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**File Code:** 1570  
**Date:** March 1, 2021

Dear Objector:

This letter is in response to objections filed on the White Pine Environmental Assessment (EA) and Draft Decision Notice released by Stefani Spencer, District Ranger of the Palouse Ranger District on the Nez Perce-Clearwater National Forests. I have read your objections and reviewed the project record. My review of your objection 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.

### **RESPONSE TO OBJECTIONS**

As specified at 36 CFR 218.11(b), I must provide a written response to your objections; however, this response need not be point by point. The review of your objection issues is included as an attachment to this letter and will be posted on the project website. All other objection responses will also be posted to the project website.

As a result of the objection review, I am instructing the responsible official to complete the following before signing the decision. More detail regarding these instructions are included in the attached response document.

1. Update the project record to clarify that Canada lynx does not occur in the project area.
2. Update the project record to clarify the context and intensity of the impacts to wildlife species analyzed and disclose the activities considered in the cumulative effects analysis.
3. Clarify the current status of wolverine relative to this project

### **CONCLUSION**

Upon incorporation of these instructions, the District Ranger may sign the Decision Notice for this project. 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,



CHERYL F. PROBERT  
Forest Supervisor

cc: Cody Hutchinson, Stefani Spencer, Amy Boykin, Zoanne Anderson, Olga Troxel



# White Pine EA – Nez Perce Clearwater National Forests

## Objection Responses

### Issue 1: NEPA/NFMA

#### Contention 1-1: Comment Period

An objector contends that the responsible official did not conduct an additional comment period on the project, in violation of the National Environmental Policy Act (NEPA).

**Objector(s): Gary Macfarlane (Friends of the Clearwater)**

**Response:** The Code of Federal Regulations, at 36 CFR 218.25(a)(i), state that “Comments on a proposed project or activity to be documented in an environmental assessment shall be accepted for 30 days beginning on the first day after the date of publication of the legal notice.” This comment period grants commenters the standing to object, as well as provide information regarding the project to the responsible official. 40 CFR 1501.7(b)(3) allows the EA process to be combined with the scoping process. The scoping document, published in September of 2018, notified the interested public that this was the primary opportunity to comment and included information regarding the legal notice in the newspaper of record (project file D-0025). This scoping document was 13 pages long and included details of the scope and scale of the project, a summary of the existing condition of the relatively small landscape area, the desired condition and the proposed action to move conditions toward that desired condition, as well as known resource concerns (project file B-0005). Two public meetings were held, and the responsible official also stated that she would consider comments provided at any time during the process. It appears the information provided to the public allowed interested persons to comment substantively (project file B-0018). Additionally, objections from the previous objection period were considered (draft DN, p. 6).

The legal requirements for a 30-day comment period were met for this project, and the public was given adequate information on which to provide comment. Further, objection points on topics regarding new information were allowed in this objection. There is no violation of NEPA.

#### Contention 1-2: Change of Legal Authority to Non-HFRA

An objector claims that the responsible official illegally changed the legal authority from HFRA for the project from the scoping proposal which requires a new scoping and comment period.

**Objector(s): Gary Macfarlane**

**Response:** A 30-day comment period applies to both an HFRA project and a non-HFRA project. Comments were requested regarding the proposed action, which did not change when a different authority for the project was chosen by the responsible official. HFRA provides for expedited NEPA and pre-decisional objection reviews, and guidance on judicial review. The responsible official chose not to apply this special authority, but rather to pursue the project under regular NEPA processes.

Changing the authority under which a decision is analyzed and made is not a substantive change to the proposed action or its effect on the human environment, therefore no additional comment period or scoping was necessary. There is no violation of NEPA.

### Contention 1-3: Range of Alternatives

An objector contends that there is an inadequate range of alternatives in violation of NEPA since the purpose and need statement would require multiple alternatives.

#### Objector(s): Gary Macfarlane

**Response:** The Code of Federal Regulations, at 36 CFR 220.7(b)(2)(i), states when there are no unresolved conflicts concerning alternative uses of resources (NEPA section 102(2)(e), the EA need only analyze the proposed action and proceed without consideration of additional alternatives. Suggested alternatives included no harvest in old growth or riparian habitat conservation areas (project file B-0018). The proposed action included neither of those things, so an alternative was unwarranted. The proposed action was modified to respond to resource concerns, thereby eliminating the concern (EA p. 6). The proposed action was determined to have no significant impact (EA p. 26).

There is no violation of NEPA.

### Contention 1-4: Existing Condition

An objector contends that the responsible official did not disclose current conditions for key parts of the project area ecosystem including, but not limited to, unroaded areas and fisheries.

#### Objector(s): Gary Macfarlane

**Response:** The existing condition of the affected environment is relevant in an analysis. The project area is not adjacent to an Inventoried Roadless Area, and therefore no assessment of the “contiguous unroaded area” was necessary. Otherwise, the concept of “unroaded areas” is entirely nebulous.

The White Pine EA summarizes the detailed information that is contained in the project record and focuses on information needed by the decision maker to determine whether to prepare an environmental impact statement or a finding of no significant impact (FSH 1909.15, Ch. 41.1). Existing condition can be found in the specialist reports in the project record. The Fisheries specialist report included an “Affected Environment” section (p. 1), which describes the baseline condition and serves as the existing condition.

Not all parts of the ecosystem are influenced or affected by the proposal. Relevant resources are included in the analysis and include an assessment of the current or “existing” condition. Specialists’ reports are referenced in the EA and filed in the project record.

There is no violation of NEPA.

### Contention 1-5: White Pine Scenic Drive and Byway

An objector claims that the project may significantly impact the White Pine Scenic Drive and Byway because he disagrees with the Forest Service that logging will have scenic benefits. He believes this is inaccurate.

## Objector(s): Gary Macfarlane

**Response:** The White Pine EA discloses that a single shelterwood harvest unit would be visible from State Highway 6, the White Pine Drive Scenic Byway (p. 23). Design measures will be implemented to naturalize the harvest so that it is not perceived as a man-made opening to the layman. Introduction of disease-resistant white pine will enhance the visitor experience along the White Pine Drive in the long-term. A shelterwood treatment retains several trees per acre and the effects to the scenic resource are not significant.

The EA (p. ii) discloses that Need for the project to restore the scenic byway was removed. It does not appear in the October 2020 draft Decision Notice.

### Contention 1-6: Cumulative Effects and Monitoring

An objector contends that past monitoring was not incorporated into the cumulative effects analysis.

## Objector(s): Gary Macfarlane

**Response:** The objector seeks an understanding of how past actions may have led to the current conditions. This is described on pages 3 and 4 of the EA. It is well understood by foresters and pathologists that the introduction of white pine blister rust in the early 1900s and the resultant accelerated logging of white pine at that time, along with fire suppression for the last century, has allowed for the proliferation of Douglas-fir and grand fir trees in stands once dominated by white pine, western larch and often, western red cedar. Douglas-fir and grand fir are very susceptible to root disease, and thus root disease also flourished in Northern Idaho. The vegetation report (project file K-0008) includes this information, and a pathologist also visited the area and produced a Forest Health Evaluation Report (project file H-0002). Monitoring of similar project undertaken in the project area reveal successful regeneration of white pine, western larch and ponderosa pine. This is evidenced from stocking surveys and pre-commercial thinning surveys (project file K-0010 and K-0011). Appendix O of the Clearwater Forest Plan (pp. 0-27-28) is quite clear in regard to vegetation treatments in stands with high rates of root disease, and does indeed direct an increase of ponderosa pine, western larch and western white pine at the expense of grand fir and Douglas-fir. An abundance of relevant scientific literature regarding silvicultural practices and root disease were applied to the analysis of the project and are available in the reference section.

Previous regeneration harvests in the area have been certified as stocked in accordance with the National Forest Management Act, and monitoring reveals a significant component of white pine in the regenerated stands. Past projects have contributed cumulatively to some improvement in the project area and this is disclosed (EA pp. 15-17).

### Contention 1-7: Scientific Integrity

An objector contends that the responsible official did not review science adequately and did not disclose the statistical reliability of the data used for analysis.

## Objector(s): Gary Macfarlane

**Response:** The methodology for each effects analysis is disclosed in the specialists reports in the project record, and some include monitoring data along with field visits, modeling, inventory and survey data, consideration of scientific literature, and geographic information system data. For example, see the Vegetation Specialist Report at K-0008 in the project file. Disclosure of the specific statistical reliability of each item of data is not a requirement (40 CFR 1502.24).

### Contention 1-8: Forest Plan Consistency

An objector contends that the responsible official does not provide the forest plan direction for the desired conditions and vegetation composition. They contend the current Forest Plan does not give direction to move the forest towards the warm moist and warm dry PVT groups as included in the purpose and need. Additionally, an objector contends that the responsible official relied on direction for a yet to be authorized Forest Plan.

### Objector(s): Gary Macfarlane

**Response:** The purpose and need are explained in the EA at page 6: “The Clearwater Forest Plan is silent with regard to desired future conditions related to forest insect and disease. However, the Plan identifies the need to manage timbered lands in a sustainable manner. Allowing forest health issues to decimate timber stands does not meet the Forest Plan direction with regard to timber production. In Appendix O, the Plan discusses past and present (1987) insect and disease status on the Clearwater National Forest. There are suggested management strategies and alternatives for the most common insects and disease agents, including use of silvicultural practices aimed at maintaining healthy stands. For fir engraver the Forest Plan suggests reducing the number of grand fir (pg. O-25), replacing with Douglas-fir, ponderosa pine, and larch. The suggested treatment for root diseases is stand conversion to less susceptible species (pg O-27).”

A potential vegetation type (PVT) refers to the capability of a site to support certain tree species, based on the biophysical setting and habitat type. It not something “to move towards”. The objector misunderstands the concept. The project seeks to return certain tree species, such as western white pine and larch, to these sites now dominated by grand fir and Douglas-fir. This is explained in the EA (pp. 3-4).

Schranz 2015, as referenced in the EA (p. 3) is not direction, but it is relevant scientific information.

There is no violation of NFMA.

## Issue 3: Wildlife

### Contention 3-1: Wildlife Species Analysis Concerns

An objector contends that the project will have negative consequences to black-backed woodpecker, fisher, bats, pileated woodpecker, northern goshawk, wolverine, and big game species in the project area due to impacts from timber harvest and motorized activities. The objector also contends that there is no rationale regarding habitat losses in the project area, spatial requirements of the species have not been considered, and examination of cumulative effects is very weak.

## Objector(s): Gary Macfarlane, Harry Jageman

**Response:** Forest Service regulation 36 CFR 220.7(b)(3) states the required analysis for an EA shall describe the impacts of the proposed action and any alternatives in terms of context and intensity as described in the definition of “significantly” at 40 CFR 1508.27.

For wildlife species, the wildlife analysis uses acres affected and discloses negative effects from the proposed action. However, a discussion of the magnitude of effects at the project level for some species could not be found in this review. Additionally, the relevancy of effects to each species in the analysis area presented is not clear.

Cumulative effects were addressed in the Wildlife Specialist Report (Wildlife Report, Table 5) however, it is not clear which ongoing or future forest activities included in the cumulative effects analyses are still contributing effects.

I am instructing the responsible official to clarify the context and intensity of the impacts to wildlife species analyzed and disclose the activities that are contributing to cumulative effects.

## Issue 4: Fisheries

### Contention 4-1: PACFISH Concerns

An objector contends that the Fisheries Specialist Report and EA fail to provide an analysis regarding PACFISH direction given the problems with Blakes Fork and Meadow Creek.

### Objector(s): FOC

**Response:** The objector states the project does not comply with PACFISH and does not provide information on the existing condition or project effects on PACFISH Riparian Management Objectives (RMO). As noted in the PACFISH 1995 Environmental Assessment, Decision Notice and Finding of No Significant Impact (project file, Document N-0061), PACFISH is an interim strategy for anadromous fish-producing watersheds. Yet the Fisheries Specialist Report (N-0026) indicates that INFISH is the relevant interim direction in the project area (pp. 6-7). This is because downstream barriers block anadromous fish and the project watersheds only contain inland fish species (pp. 10-15). The White Pine EA also notes that INFISH direction is applicable (p. 11, Design Feature WQ-2). Therefore, the White Pine project does not need to comply with PACFISH.

I conclude the responsible official complied with the interim INFISH amendment to the Clearwater National Forest Plan.

### Contention 4-2: Fisheries Population Trends

An objector contends that the EA and Fisheries Specialist Report do not contain an analysis of fish population trends.

## Objector(s): FOC

**Response:** The objector alleges that the Clearwater Forest plan requires population monitoring for Management Indicator Species (MIS), sensitive species, and federally listed fish species but the agency has failed to do so. The objector further alleges that there is no analysis of cumulative effects in violation of NEPA and NFMA.

The Fisheries Specialist Report (project file, Document N-0026) describes spatial and temporal bounds for the effects analysis and methodology used in the analysis (pp. 1-3). The report selects MIS, sensitive species, and federally listed fish species as measurement indicators. It then discloses the existing condition (pp. 8-16) with some references to past events that influenced the status of each measurement indicator. Pages 18-23 review the direct and indirect effects of the project on each measurement indicator. The cumulative effects of past, present and foreseeable future actions to all measurement indicators are disclosed on page 24. This analysis sufficiently meets the associated NEPA regulations.

The National Forest Management Act (NFMA) is guided by [36 CFR 219](#) which codifies planning responsibilities, sustainability, document records and other forest plan aspects. Nothing in the NFMA requires providing fish population trends at the project level. The Clearwater National Forest Plan requires a report on anadromous and resident fish indicators and Threatened/Endangered fish species trends once every 5 years for certain management areas, including that of the project area (Clearwater Forest Plan, Table IV-1 and IV-2).

I conclude the responsible official complied with NEPA and NFMA regulations because NFMA does not require a disclosure of fish population trends for project-level NEPA.

## Issue 5: Threatened and Endangered Species

### Contention 5-1: Lynx

An objector contends that the responsible official downplays documented resident lynx on the Clearwater National Forest as "transient" rather than considering any possibility for lynx to be breeding here which will result in impacts to lynx. It is also not documented in the EA.

## Objector(s): FOC

**Response:** The wildlife report addresses project effects to lynx habitat and to potential transient lynx. It states that there are no LAUs, lynx habitat, or linkage areas in the project area therefore none of the Northern Region Lynx Management Direction (NRLMD) standards and guidelines apply to this project area (Wildlife Specialist Report, p. 20). However, Table 1 in the Wildlife Specialist Report includes Canada lynx and states it is considered in detail because it may occur. This information is based on historic records from over 30 years ago. There have been no lynx sighted since then and there is no habitat in the project area (Wildlife Specialist Report, p. 20). I am instructing the responsible official to correct the error in the project file.

The objector also disagrees with the NRLMD and where it is applied. The NRLMD is not under consideration in this review pursuant to 36 CFR 218.8 (d)(5).

I conclude the responsible official considered Canada lynx appropriately in compliance with the Endangered Species Act.

### Contention 5-2: Wolverine

An objector contends that the responsible official does no analysis of wolverine. The wildlife report does not have a valid cumulative effects discussion for wolverine, nor does it identify a cumulative effects analysis area.

**Objector(s): Gary Macfarlane**

**Response:** For cumulative effects, please see response to Contention 3-1. At the time of scoping for the proposed action wolverines were proposed for federal listing under the Endangered Species Act.

The Wildlife Report states that there could be suitable wolverine habitat in the project area (Wildlife Specialist Report, p. 4) but later states there is no suitable habitat for wolverine (p. 6) in the project area. I am instructing the responsible official to clarify the change in status and ensure that statements in the wildlife report regarding wolverine are consistent.

### Contention 5-3: Grizzly Bear

An objector contends that effects to grizzly bears from timber harvest include potential disturbance or displacement due to human presence, road construction and use, motorized use, and other mechanized equipment, which the responsible official does not analyze. The objector also contends that a BA must be completed for the project.

**Objector(s): Gary Macfarlane**

**Response:** The Wildlife Report states that according to the USFWS there are no Threatened or Endangered species in the project area (p. 3). Table 4 (p. 10) also shows that there are no grizzly bears in the project area. Therefore, consultation is not required for grizzly bears.

I conclude the responsible official considered grizzly bears appropriately in compliance with ESA.

## Issue 6: Watershed, Water Quality, Riparian

### Contention 6-1: Drainage Usage for Water Yield Analysis

Two objectors contend that by using HUC 12 watersheds the responsible official did not utilize Forest Plan (Appendix K) drainages for the water yield analysis. Using HUC 12 watersheds tends to dilute project area impacts and increases uncertainties related to activities on private land.

### Objector(s): FOC, Harry Jageman

**Response:** Appendix K of the forest plan does not specifically mention drainages as a spatial boundary for analysis of water yield impacts. More specifically it lists water quality criteria for watersheds not drainages. Appendix K does not contain criteria or standards pertaining to water yield. Thus, the analysis of potential effects on water yield at the subwatershed (HUC12) scale does not violate forest plan Appendix K standards. As stated within the Water Resources Report, The Matrix of Pathways and Indicators of Watershed Condition (NOAA, 1998) uses the HUC12 sub watershed scale to rate the quality of watershed conditions supporting spatial level of analysis. Not all potential impacts were analyzed at the HUC12 level. Sediment impacts were analyzed at the HUC14 level due to this being one of the largest concerns (Supplement to the Water Resources Report, p. 6).

I find that the responsible official complied with forest plan requirements (Appendix K) to maintain instream conditions regarding cobble embeddedness.

### Contention 6-2: Accounting for Instream Conditions

An objector contends that the responsible official failed to account for existing instream conditions which generally do not meet Forest Plan standards regarding cobble embeddedness.

### Objector(s): Harry Jageman

**Response:** The objector contends that instream conditions, regarding cobble embeddedness, are not meeting forest plan standards and the responsible official has failed to account for these current conditions in the analysis. Although the objector is correct that current cobble embeddedness exceeds the standard determined acceptable in the forest plan, the water resources report and the supplement to the water resources report clearly demonstrate that the project is not expected to have any measurable increase in fine sediment. If no measurable increase in fine sediment is expected, there will be no mechanism to increase cobble embeddedness.

I find the responsible official complied with the forest plan requirements for maintaining instream conditions regarding cobble embeddedness.

### Contention 6-3: Use of the Palouse River Subbasin Assessment

An objector contends the watershed report inappropriately uses the findings of the Palouse River Subbasin Assessment (Henderson 2005) to determine the sedimentation base rate within the project area.

### Objector(s): Harry Jageman

**Response:** The objector is correct; the responsible official used the inappropriate information from the Palouse River Subbasin Plan to determine the sedimentation base rate. The appropriate adjustments have been made and included within the project analysis which is found within the Supplement to the Water Resources Report, the WEPP Road modeling spreadsheet (Project file, document N-00056\_210105). Project documentation in the water analysis demonstrates that the responsible official met forest plan standards regarding cobble embeddedness.

### Contention 6-4: Logging in Riparian Areas

An objector contends there is no rationale for logging within riparian areas other than departure from natural conditions, and additionally rare plant species that inhabit these areas were not addressed.

## Objector(s): Harry Jageman

**Response:** The Fuels Specialist Report (pp. 19-21) discusses the need for fuels treatments within the Riparian Habitat Conservation Areas (RHCA) in order to “strike a balance between preserving or enhancing existing RHCA conditions and addressing wildfire management objectives”.

The Standards and Guidelines for Fuels/Fire Management from the interim direction for RHCAs provided by the Inland Native Fish Strategy (USDA, 1995B), discuss designing fuel treatments so as not to prevent attainment of riparian management objectives (RMO), and designing prescribed burn projects and prescriptions to contribute to the attainment of RMO. The Fuels Specialist Report (pp. 20-21) describes activities proposed within the RHCA. The Fisheries Specialist Report discloses that work performed will not prevent the attainment of RMOs (pp. 6-8).

Rare plant species that inhabit these areas are documented on pages 9-18 of the Botany Specialist Report (Project file, Document M-0001), which has a lengthy discussion highlighting rare plant species and their potential habitat within the project area including project riparian areas. While it is not noted if each species exists within the project, the potential habitat for some species is sometimes used as a de facto indicator and is accounted for in the report. The Botany Specialist Report discloses consequences that project activities may or may not have on rare plant species and summarizes the effects in Table 2.

I conclude there was adequate analysis and rationale regarding riparian area management and protection of rare plant species.

## Contention 6-5: Inadequate Water Resources Analysis

An objector claims that the responsible official's analysis of the effects of aquatic species, riparian areas, and water quality is inadequate especially since a supplemental hydrology specialist report was prepared which includes an inadequate WEPP analysis.

## Objector(s): Harry Jageman

**Response:** Potential impacts to riparian areas are disclosed on page 10 of the Water Resources Specialist Report. Riparian area management is guided by the INFISH Riparian Management Objectives, standards, and guidelines, including RHCA default buffers (Inland Native Fish Strategy EA, 1995).

Both the Water Resources Report and Supplement to the Water Resources Report disclose the potential effects to water quality and show detailed assumptions that were made (supported with peer reviewed literature), the methods in which the analysis was conducted and the sources of the data. The responsible official employed the use of the WEPP modeling interface to review and analyze these effects. The project file includes the WEPP results tables in documents N-0038, N-0042, N-0044, N-0046, N-0048, N-0049 and N-00056.

The Water Resources Specialist Report explains the rationale of analyzing sediment input if the road is 300 feet or less from a stream. All drain points on haul routes that are within 300 feet of any water course were identified to ensure that all potential sources of sediment from roads was accounted for and the modeling of road segments was completed at the correct spatial bounds.

I find the responsible official is in compliance with NEPA requirements for describing the effects to aquatic species, riparian areas, and water quality

### Contention 6-6: Forest Plan Water Quality Standards

Two objectors contend that there is an inadequate description of the forest plan water quality standards as required by the Forest Plan (Appendix K-2) and objectors raise a concern about water quality standards not agreeing between the fisheries and watersheds reports.

**Objector(s):** FOC, Harry Jageman

**Response:** This is a valid point which was addressed by the responsible official to eliminate any discrepancies. Table 5 in the Fisheries Specialist Report was updated to reflect Forest Plan Amendment 23 (p. 28). Table 2 of the White Pine Water Resources Report (N-0027, page 6) fully describes Forest Plan water quality standards for project area streams.

I find that the responsible official addressed the objectors concern by updating table 5 of the Fisheries report and that the Water Resources report shows compliance to forest water quality standards found in Appendix K-2 of the forest plan.

### Contention 6-7: Stream Sedimentation

An objector contends that the responsible official used unrealistic assumptions that no measurable increases in stream sedimentation will occur as a result of the project because the Forest Service has completed an analysis on stream sedimentation using the WEPP Roads and the Disturbed WEPP models.

**Objector(s):** Harry Jageman

**Response:** The WEPP model was used to analyze stream sedimentation. Furthermore, to display effects analysis from the WEPP model runs the responsible official reviewed all drain points on haul routes that are within 300 feet of any water course to ensure that all potential sources of sediment from roads were analyzed (Supplemental Water Resources Report, p. 5). Road best management practices (BMP) are proposed to ensure that project effects are mitigated, and sediment is minimized. This is documented on page 4 of the Supplemental Water Resources Report.

The report discloses that the project will generate a minor amount of sediment but states it is an immeasurable and negligible amount of sediment of less than 0.5 tons/acre/year (p. 9).

I conclude that the responsible official appropriately used the WEPP model to analyze stream sedimentation and to ensured that these effects are mitigated through the use of Best Management Practices.

## Issue 7: Silviculture and Reforestation

### Contention 7-1: Vegetation Management Objectives

An objector contends that the vegetation management objectives for the project are based on flawed conclusions and purpose and need statements that do not reflect the integrated objectives of the Clearwater Forest Plan regarding Potential Vegetation Types (PVT) in the project area.

**Objector(s):** FOC

**Response:** The EA identifies the Forest Plan direction that guides the proposed action (EA, pp. 1-6). Additional scientific and technical information is used in the EA and Vegetation Specialist Report (Project file, Document K-0008\_20210112\_Updated\_WhitePineVegetationSpecialistReport) as described in Appendix A of the Forest Plan (Appendix A, page A-1). This includes the PVT and NRV/HRV related information from Schantz (2015) and Probert (2017). These documents do not provide direction but are used to provide relevant scientific information.

The Vegetation Specialist Report also details the methods to be used to measure forest health and resilience. More specifically, the desired future conditions of the PVTs, in terms of structure and species composition, are the measure of forest health and resilience (Vegetation Specialist Report, pp. 1,3). Moving towards or meeting the desired conditions moves towards a state of resilience. Moving towards these conditions coincides with moving toward the 2037 desired future conditions of the Forest Plan (EA, p. 14).

No violation of laws, regulations, or directives was found.

### Contention 7-2: Questionable Need for Treatment

Two objectors contend that the need for treatment regarding forest health and fuels reduction is questionable because the best available science does not support this need.

### Objector(s): FOC

**Response:** The proposed treatments regarding forest health and fuels reductions are based on field sampling (2016 CSE), field observations by resource specialists (2017-2018 site visits), and relevant scientific literature (see references in Vegetation Specialist Report and Fuels and Air Quality Analysis). The practices and activities of the proposed action that are intended to treat fuels and areas of insect and disease are common and established practices by the Forest Service. The Forest Health Evaluation for the White Pine Project (Project file, Document H-0002\_20181113\_ForestHealthEvaluationWhitePineProject\_CFO-TR-18-008) describes the root disease hazard for the project area as being relatively greater than the remainder of the Clearwater National Forest. Root disease was found in all stands visited during the 2018 site visit. The Vegetation Specialist Report describes the impacts of root disease, in addition to other insects and disease impacting the project area. Both the EA and Vegetation Specialist Report cite Jain and Graham 2008, which states that root disease pathogens are an endemic and natural pathogen, but their ecological role has increased greatly and in unprecedented ways. The EA, Vegetation Specialist Report, and Forest Health Evaluation all state that intermediate treatments are ineffective at treating the effects of root rot and that species conversion, resulting from regeneration harvest and planting of unsusceptible or less susceptible species, is the preferred method of treatment. Documentation of monitoring of previous treatments can be found in the project record (K-0008\_20210105districtSummaryReforestationReport and K-0010\_20210112StandTreeSumsbySpecies\_WP\_ProjBdy). These records demonstrate the effectiveness of regeneration and establishment of early seral species, such as western larch and western white pine.

I find the responsible official appropriately disclosed the purpose and need of the proposed action in compliance with NEPA.

### Contention 7-3: Forest Plan Old Growth Requirements

An objector claims that the responsible official does not disclose restocking monitoring data and analysis.

#### Objector(s): FOC

**Response:** The responsible official provided documentation related to monitoring activities in the project record. This includes the District Reforestation Summary (Project file, document K-0008\_20210105districtSummaryReforestationReport) which details the success of regeneration activities, and the Stocking and Pretreatment Exams Report (Project File, document K-0010\_20210112StandTreeSumsbySpecies\_WP\_ProjBdy) which details the presence of western larch and western white pine in areas that were planted. The updated Vegetation Specialist Report (Project File, document K-0008\_20210112\_Updated\_WhitePineVegetationSpecialistReport) addresses this data and states that western larch and western white pine have been successfully establishing and developing from previous management projects.

In conclusion, the responsible official provided restocking monitoring data is provided in the project record.

### Contention 7-4: Treatment within old growth and step-down old growth

An objector contends that timber harvest, fuel treatments and road construction in existing old growth, stepdown old growth, or previously designated old growth replacement stands is unnecessary and could be delayed given the extensive amount of existing harvest in both the project area and the surrounding landscape.

#### Objector(s): FOC

**Response:** The EA and Vegetation Specialist Report present rationale for fuel treatments in stands of recruitment and “step down” old growth and the establishment of permanent and temporary roads in stands of existing, step down, and recruitment old growth. Rationale includes the reduction of hazardous fuels as well as the maintenance and enhancement of old growth characteristics. Maintenance and enhancement of old growth characteristics is related to old growth guidance provided by the Forest Plan (Appendix H, page H-2, Guideline #8). The Vegetation Specialist Report states the proposed action will not remove these treated stands from the ecological path towards old growth (p. 13). The Vegetation Specialist Report cites science used (Spies et al 2005) for use of fire as a tool for management.

The EA states that the construction of roads is necessary for the facilitation of timber harvest activities (pp. 10-11). The Vegetation Specialist Report provides data related to the impact anticipated to old growth from the construction of these roads in the project area. The report also details that these impacts are not significant (p. 14).

The Vegetation Specialist Report presents an analysis of old growth and elaborates on the new data related to field sampled data (2016) and field observations (2017-201) which led to changes to old growth classification of stands within the project area.

I find the responsible official provided adequate rationale for activities affecting old growth stands.

## Contention 7-5: Forest Plan Old Growth Requirements

The objector claims that the responsible official did not properly analyze old growth forest plan requirements in violation of NEPA and NFMA.

### Objector(s): FOC

**Response:** Forest plan direction only allows the harvest of old growth when stocking is in excess of 5% of a 10,000 acre compartment and 10% Forest-wide, or when a replacement stand is available (Forest Plan Appendix H, page H-2, Guideline #9). The proposed action does not include harvest treatments in areas of existing old growth. However, it would result in removal of less than an acre (0.2 acre) of existing old growth related to the creation of a new permanent road. The Vegetation Specialist Report (p. 6) states that current direction on the national forest is to defer regeneration harvests in areas identified as existing old growth or “step down” old growth (see 2006 Forest Direction from Forest Supervisor Thomas Reilly). Given this direction and that road construction is not regeneration harvest but rather removal of a minor area of existing old growth for operational purposes, forest plan direction does not apply.

The proposed action adheres to other applicable forest plan guidance related to old growth. This includes: the identification of replacement old growth areas such as step down and replacement old growth in Management Area E1 (III-58) as detailed on page 7 of the Vegetation Specialist Report, and the minimal size requirements of existing old growth stands (Forest Plan Appendix H, page H-1, Guideline #3).

The proposed action also includes permanent and temporary road construction in areas classified as “step down” and recruitment old growth (1.1 acres total) as well as fuel treatments in 110 acres of recruitment old growth and 26 acres of step-down old growth. Losses from road construction are not considered to be significant (EA, p. 14; Vegetation Specialist Report, p. 13). According to the Vegetation Specialist Report (p. 13), the proposed fuels treatments would “maintain and enhance old growth characteristics” and “mimic historic disturbance patterns” which is in accordance with the Forest Plan (Appendix H, page H-2, Guideline #8).

The Project Record does provide a summary of the stands currently identified as existing old growth (Project file, Document K-003\_20171211\_WhitePineOldGrowthSummary) as well as a report from the Field Sampled Vegetation (FSVeg) database which identifies stand measurements and characteristics (Project file, Document K-0002-20171211\_WhitePineOldGrowthReport).

In find the responsible official properly addressed impacts to old growth vegetation in compliance with NEPA and the Forest Plan.

## Issue 9: Soils

### Contention 9-1: Detrimental Soil Disturbance

Two objectors contend that the responsible official violated R1 Detrimental Soil Disturbance (DSD) standards. One objector contends that unit 16 violates DSD standards because it exceeds 15% with an 18% DSD.

### Objector(s): FOC

**Response:** Forest Service Region 1 Soil Quality Standards are found in Forest Service Manual 2500-2014-1 which states, "Design new activities that do not create detrimental soil conditions on more than 15 percent of an activity area." The Clearwater Forest Plan (1987) Soil Standard b. states, "Design resources management activities to maintain soil productivity and minimize erosion."

Table 3, pages 10-11, in the Soil Specialist Report (Project file, Document 20210112\_WhitePineSpecRpt\_soils.pdf) displays the cumulative percent DSD for each proposed unit. Cumulative % DSD for Unit 16 is shown as 13%. The specialist report specifically addresses % DSD for Unit 16 on page 10. I find the responsible official complied with R1 Soil Quality Standards regarding Unit 16.

### Contention 9-2: Soil Hazard

An objector claims that there is no basis for the claim that "None of the proposed units have high or very high hazard ratings for mass wasting, parent material erosion, or surface erosion."

Objector(s): FOC

**Response:** Table 2 in the Soil Specialist Report (Project file, Document 20210112\_WhitePineSpecRpt\_soils.pdf, p. 10) was updated on 1/12/2021 to reflect that Units T01, T02, and T06 have high or very high hazard ratings for mass wasting, parent material erosion, or surface erosion.

## Issue 10: Roads and Travel

### Contention 10-1: Travel Management

An objector contends the EA does not incorporate the science-based transportation analysis required under 36 CFR § 212 Subpart A, and so there was no assessment that identified the unneeded roads.

Objector(s): FOC

**Response:** A Travel Analysis was completed at both the project and Forest level and all supporting materials on the White Pine transportation system exist in the project record. The Forest-wide travel analysis was completed in September of 2015, and identified roads likely not needed (Project file, Documents P-0001\_20150922\_NezPerce-ClearwaterNationalForests\_TravelAnalysisReport.pdf). A more in-depth review of the transportation needs within the project area began in 2018 and culminated in recommendations for project consideration (Project file, Document P-0005\_20200901\_Updated\_TransportationSystemSpecRpt.pdf, p. 7).

A proposal to identify a minimum road system for a portion of the Forest or Grassland may be made as a stand-alone decision or incorporated into project decision making. However, the regulations do not require every project to identify the minimum road system. If the responsible official chooses to identify the minimum road system, the NEPA documentation must address the four factors listed in 36 CFR 212.5(b)(1). The responsible official did not identify a minimum road system for the proposed action because it is not required by the travel management rule.

I find the responsible official complied with the travel management rule (36 CFR 212 Subpart A) by conducting travel analysis at both the Forest and project level.

### Contention 10-2: Roads Proposal

An objector contends the responsible official did not complete a proper travel analysis, which would have helped the public or the agency to understand if the roads proposal and road maintenance would be affordable. Further, the responsible official did not disclose if adequate road maintenance funding will exist post project.

### Objector(s): FOC

**Response:** Please see response to Contention 10-1. Overall funding for periodic maintenance of Forest Service System roads is addressed at the Forest-wide scale. The Transportation System Specialist Report (Project file, Document P-0005) says the Forest receives funding for maintenance from multiple funding types with collections from timber/stewardship sales (approximately \$250,000 per year) being one of the primary sources along with road maintenance appropriations (\$380,000 per year 3-year average) (pp. 6-7). The proposed 1.54 miles of new permanent road would be in the maintenance level 2 category and like the parent road, NFSR 3832, would only be open to the public during the dry season to protect from soil erosion and limit maintenance costs (project record, Transportation Systems Specialist Report, Table 5). The additional costs associated with adding this road to the system are addressed in the Transportation Specialist Report.

I find the responsible official adequately completed the travel analysis for the proposed action.

### Contention 10-3: Non-System Roads

The objector states the EA does not disclose the impacts of roads that go without maintenance because they are non-system roads.

### Objector(s): FOC

**Response:** The effects of existing non-system roads are included in the baseline conditions analyzed. Impacts of these roads are addressed in individual resource reports in the EA. All temporary roads would be scarified and recontoured (decommissioned) with the implementation of this project (EA, Table 3, p. 10).

## Issue 11: Fire and Fuels

### Contention 11-1: Wildland-Urban Interface

An objector contends that there is no map showing where the Wildland-Urban Interface occurs in the project area. The only reference to the Wildland Urban Interface was a statement that said "half of the project area occurs in the WUI".

### Objector(s): FOC

**Response:** The Wildland-Urban Interface map is in the project record (Document R-0028\_DateUnknown\_WhitePine\_Wildland-UrbanInterfaceAreas\_Map). The Wildland-Urban Interface is represented by areas displayed as “Infrastructure”, “Rural 100%”, and Rural 95%”. A map is also included in the Fuels Specialist Report (Document R-0021\_20190531\_WhitePine\_FuelsSpecialist Report, p. 3). A description of the Wildland-Urban Interface can also be found on page 4 of this Report under Values at Risk. It states that the Wildland-Urban Interface is approximately 55% of the project area.

I find that the Responsible Official included both a map and a description of the Wildland Urban Interface in the project record.

### Contention 11-2: Rationale for Fuel Treatments within INFISH Buffer

An objector contends that the rationale regarding safety need for treatment of F21 regarding fire risk for treating within the INFISH buffer along Meadow Creek is missing. The objector states if the unit must be treated, only individual hazard trees should be felled and remain on site.

#### Objector(s): Jageman

**Response:** Project Design Features specify that no fuel treatments are allowed within 25 feet of perennial streams (EA, p. 11). Unit F21 is a 12-acre non-commercial fuels treatment needed to reduce fuel loadings to decrease rates of fire spread and flame length (EA, pp. 4-5). Unit F21 is located between Forest Road 328 and the mainstream of Meadow Creek to ensure that the road corridor can be safely traveled under wildfire conditions (Fisheries Report, p. 7). On unit F21, a 25-foot no treatment buffer will be applied since Meadow Creek is a perennial stream (Fisheries Report, p. 8) as required by Design Features in the EA. I conclude that the responsible official has ensured no fuels treatments would occur within INFISH buffers.

## Issue 12: Climate change

### Contention 12-1: Climate Change Impacts and Carbon Sequestration

Objectors claim that the responsible official did not analyze the impacts of climate change to project area resources in violation of NEPA. Objectors further contend that the Forest Service ignores scientific information they previously submitted which strongly implicates logging as increasing net carbon emissions to the atmosphere from the acres logged.

#### Objector(s): FOC

**Response:** Regarding carbon emissions from harvest activities, the EA states that neither of the alternatives (No Action and Proposed Action) would have a measurable impact on carbon stocks in the short and long term because the treatment area is a small fraction of the regional and global carbon stocks (p. 24). The conclusion is drawn from the Carbon Cycling and Storage Analysis report in the project file (Carbon Report, p. 2). The Carbon Report describes the carbon cycling process and explains that U.S. forests are a strong carbon net sink, meaning they absorb more carbon than they emit. In the short term the proposed action would remove some carbon currently stored in live biomass by cutting timber in the treatment units. But a substantial portion of this carbon would remain stored for a time in wood, reducing some of the carbon emitted through decomposition (Carbon Report, p. 3). Emissions

from motorized equipment used during implementation are also discussed but the Carbon Report states “the impact that this would have on the atmospheric CO2 concentration is not considered here in detail because it’s contribution is relatively small, difficult to determine, and cannot be appropriately analyzed at the project scale.” (p. 4) As stated on page 1 of the Carbon Report, forest lands within the National Forest System remain forested and are not converted to other land uses maintaining long-term net carbon storage.

Past effects of climate change on forest vegetation are often manifested in the existing, or baseline, conditions of forested stands. Climate change is not mentioned in the EA or Vegetation Specialist Report as an influence on the existing condition of vegetation in the project area. The EA discloses that the project area is mostly (95%) composed of Warm Moist Potential Vegetation Type (PVT) appropriate for western white pine and western larch dominated stands. The remainder is Warm Dry PVT (5%) historically dominated by Ponderosa pine (pp. 3-4). The EA states “Factors such as fire suppression, the introduction of white pine blister rust and the following selective harvesting of white pine, fundamentally altered the forested landscapes of North Idaho.” These stressors have been and continue to be influenced by climate. In consideration of the impacts of these stressors to vegetation, climate change is address as an indirect impact.

The effects of climate change (present and future) are addressed through the proposed action. The EA discloses that “Vegetation treatments are intended to result in a diverse and healthy forest covering the landscape. Forest cover types will be moved toward pre-European settlement characteristics where western white pine, western larch, and ponderosa pine cover types are prevalent on the landscape and grand fir and Douglas-fir cover types have decreased in prevalence.” (p. 4). The Vegetation Specialist Report explains that Western white pine restoration across the landscape has been recognized as a tool to promote ecosystem resilience in the face of shifting climate conditions due to its genetic diversity and ability to adapt (Vegetation Specialist Report, p. 3)

I conclude the responsible official adequately addressed carbon sequestration and climate change.

## Issue 13: Roadless

### Contention 13-1: Roadless Areas

An objector contends that the responsible official did not analyze and disclose the impacts on roadless characteristics and wilderness attributes of the roadless expanse in violation of NEPA.

### Objector(s): FOC

**Response:** There are no Roadless Areas on the portion of the St. Joe National Forest managed by the Nez Perce-Clearwater National Forests, Palouse Ranger District. The Idaho Roadless Rule was completed in 2008 and no Idaho Roadless Areas as defined in 36 CFR 294.21 and/or listed in the Idaho Roadless rule at 36 CFR 294.29 are located within or adjacent to the White Pine analysis area.

The Objector states, “The FS must analyze and disclose impacts on the Roadless Characteristics and Wilderness Attributes of the Roadless Expanse”. The Objector references the 12/2/10 process paper *Our Approach to Roadless Area Analysis of Unroaded Lands Contiguous to Roadless Areas that was updated in 2017: USDA Forest Service Region 1 and 4 Inventoried Roadless Area Process Paper - Analysis for Unroaded Lands Contiguous to Roadless Areas*. Both papers outline a process to include unroaded lands contiguous to Roadless Areas when analyzing roadless characteristics and wilderness attributes.

Because the White Pine analysis area contains no roadless areas there is no analysis needed that is referenced by this objector.

I conclude the responsible official is not required to conduct this analysis.