Decisions Memo for the Shoepack Thinning Project

St. Joe Ranger District
Idaho Panhandle National Forests
Northern Region
USDA Forest Service

June 2010

Decision

I have decided to approve the commercial thinning of approximately 51 acres of mixed conifers. Thinning treatments are designed to retain early seral western larch, Douglas-fir, and western white pine as the primary components of the residual stands. The project area is located near Shoepack Point in the Shoepack Creek Drainage which is tributary to Sisters Creek (Section 8, T44N, R6E, Boise Meridian) in Shoshone County, Idaho. See attached maps.

These stands will be harvested utilizing ground-based logging systems. No snags will be cut except for safety reasons. Tops will be brought to the landings and will be burned. Units will be underburned following completion of sale activities. There will be no new road construction and no changes to existing road system. Depending on operational activities, the gate on Road 1229 will either be closed at the passage of each vehicle or at the end of each day; but either way, it will be locked at the end of each day. This project will be completed within three years after sale award.

Design Features

1. TES Plants

If Threatened, Endangered, and Sensitive (TES) plant species are discovered during project implementation, an agency Botanist will be notified so that measures could be taken to maintain population viability. Measures to protect population viability and habitat for all known and newly discovered occurrences would include altering or dropping proposed units from activity, modifying the proposed activity, or implementing buffers around plant occurrences.

2. Noxious Weeds

After timber harvest the project area will be reviewed for new populations of noxious weeds. If new populations are found more intensive surveys would be conducted, sites would be mapped, and treatment would be scheduled. New invader species would be slated for eradication immediately upon discovery. Other weed infestations would be treated according to the direction in the St. Joe Noxious Weed Project EIS and district priorities.

3. Wildlife

a. Depending on operational activities, the gate on Road 1229 will either be closed at the passage of each vehicle or at the end of each day; but either way, it will be locked at the end of each day.

b. Adequate overhead tree cover (approximately 30%) would be maintained along the main potential travel corridor within the project area.

c. If TES species or important habitat components are discovered before or during project implementation the sale administrator and the district wildlife biologist would be notified so that, if needed, measures could be taken to avoid impacts and meet Forest Plan Standards.

4. Water and Soils: The following BMPs will be implemented:

   PRACTICE 11.07 - Oil and Hazardous Substance Contingency Planning
The timber sale contract holds the Purchaser responsible for taking appropriate preventative measures to ensure that any spill of oil or oil products does not enter any stream or other waters of the United States. If the total oil or oil products storage exceeds 1,320 gallons, or if any single container exceeds the capacity of 55 gallons, the Purchaser will prepare a Spill Prevention Control and Countermeasure Plan. The plan shall meet EPA requirements including certification by a registered professional engineer. If necessary, specific requirements for transporting oil to be used in conjunction with the contract will be specified in the contract.

The Forest Service will designate the location, size and allowable uses of service and refueling areas. The criteria below will be followed at a minimum:

1. Petroleum product storage containers with capacities of more than 200 gallons, stationary or mobile, will be located no closer than 100 feet from stream, water course, or area of open water. Dikes, berms, or embankments will be constructed to contain the volume of petroleum products stored within the tanks. Diked areas will be sufficiently impervious and of adequate capacity to contain spilled petroleum products.

2. Transferring petroleum products: During fueling operations or petroleum product transfer to other containers, there shall be a person attending such operations at all times.

3. Equipment used for transportation or storage of petroleum products shall be maintained in a leakproof condition. If the Forest Service Representative determines there is evidence of petroleum product leakage or spillage, he/she shall have the authority to suspend the further use of such equipment until the deficiency has been corrected.

4. In the event any leakage or spillage enters any stream, water course or area of open water, the operator will immediately notify the Forest Service who will be required to follow the actions to be taken in case of hazardous spill, as outlined in the Forest Hazardous Substance Spill Contingency Plan.

The timber sale contract requires that the location of all skid trails and landings must be agreed upon before construction. Specific criteria that will be addressed during sale-layout and pre-work with the operator will include:

General:
1. All new or reconstructed landings and skid trails shall be located on stable areas outside riparian areas. Sidecasting will be held to a minimum.

2. Tractor or wheel skidding will not normally be conducted on slopes over 35 percent. Incidental tractor skidding on slopes greater than this may be allowed when determined by a hydrologist or soils scientist that to do so is preferable to other options (i.e. Building additional road) and that accelerated erosion will not occur.

Skid Trails:
1. Skid trails shall be kept to the minimum feasible width and number.

2. Locate skid trails to avoid concentrating runoff and provide breaks in grade and waterbars.

3. Skidding equipment will be restricted to approved skid trails.

Landings:
1. Landing sizes will be the minimum necessary for safe, economical operation.

2. Landings and log decks will not be located within Riparian Areas.

As determined necessary, landings, skid trails, and anywhere else soil has been severely disturbed by
Purchaser's harvesting operations will be seeded within one year after harvesting is completed. Seed mixes (consisting of native species) and fertilizer specifications will be incorporated into timber sale contract provisions. The timber sale contract will also include specifications for scarification/ripping of compacted landing where this is deemed necessary by the IDT.

PRACTICE 13.06 - Soil Moisture Limitations for Tractor Operation

Tractor operations will be limited to periods when the soil moisture content is 18 percent or less, the ground is frozen, or there is at least 18 inches of snow depth. Tractor operations will only be allowed outside of these specifications through the use of designated skid trails. These requirements will be incorporated into provision of the timber sale contract.

PRACTICE: 14.11 - Log Landing Erosion Prevention and Control
PRACTICE: 14.12 - Erosion Prevention and Control During Timber Sale Operations
PRACTICE: 14.15 - Erosion Control on Skid Trails.

The following minimum criteria will be used in controlling erosion and restoring landings and skid trails so as to minimize erosion:

General: Seeding will be done with a seed/fertilizer mix specified in the contract.

Landings:
1. During period of use, landing will be maintained in such a manner that debris and sediment are not delivered to any streams.
2. Landings shall be reshaped as needed to facilitate drainage prior to fall and spring runoff. Landings shall be stabilized by establishing ground cover or by some other means within one year after harvesting is completed.
3. Landings will drain in a direction and manner that will minimize erosion and will preclude sediment delivery to any stream.

Skid Trails:
1. Skid trails shall be stabilized whenever they are subject to erosion, by waterbarring, cross draining, outsloping, scarifying, seeding, or other suitable means. This work shall be kept current to prevent erosion prior to fall and spring runoff.
2. Spacing of water bars on skid trails will be based on guides for controlling sediment from secondary logging roads (no date). If necessary, additional water bars will be prescribed by the sale administrator and/or watershed specialist.

PRACTICE 15.21 - Maintenance of Roads

For roads in active timber sale areas standard timber sale contract provisions require the Purchaser to perform or pay for road maintenance work commensurate with the Purchaser's use. Purchaser's maintenance responsibility shall cover the before, during and after operations period during any year when operations and road use are performed under the terms of the timber sale contract. All maintenance work shall be done concurrently, as necessary, at least to the following minimum standards:

1. Culverts and ditches shall be kept functional.
2. During and upon completion of seasonal operations, the road surface shall be crowned, out-sloped, in-sloped or waterbarred, and berms removed from the outside edge except those intentionally constructed for protection of fills.
3. The road surface shall be maintained as necessary to minimize erosion of the subgrade and to provide proper drainage.
4. If road oil or other surface stabilizing materials are used, apply them in such a manner as to prevent their entry into streams.
5. Sidecast of all material associated with road maintenance will be done in a manner to prevent its entry into streams.
6. Slumps, slides and other erosion features causing stream sedimentation will be kept repaired and stabilized.

5. Air Quality

A. Burning activities will follow procedures outlined by the North Idaho Smoke Management Memorandum of Agreement.
   i. Burning by the Forest Service is regulated to prohibit or restrict burning where stagnant weather conditions result in poor smoke dispersion and by conducting prescribed burns when ventilation and air quality conditions are good.
   ii. Burning is regulated by the Idaho State Department of Environmental Quality, which issues burning closures when necessary to protect air quality. The Forest Service cooperates with the State by requesting approval to burn through the Montana/Idaho Airshed Management System in compliance with the Idaho State Implementation Plan.
   iii. Particulate matter projections will be sent to the North Idaho Smoke Management Group one day prior to ignition.

B. Measures used to reduce effects of prescribed burning on air quality will include:
   i. Understory burning will be accomplished as much as practical when on-site fuel and weather conditions are less conducive to total consumption of duff and larger fuels, with a resultant reduction in total emissions.
   ii. Scheduling ignitions when air quality is least likely to be threatened.
   iii. Slash piles will be constructed as clean as practical and will be burned as dry as practical to enhance efficient combustion.

PURPOSE AND NEED FOR PROJECT

The Shoepack Thinning Project will improve health and vigor of the stand to provide for the long-term growth and production of commercially valuable wood products, while remaining consistent with elk summer range requirements and providing needed jobs and valuable products for the surrounding communities.

The current tree composition is becoming more susceptible to insects, and with time it will become more susceptible to other disturbances such as drought and fire. Emphasizing long-lived, early-seral tree species and giving trees more space will increase the treated area's resiliency to disturbances.

The need for this action is based on the following Forest Plan direction:

Forest Plan Timber Objective: Management activities will promote programs that provide a sustained yield of forest products (Forest Plan p. II-8).

Forest Plan Community Stability Objective: Management activities will continue to contribute to local employment, income, and lifestyles (Forest Plan p. II-11).

The Shoepack Thinning Project falls within Management Area (MA) 6. MA 6 consists of lands designated for timber production within important elk summer range habitat. Applicable management goals for the area include managing elk summer range to provide sufficient habitat to support projected elk populations and:

- Providing for the long-term growth and production of commercially valuable wood products
- Providing adequate elk security areas through management techniques such as long-term area closures between harvest entries
- Providing for cost effective timber production
- Projecting soil productivity
- Meeting or exceeding state water quality standards
- Meeting visual quality objectives
Description of Treatment Unit

No previous management activities have occurred in this stand. The species composition for this unit is somewhat typical of northern Idaho mixed-conifer stands. The stands in general are predominantly western larch and Douglas-fir mixed with lodgepole pine, Engelmann spruce, western white pine and grand fir. Minor amounts of western redcedar and western hemlock are also present. The stand has not reached culmination of mean annual increment and is considered immature (although the lodgepole pine present is approaching maturity). The composite stand generally has low to moderate levels of insect and disease activity. The lodgepole pine is approximately 60 to 80 years old and is increasing in susceptibility to mountain pine beetle. Mechanical damage/defect (primarily from wind/snow) is moderately low. This stand is comprised predominantly of small and medium sawtimber (7” d.b.h. to 14” d.b.h.). This stand is generally in the stem exclusion structural stage. Live crown ratios range from 50-70%.

The desired target stand condition is one that will promote vigorous growth of predominantly long-lived, early-seral tree species throughout the stand life, or rotation, while providing some diversity of species, and to a lesser extent, structure on the site. The scattered, larger, older trees will be left to contribute to vertical structure for some wildlife, visual, and biodiversity management objectives.

The original treatment area was reduced to avoid riparian areas and protect elk wallows.

PUBLIC INVOLVEMENT

On February 12, 2010 I sent a letter and maps (project file doc. # PI-1) to the public (PI-2, PI-3) describing the Shoepack Thinning Project. The letter described the proposed action, the purpose and need for action, forest plan direction, and the comment process. That information was posted on the IPNF website on February 12, 2010 (PI-4). The legal notice of the proposed action and 30-day comment period was published in the newspaper of record, The Coeur d’Alene Press, on February 17, 2010 (PI-5). The Shoepack Thinning Project was first listed on the IPNF’s Quarterly Schedule of Proposed Actions in October 2009 (PI-6). On June 2, 2010 Acting District Ranger Kimberly Johnson discussed the project with representatives of the Coeur d’Alene Tribe (PI-13). They had no concerns about the project.

Benewah County Commissioners, Idaho Department of Fish and Game, Idaho Department of Parks and Recreation, Idaho Conservation League, and The Lands Council commented during the 30-day comment period. Their comments are summarized below followed by my response to those comments.

Benewah County Commissioners (PI-7): Benewah County is supportive of the project.

Idaho Fish and Game (PI-8): Idaho Fish and Game has no objection to the projects as long as Inland Native Fish Strategy standards and guidelines and other BMPs are followed. The project complies with the Inland Native Fish Strategy, and BMPs will be implemented.

Idaho Parks and Recreation (PI-9): Idaho Parks and Recreation supported the project because it would not affect any recreation facilities.

Idaho Conservation League (ICL) (PI-10): ICL said the analysis should consider the cumulative impacts of the project based on the surrounding private lands which have been intensively managed. The Forest Service has not implemented previous management activities in the project area, and the analysis recognizes the previously harvested areas surrounding the project area. To minimize the period of disturbance in the area and reduce cumulative effects from disturbance, this project will be implemented within the same contract period as the Shoepack Firewood Project. The project will have minimal or no direct and indirect effects; therefore, it will have minimal or no cumulative effects. See discussions of extraordinary circumstances and regulatory consistency.

ICL would like all larger diameter trees and snags left and said the project should insure that regional snag standards are maintained. They state that it is important to maintain a diversity of tree species in a variety of size classes. No snags will be cut except for safety reasons. The thinning will retain early serial western larch, Douglas-fir, and western white pine as the primary components of the residual stands; and the scattered, larger, older trees will be left to contribute to vertical structure for some wildlife, visual, and biodiversity management objectives. The commercial thin will promote vigorous growth of predominantly long-lived, early-seral tree species while providing some diversity of species, and to a lesser extent, structure on the site.

ICL said sufficient coarse woody debris should be maintained in compliance with the recommendations from Graham and others (1994). The project will retain sufficient coarse woody debris as recommended by Graham
and others (1994). ICL says that consideration should be given to protection and maintenance of riparian management objectives, landslide-prone areas should be appropriately buffered, and soil protections should be a component of these projects. Riparian management objectives would not be impacted because the project area does not contain streams and BMPs would be implemented. No landslide-prone areas are located in the project area. Soils protection measures as described in the BMPs will be incorporated in this project.

The Lands Council (Pl-11) (on behalf of The Lands Council, Alliance for the Wild Rockies, and Friends of the Clearwater): The Lands Council asks that the Forest Service incorporates ecological sustainability as its guiding principle. The Idaho Panhandle National Forests are managed according to direction in the Forest Plan which addresses socioeconomic needs of people and incorporates ecological sustainability principles, like those described in Noss (2001). This 51-acre thinning project, which will increase the treated area's resiliency to disturbances such as insects, drought, and fire, is consistent with Forest Plan direction.

The Lands Council says that it is critical that the Forest Service analyze the cumulative effects on resources and provide a detailed narrative of past human activities in the project area to understand how past management has resulted in the existing conditions. The Forest Service has not implemented previous management activities in the project area, and the analysis recognizes the previously harvested areas surrounding the project area. To minimize the period of disturbance in the area and reduce cumulative effects from disturbance, this project will be implemented within the same contract period as the Shoepack Firewood Project. The project will have minimal or no direct and indirect effects, therefore it will have minimal or no cumulative effects. See discussions of extraordinary circumstances and regulatory consistency.

DIFFERENCES BETWEEN THE ORIGINAL PROPOSED ACTION AND THIS DECISION

The skyline portion of the proposal was dropped due to multiple wet areas and existing elk wallows found during field surveys.

CATEGORY AND FINDING OF NO EXTRAORDINARY CIRCUMSTANCES

This project falls within a category of activities excluded from documentation in an environmental assessment or environmental impact statement as outlined in Forest Service Handbook 1909.15, Environmental Policy and procedures Handbook, “Categories of Action for Which a Project or Case File and Decision Memo are required”, 36CFR 220.6(e)(14) (Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction. This does not include even-aged regeneration harvest or vegetation type conversion. The proposed action may include incidental removal of trees for landings, skid trails, and road clearing.)

I have determined this project fits in Category 14. The project will harvest live trees on 51 acres for a commercial thin and does not require temporary road construction.

I considered the following resource conditions and determined that the potential effects are minor or non-existent. There are no extraordinary circumstances that may result in significant individual or cumulative effects as documented below (see project file for further details):

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species: The district wildlife and fisheries biologists and botanist evaluated the proposed action with regard to sensitive, threatened and endangered species and completed biological evaluations and biological assessments (project file document B-2, F-1, WL-3).

   Sensitive Species

   Biological evaluations for sensitive species include determinations that the project will have no impact to the following sensitive plant, fish, and wildlife species:

   - Westslope cutthroat trout because there is no water within the project are boundary (F-1)
   - Plants in the following sensitive plant guilds: Dry Forest, Deciduous Riparian, Subalpine, Cold Forest, Peatland, and Aquatic because the habitat is not present (B-2)
   - American peregrine falcon, bald eagle, gray wolf, black-backed woodpecker, black swift, Coeur d'Alene salamander, common loon, fisher, flammulated owl, fringed myotis, harlequin duck, North
American wolverine, northern bog lemming, pygmy nuthatch, Townsend’s big-eared bat, and western toad (WL-3)

Biological evaluations for sensitive species include determinations that the project may impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species for the plants in the Moist Forest Sensitive Plant Guild and the Wet Forest Sensitive Plant Guild (B-2).

Threatened and Endangered Species

Biological assessments completed for this project include the following determinations for threatened or endangered plant, fish, and wildlife species:

- The project will have no effect on endangered plant species because no federally listed Endangered plant species are known or suspected to occur in the project area boundary and habitat is not present (B-2)
- The project will have no effect on bull trout because there is no water within the project area boundary (F-1)
- The project will have no effect on woodland caribou because the project is not in the Southern Selkirk Mountains Recovery Area, and there is no identified caribou habitat on the St. Joe Ranger District (WL-3)
- The project will have no effect on grizzly bear because the project is not in a recovery area, and there is no identified grizzly bear habitat (MA 2) on the district (WL-3)
- The project will have no effect on Canada lynx because the project area does not occur within an lynx analysis unit (WL-3)

2. Flood Plains, Wetlands, or Municipal Watersheds: Project activities will not occur in flood plains, wetlands, or municipal watersheds, so there will be no effect to these resources (SW-1).

3. Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas: Project activities are not proposed in any congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas, so there will be no effect from project activities on congressionally designated areas.

4. Inventoried roadless areas or potential wilderness areas: Activities will not occur in an inventoried roadless area (R-2) or in a potential wilderness area; therefore, there will be no effect on these resources.

5. Research natural areas: Project activities will not occur in a research natural area; therefore, there will be no effect on this resource.

6. American Indians and Alaska Native religious or cultural sites: The description and maps of the proposed action were sent to five representatives of the Coeur d’Alene Tribe on February 12, 2010 (project file documents PI-2 and PI-3). Acting District Ranger Kimberly Johnson met with representatives of the Coeur d’Alene Tribe on June 2, 2010 and discussed the project (PI-13). They did not express any concerns. There are no significant cultural properties in or near the project area. This project will not have any effect to cultural resources (CR-1).

7. Archaeological sites, or historic properties or areas: There are no significant cultural or historic properties in or near the project area. This project will not have any effect to cultural resources. An appropriate inventory has been conducted for the project and no cultural properties are located within the area of potential effect. (CR-1)
REGULATORY CONSISTENCY

National Forest Management Act (NFMA)

The project does not require any Forest Plan amendments. Project activities are consistent with the NFMA and the Idaho Panhandle National Forests Forest Plan and will provide for diversity of plant and animal communities, based on the suitability and capability of the specific land area. The activity associated with this decision is consistent with management area direction for Management Area 6 and elk summer range requirements (project file documents WL-3 and WL-4).

The project activities are consistent with Forest Plan direction for specific resources:

**Air Quality**
Prescribed burning will be monitored and controlled by airshed regulations to avoid violation of air quality standards, in compliance with the North Idaho Smoke Management Plan, as directed in the Forest Plan.

**Fish**
Fish Standards 1 and 2 (fry emergence) do not apply. Standard 3 does not apply to this project because the streams identified in that standard are not located in this project area. The project complies with Standard 4 because no new road construction is proposed. Standard 5 doesn't apply because the project is outside of riparian habitat conservation areas (RHCAs) and is not near streams. The project complies with Standard 6 because proposed activities would occur outside of RHCAs and activities comply with INFS standards. See Fisheries Biological Assessment and Biological Evaluation (F-1).

**Noxious Weeds**
The project activities will meet the intent of the Forest Plan for moderate control of noxious weeds by treating and monitoring noxious weeds in accordance with the St. Joe Noxious Weeds EIS and ROD. Forest System Roads 1229 and 3561 are scheduled for treatment prior to each operating season. See weeds analysis (B-1).

**Old Growth**
No old growth will be affected. Treatment units do not meet minimum criteria for old growth and are not allocated for old growth management (OG-1, OG-2).

**Soils**
The proposed activity will comply with Forest Plan Standards for maintaining soil productivity because detrimental soil disturbance will not exceed 15% of the activity area (SW-1). Within proposed activity areas currently, there are no detrimentally disturbed soils. The proposed activity is estimated to result in approximately 13 percent detrimental disturbance, thus maintaining approximately 87 percent of the soils in a condition of acceptable productivity potential. There would be no significant cumulative impacts to soils.

Course woody debris field monitoring results show that there is approximately 25 tons/acre of course woody material currently maintained within Unit 1 and approximately 17 tons/acre of course woody within Unit 2. These levels of CWD fall within the guidelines by Graham (1994). Retention of more desirable existing trees throughout the unit, especially redcedar, will contribute litter and provide potential CWD in the future.

**Visual Quality**
Forest Plan visual quality objectives of "Modification" will be met (VQ-2).

**Water**
Forest Plan standards will be met (SW-1). Water quality and riparian areas will not be impacted because there are no riparian areas within the units. Riparian management objectives will not be impacted because the project area does not contain streams. No wetlands, floodplains, or landslide-prone areas are located in the project area.

**Wildlife**
The proposed action is consistent with applicable forest plan goals, direction, standards, and guidelines for wildlife. The project would have minor impacts on some management indicator species at a local level, but would not likely indicate a local or regional change in habitat quality or population status. The project will not impact American marten and northern goshawk because it will maintain large structure and will not create an open stand condition. The project will have no impact on moose and elk because it will maintain enough overhead cover to be useable habitat. The project will not impact pileated woodpecker because it will meet snag and
leave tree guidelines. The project will meet the Northern Region Snag Management Protocol; therefore, it will meet or exceed forest plan snag requirements. See Wildlife BA/BE (WL-3) and Factors Supporting Shoepack Thinning Analysis (WL-4).

Other findings required by NFMA:

Suitability for Timber Production (16 USC 1604(k)): The project is on Management Area 6 lands which are suitable for timber harvest.

Timber Harvest on National Forest Lands (16 USC 1604(g)(3)(E)): A Responsible Official may authorize site-specific projects and activities to harvest timber on National Forest System lands only where:

a. Soil, slope, or other watershed conditions will not be irreversibly damaged (16 USC 1604(g)(3)(E)(i)): Soil, slope, or other watershed conditions will not be irreversibly damaged with this project. Project activities will not occur near streams. The proposed activity complies with forest plan standards and Regional soil quality standards for maintaining soil productivity because detrimental soil disturbance will not exceed 15% of the activity area (SW-1).

b. There is assurance that the lands can be adequately restocked within five years after final regeneration harvest (16 USC 1604(g)(3)(E)(ii)). The project does not involve regeneration harvest.

c. Protection is provided for streams, streambanks, shorelines, lakes, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment, where harvests are likely to seriously and adversely affect water conditions or fish habitat (16 USC 1604(g)(3)(E)(iii)). The project does not occur near streams other other bodies of water; therefore, it will have no effect on bodies of water (SW-1).

d. The harvesting system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber (16 USC 1604(g)(3)(E)(iv)). The harvesting system was limited to protect resources and was not selected to give the greatest dollar return or the greatest unit output of timber.

Clearcutting and Even-aged Management (16 USC 1604(g)(3)(F)): The project does not involve clearcutting or even-aged management.

Stands of trees are harvested according to requirements for culmination of mean annual increment of growth (16 USC 1604(m)): The stand has not reached culmination of mean annual increment of growth, and the thin will increase growth of remaining trees.

Construction of temporary roadways in connection with timber contracts, and other permits or leases: The project does not include construction of temporary roads.

Standards of roadway construction: The project does not include road construction.

Consideration of best available science: The analyses and decision process for this project are based on the consideration of the best available science commensurate with the expected minimal effects of the project. See project file documents for details.

Region 1 Soil Quality Standards

The proposed activity will comply with Regional soil quality standards for maintaining soil productivity because detrimental soil disturbance will not exceed 15% of the activity area (SW-1).

Endangered Species Act

The project complies with the Endangered Species Act (ESA). See discussion about threatened and endangered species in Finding of No Extraordinary Circumstances above.

Clean Water Act and Idaho Water Quality Laws

No effect to water quality is expected; therefore, the project will comply with the Clean Water Act and Idaho water quality laws (SW-1).
Clean Air Act

Prescribed burning will be monitored and controlled by airshed regulations to avoid violation of air quality standards, in compliance with the North Idaho Smoke Management Plan. Requirements of the North Idaho/Montana State Airshed Group (notification of planned burning one day in advance) allows the Idaho DEQ to place restrictions on or prevent burning if it determines that air quality standards cannot be met, which meets the Clean Air Act.

The National Historical Preservation Act (NHPA)

The proposed action is consistent with Section 106 of the NHPA. The project description and maps were sent to five representatives of the Coeur d'Alene Tribe on February 12, 2010 (PI-2, PI-3). Acting District Ranger Kimberly Johnson met with representatives of the Coeur d'Alene Tribe on June 2, 2010 and discussed the project (PI-13). They had no concerns about it. There are no significant cultural or historic properties in or near the project area. This project will not have any effect to cultural resources. An appropriate inventory has been conducted for the project and no cultural properties are located within the area of potential effect. See Cultural Resources Project Completion Memo (project file document # CR-1).

DOCUMENTS AND PROJECT FILES

This decision memo summarizes the analyses that led to this decision. Other reports and documents were referenced or were developed during the course of this project and are part of the project files. All project files are available for review by the public. Please contact Cornie Hudson at the St. Joe Ranger District (208-245-2531) to review files.

APPEAL RIGHTS AND IMPLEMENTATION

Only those individuals or organizations who submitted comments during the 30-day comment period for this project are eligible to appeal this decision pursuant to 36 CFR part 215 regulations. On February 12, 2010 I sent a letter to individuals and organizations who expressed interest in similar projects on the St. Joe Ranger District in the past. That letter explained the comment process and stated that the comment period would begin following publication of a notice in The Coeur d’Alene Press. It stated the expected date of publication would be February 17, 2010. The notice of the proposed action and opportunity to comment for this project was published, as expected, in the newspaper of record, The Coeur d’Alene Press, on February 17, 2010 (PI-5). During the comment period I received letters from Benewah County, two state agencies, and four groups (see previous discussion on Public Involvement).

This decision is subject to notice, comment, and appeal pursuant to 36 CFR Part 215. Appeals, including attachments, must be filed within 45 days from the publication date of the notice in the Coeur d’Alene Press, the newspaper of record. Attachments received after the 45-day appeal period will not be considered. I anticipate the notice of this decision will be published in The Coeur d’Alene Press on or about June 21, 2010, however, the actual publication date in the Coeur d’Alene Press is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source. Individuals or organizations who submitted comments during the comment period may appeal this decision. Paper appeals must be submitted to:

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
P.O. Box 7669
Missoula, MT 59807

or

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
200 East Broadway
Missoula, MT 59802

Office hours are 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding federal holidays.

Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us. In electronic appeals, the subject line should contain the name of the project being appealed (in this case, Shoepack Thinning). An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word (.doc), plain text (.txt), or rich text format (RTF). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.
It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215, and include the following information:

- The appellant's name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed (in this case 36 CFR 215);
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service:

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

CONTACT PERSON AND RESPONSIBLE OFFICIAL

Questions regarding this decision should be sent to Cornie Hudson, St. Joe Ranger District, 222 S 7th Street, Suite 1, St. Maries, Idaho 83861 (208) 245-2531. I am the Responsible Official for this decision.

Charles A. Mark
District Ranger
St. Joe Ranger District

Date 6/18/10

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.
The following products are reproduced from geospatial information prepared by the U.S. Department of Agriculture, Forest Service. GIS data and product accuracy may vary. They may be: developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being create or revised, etc. Using GIS products for purposes other than those for which they are created may yield inaccurate or misleading results. This information was released on 05/08/2007. The Forest Service Reserves the right to correct, update, modify or replace GIS products without notification. For more information, contact the St. Joe Ranger District at (208) 245-2531.