number of acres to reflect field conditions.
- j. Add documentation of the field observations that indicate that the project does not impact snowshoe hare habitat, especially since some units are in mapped hare habitat.
- k. Add to the EA and/or specialist's report a qualitative description of current conditions and project effects regarding lynx habitat connectivity.
- l. Complete project impact analyses on the pileated woodpecker.
- m. Clarify how "retained tree species represent suitable habitat for marten" by closing the logic between habitat needs for marten which are stated to be late-successional, structurally complex, mesic forest and the effects of the project which would retain "early seral species" and "reduce smaller diameter trees."
- n. When ESA Section 7 consultation for wolverine for this project is complete, add the consultation documents to the project record and ensure they are cited in the EA and specialist's report.
- o. Add a note to Table 1 in the project's wildlife specialist report (Exhibit 15_001, page 2) as to how the project is consistent with LRMP Wildlife and Fish Standard 5i for wolverine.
- p. Provide more clarification and rationale to how the soils analysis was performed in relation to this project and how it affected your decision.

CONCLUSION

My review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or Department of Agriculture official of my written response to your objection is available [36 CFR 218.11(b)(2)].

Sincerely,

Heath Perrine
Deputy Forest Supervisor

cc: Brandon Knapton, Kristopher Cahoon, Karen Hardwick