

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO FALLS DISTRICT
SALMON FIELD OFFICE

Notice of Field Manager's Final Decision

Proposed Action: Aeration site preparation and native plant seeding of rangeland; thinning of trees from Douglas-fir stands in the vicinity of a wildland-urban interface; and removal of Douglas-fir encroachment from mountain big sagebrush and aspen communities.

EA No.: DOI-BLM-ID-I040-2011-0001-EA

Contact Persons: Bill Baer, Forester (208)-756-5419
Vince Guyer, Natural Resource Specialist (208)-756-5403

Location of Action: Legal descriptions for the 'proposed action' projects are as follows:

- *Jakes Canyon Vegetation Treatment*- T. 16 N., R. 26 E., section 22;
- *Silver Moon Gulch Hazardous Fuel Reduction*- T. 13 N., R. 27 E., section 28;
- *Gilmore Hazardous Fuel Reduction*- T. 13 N., R. 27 E., sections 17, 20;
- *Gilmore Summit Rangeland Restoration*- T. 13 N., R. 27 E., sections 17, 20, 21, 28;
- *Swan Basin Rangeland Restoration*- T. 15 N., R. 26 E., sections 29, 30; and
- *Swan Basin Aspen Restoration*- T. 15 N., R. 26 E., sections 19, 20, 29, 30;

All projects are located in Lemhi County, Idaho, Boise Meridian.

BACKGROUND

On June 28, 2012, I signed a proposed decision to implement six (6) vegetation manipulation projects as described in Alternative 3 of the Canyon-Big Timber Land Health Environmental Assessment (CBT-EA) (DOI-BLM-ID-I040-2011-0001-EA). The notice of proposed decision was sent to grazing permittees, interested publics, tribes, and state and federal agencies. In accordance with federal regulations (43 CFR 5003.3), a 15-day protest period began on the date each individual or group received their notice of the proposed decision. Two timely protests, and one untimely protest, were received from representatives of the Western Watersheds Project (WWP).

DECISION RECORD (DR)

After careful consideration of all the protest points received, it is my final decision to implement the vegetation manipulation component of Alternative 3 (proposed action) as described in the

CBT-EA (DOI-BLM-ID-I040-2011-0001-EA) without any further changes. The protest points and my responses can be found in Appendix A attached to this final decision.

The vegetation manipulation component of Alternative 3 consists of six (6) separate projects that will treat approximately 1,708 acres over a 5-year period beginning in 2013. My final decision includes the following project-specific activities:

Jakes Canyon Vegetation Treatment

Mechanical vegetation treatment will be applied on up to 225 acres. The treatment will involve a single-drum pasture aerator. The aerator consists of a large, heavy drum mounted with tines that are designed to break up the soil surface and improve the infiltration of water. The aerator will be pulled across the ground surface by a rubber-tired tractor or track-mounted dozer. The heavy drum is designed to break down and crush the older shrub overstory as the unit is pulled along, yet leave some young sagebrush plants and seedlings to re-colonize the treated area. Actual treatment with the aerator will be in a mosaic pattern designed to provide a variety of habitats for wildlife as well as sources for sagebrush and forb colonization. Following mechanical treatment, a mix of native forb species will be seeded along with bluebunch wheatgrass on the aerated acres. The Jakes Canyon Allotment, approximately 548 acres, will be rested (removed from livestock grazing) until the seeding is established.

*Silver Moon Gulch Hazardous Fuel Reduction (314 Acres); and
Gilmore Hazardous Fuel Reduction (238 Acres)*

On approximately 552 acres of dry Douglas-fir forest, trees less than 12 inches in diameter will be cut by mechanical and/or manual (by hand) methods and merchantable material harvested (when feasible) using existing roads. Where existing roads, topography, and commercial product value permit, thinning and harvesting will be implemented by falling, bucking and limbing, skidding, decking, and loading and hauling. Where limited access or adverse topography makes harvesting uneconomical, thinning will be implemented using machinery to masticate material, or by hand crews (chainsaw) to cut and pile (or cut and scatter) material for subsequent disposal through pile burning or natural rates of decay.

*Gilmore Summit Rangeland Restoration (210 acres); and
Swan Basin Rangeland Restoration (579 acres)*

On approximately 789 acres of rangeland that has advanced Douglas-fir regeneration (encroachment), trees less than 10 inches in diameter will be cut by hand or masticated by machinery. Where adverse slope (>40%) dictates thinning by hand, field crews will identify legacy trees and recruitment trees (minimum of three per acre) to be protected; and all remaining conifer trees cut with resultant slash material either piled, or lopped and scattered for subsequent disposal through burning or decay. Where thinning can physically be accomplished

mechanically (slopes < 40%) and it is not cost prohibitive to do so, activities will be carried out in one operation by mastication with machinery.

Swan Basin Aspen Restoration

On approximately 142 acres of aspen forest that has advanced juniper and Douglas-fir regeneration (encroachment), conifer trees less than 10 inches in diameter will be cut by hand combined with girdling of conifer trees greater than 10 inches up to a maximum of 18 inches in diameter. Prior to cutting or girdling, field crews will identify legacy trees to be protected; and all remaining conifer trees cut or girdled with resultant slash material either piled, or lopped and scattered for subsequent disposal through burning or decay.

All six (6) projects included in this decision will adhere to design criteria/resource protection measures related to air quality, cultural resources, noxious weeds, wildlife, threatened and endangered species, riparian habitat conservation areas, water quality, fisheries, soils, off-road travel, and vegetation as described in Appendix B of the CBT-EA.

The CBT-EA, including the explanation and resolution of any potentially significant environmental impacts, was reviewed and has thoroughly considered all public comments received through internal and external scoping efforts. The ten intensity factors for significance listed in 40 CFR 1508.27 were assessed and documented in a 'Finding of No Significant Impact' (FONSI), which I signed on June 28, 2012. Alternative 3 (proposed action), along with the design features and terms and conditions described, was determined not to constitute a major federal action that would significantly affect the quality of the human environment or cause unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement was deemed unnecessary and will not be prepared.

RATIONALE FOR THE DECISION

My final decision is based on the information presented in the CBT Watershed Assessment Report (USDI-BLM 2010), and the CBT-EA (DOI-BLM-ID-I040-2011-0001-EA). The vegetation manipulation component of Alternative 3 of the CBT-EA is consistent with the recommended actions for achieving resource management objectives as described in the CBT Report. This is also the best alternative for addressing resource issues identified in the CBT-EA. Specifically:

Jakes Canyon Vegetation Treatment

Implementing the aeration site preparation and seeding will increase the cover of native bluebunch wheatgrass, and the diversity and cover of native forbs within the treatment area, by mechanically reducing the shrub canopy cover that currently dominates the site through crushing; and by preferentially shifting site growth potential through seeding towards the kinds, amounts, and proportions of natural vegetation expected for the site based on the ecological site

description. This project, in conjunction with prescribed rest from livestock grazing, will help the Jakes Canyon Allotment make significant progress towards meeting Standard 4 (Native Plant Communities) of the Idaho Standards for Rangeland Health. The *Jakes Canyon Vegetation Treatment* project is not being considered as part of alternatives 1, 2, 4 and 5 of the CBT-EA. Under these alternatives, shrubs and shallow-rooted perennial grasses would continue to dominate the overstory and understory respectively, and bluebunch wheatgrass cover and forb diversity and cover would effectively remain static. Alternatives 1, 2, 4, and 5 do not adequately address the issue of lack of native bluebunch wheatgrass cover, and native forb diversity and cover that currently exists at the prospective treatment location.

Silver Moon Gulch Hazardous Fuel Reduction and Gilmore Hazardous Fuel Reduction
Implementing the hazardous fuel thinning and slash burning will reduce prospective wildfire potential (intensity, type, and severity) by removing lower crown canopy level trees, that otherwise left untreated, contribute to higher stand density, multiple tree canopy layering, and consequently an elevated risk of the treatment areas to stand replacement, crown-type fire behavior. Under this alternative, it is anticipated that firefighting (suppression) options, and firefighter and public safety within these WUI areas will improve in the event a wildfire does occur following project implementation, with the associated reduction in difficulty of control. The *Silver Moon Gulch Hazardous Fuel Reduction* and *Gilmore Hazardous Fuel Reduction* projects are not being considered as part of alternatives 1, 2, and 4 of the CBT-EA. Under these alternatives, the forest successional trajectory would continue to contribute to higher stand density and tree canopy layering that is less resistant to stand-replacing wildfire behavior and the associated higher degree of difficulty of control. Alternatives 1, 2, and 4 do not adequately address the issue of high wildfire hazard around the private land (WUI) at the mouth of Silver Moon Gulch and the Gilmore townsite. Alternative 5 is identical to alternative 3 concerning these projects.

Gilmore Summit Rangeland Restoration and Swan Basin Rangeland Restoration
Implementing the restoration thinning and slash burning will restore ecological function within the treatment area through redistributing growth potential (site productivity) and improving species richness of native grass, forb, and shrub species by removing encroaching (overstory) trees that compete for water, nutrients, and light on these historically rangeland sites. The *Gilmore Summit Rangeland Restoration* and *Swan Basin Rangeland Restoration* projects are not being considered as part of alternatives 1, 2, and 4 of the CBT-EA. Under these alternatives, conifer encroachment would continue with the associated loss or decline in productivity and richness of native grass, forb, and shrub species. Alternatives 1, 2, and 4 do not adequately address the issue of conifer encroachment into mountain big sagebrush communities at the prospective treatment locations. Alternative 5 is identical to alternative 3 concerning these projects.

Swan Basin Aspen Restoration

Implementing the restoration thinning and slash burning will improve overall aspen community vigor through shifting growth potential to residual aspen clones, and through modifying tree species composition to favor aspen persistence. By removing conifer trees that compete for water, nutrients, and light, these scarce resources will be redistributed to residual aspen clones improving vigor and reproductive success. The *Swan Basin Aspen Restoration* project is not being considered as part of alternatives 1, 2, and 4 of the CBT-EA. Under these alternatives, conifer encroachment would increasingly dominate the overstory and understory respectively with the associated loss or decline in productivity of aspen, and productivity and richness of native grass, forb, and shrub species. Alternatives 1, 2, and 4 do not adequately address the issue of conifer encroachment into an aspen community at the prospective treatment location. Alternative 5 is identical to alternative 3 concerning this project.

COMPLIANCE

This decision is in conformance with the Lemhi Resource Management Plan (RMP), April 1987, as amended. This decision complies with the Federal Land Policy and Management Act, and with the other statutes, regulations and plans listed on pages 5 and 6 of the CBT-EA.

Biologists on my staff have determined that this decision and the activities it authorizes will have no effect to species listed under the Endangered Species Act (ESA).

Design criteria, determinations of effect, and mitigation strategies (if necessary) have been reviewed and concurred in by the Idaho State Historic Preservation Office (SHPO) to ensure this decision and the activities it authorizes comply with the National Historic Preservation Act.

PUBLIC INVOLVEMENT

Multiple efforts were conducted to consult and coordinate with individuals and organizations during the development of the alternatives analyzed in the CBT-EA. In May 2009, Idaho Department of Agriculture, Idaho Department of Lands (IDL), Committee for the High Desert, Idaho Conservation League (ICL), Shoshone-Bannock Tribes, Western Watersheds Projects (WWP), Idaho Department of Fish and Game (IDFG), Salmon-Challis National Forest (SCNF) and permit holders in the CBT area, were notified that the Salmon Field Office (SFO) was beginning a watershed assessment process for the CBT area.

Starting in May 2010, the BLM led multiple scoping trips within the CBT area to discuss issues and objectives and to start forming alternatives to address them. The tours were attended by various permittees, IDFG, SCNF, and the Natural Resource Conservation Service. Additional information was received from the IDL, IDFG, and the SCNF during the summer of 2010 to help develop alternatives.

On October 20, 2010, the Canyon-Big Timber Watershed Assessment report was uploaded to the BLM E-Planning website. Also in October, the SFO began consulting with the National Oceanic and Atmospheric Administration Fisheries Service and the US Fish and Wildlife Service.

On December 2, 2010, a public open house was announced which took place on the 16th of the same month in Leadore, Idaho. Fifteen individuals signed in at the open house, some just gathering information and others commenting on the proposal as it was developed at the time. Written feedback or requests for more information were received from the IDL, ICL and WWP.

Further information was then placed onto the SFO Website on January 12, 2011, again asking for comments through February 11, 2011. Individuals who had already contacted the office were then notified and asked if they needed further information to complete their comments.

PROVISION FOR APPEAL

Any person or organization who is party to and adversely affected by the decision may file an appeal to the Board of Land Appeals. The process for appeal, summarized below, is fully described in 43 CFR Subtitle A, Part 4, Subpart E.

1. A notice of appeal must be filed with the Authorized Officer at the Salmon Field Office within 30 days of the receipt of the decision at:

Salmon Field Office
1206 South Challis Street
Salmon, ID 83467

2. The notice of appeal must include identification of the case and may include a statement of reasons for the appeal, a statement of standing, and any arguments the appellant wishes to make.
3. If the notice of appeal does not include a statement of reasons the appellant must file this statement with the Board of Land Appeals within 30 days after the notice of appeal was filed at:

Board of Land Appeals
Office of Hearing and Appeals
801 North Quincy Street, Suite 300
Arlington, VA 22203

APPENDIX A- CONSIDERATION OF PROTEST POINTS

WWP- Wagenknecht Protest (timely)

Protest Point W1:...this EA deals with several forestry projects,...These projects should be dealt with in a separate NEPA document, which would discuss the purpose and need for these projects and lay out a full range of alternatives.

It is especially important to analyze the possible effects of conifer thinning on Canadian lynx, a threatened species that has been recorded in at least one of the forestry project areas. Yet possible effects on lynx and their primary prey species, snowshoe hare, are not discussed adequately, although direction for protection of lynx asserts the importance of conifer cover to snowshoe hares and thus to lynx.

Response: The proposed forestry projects (*Gilmore Hazardous Fuel Reduction*, *Silver Moon Gulch Hazardous Fuel Reduction*, *Swan Basin Aspen Restoration*) described in the EA were developed to achieve specific forest resource objectives that were identified as part of the Canyon-Big Timber Watershed Assessment (CBTWA) Report (see page 49 under Forest and Woodland, Items 3 and 4). Additionally, the EA (see page 5) provides clarification on the significant contributing factor that has created the specific forestry issues being addressed by the proposed action and alternatives.

The ID team determined that the only reasonable alternative to accomplish the stated forestry objectives considering the context of the issues, involved manual or mechanical means to alter stand parameters that influence potential fire behavior in the case of *Gilmore Hazardous Fuel Reduction* and *Silver Moon Gulch Hazardous Fuel Reduction* projects, and conifer competition in the *Swan Basin Aspen Restoration* project area. The two methodologies (manual, mechanical) were both developed as part of the proposed action, and effects of each disclosed, to provide the BLM with flexibility to respond to changing forest-product market conditions.

The ID team did discuss prescribed fire as an option for the *Swan Basin Aspen Restoration* project; however this was eliminated from further study for the reason stated on page 53 of the EA.

The 'Affected Environment' description for wildlife resources on page 152 of the EA states in relation to Canada lynx that, "There is one Canada lynx Analysis Unit (LAU) comprising a total of approximately 500 acres of habitat on public lands managed by the BLM in the Canyon-Big Timber (CBT) area. The LAU crosses onto adjacent Salmon-Challis National Forest (SCNF) lands to incorporate enough habitat to meet the requirements of an LAU. Based on the Canada Lynx Conservation Assessment and Strategy (Ruediger, 2000), public lands managed by the Bureau of Land Management (BLM) within the CBT area do not provide primary lynx habitat since the forest vegetation is considered a "dry site," which lacks adequate components for species reproduction and foraging. The Salmon Field Office-BLM has fourteen reports of lynx occurring within the area; the five that occurred on public lands managed by the BLM were documented in the Free Strip (1978), Powderhorn (1978), Spring Canyon (1979), and Timber Creek (1978 and 1991) allotments. While riparian corridors in the CBT area may provide corridors for lynx to move through the area, the only two allotments that overlap with the LAU are the Nez Perce (approximately 260 acres of public lands managed by the BLM) and Spring Canyon allotments (approximately 240 acres of public lands managed by the BLM). The mapped habitat is all secondary

consisting mostly of Douglas-fir and lodgepole pine with very few subalpine fir trees in the area.” As described under ‘Alternative 3-Direct/Indirect Impacts’ the proposed forestry projects are located in the dry Douglas-fir forest type which is not primary habitat for Canada lynx.

Protest Point W2: The EA says that this is lynx habitat, which means that cover for snowshoe hares is important. The effects on lynx and their main prey, snowshoe hares, are nowhere dealt with in the EA when discussing the effects of the proposed forestry project in this area.

Response: Please refer to my response to **Protest Point W1** above.

Protest Point W3: A separate NEPA document for forestry projects such as the Swan Basin Aspen Restoration could analyze a variety of possible aspen-replenishing tactics, such as a rest-rotation system that would allow aspen sprouts not to be grazed by cattle every year.

Response: I agree that changes in grazing management, including a rest-rotation system, may be a valid consideration to address browsing of aspen sprouts by cattle where that issue has been identified. However, the proposed *Swan Basin Aspen Restoration* project and the associated analysis is addressing the specific issue of existing Douglas-fir encroachment within aspen stands (See EA at page 5 under ‘Issues’). A rest-rotation grazing system would not address this issue.

WWP- Fite Protest (timely)

Protest Point F1: BLM refuses to issue draft EAs, and has unlawfully moved forward with a parallel Decision, based on this same flawed EA, authorizing harmful sagebrush destruction for livestock forage, and logging to kill trees to promote livestock forage under the guise of fuels treatments to try to eke out more AUMs for ranchers in depleted allotments.

Response: The BLM is not required to issue draft EAs, and it is not ‘unlawful’ to issue multiple decisions based on one EA as long as the environmental analysis discloses effects of all proposed actions being considered.

The ‘Purpose of and Need for Proposed Action’ and ‘Issues’ related to proposed vegetation manipulation projects can be found beginning on page 4 of the EA; the ‘Recommendation for Management Objectives’ on pages 49-50 of the Canyon-Big Timber Watershed Assessment (CBTWA) Report also substantiates the purpose and need for the vegetation manipulation projects; and finally the rationale for implementing the vegetation manipulation projects as described in the ‘Proposed Action’ is articulated in the Proposed Decision signed on June 28, 2012.

Permitted AUMs have not been increased on any of the allotments where the vegetation manipulation projects will occur.

Protest Point F2: There is no risk assessment or balanced consideration of the impacts of grazing, facilities and treatments and their impacts on the susceptibility of the affected lands to invasive species proliferation and/or dominance. Invasive species thrive on disturbance.

Response: A discussion of invasive species/non-native plant susceptibility (risk) and impacts related to grazing and vegetation treatments can be found beginning on page 121 of the EA.

Protest Point F3: Cheatgrass and other invasive species like bulbous bluegrass greatly increase fire risk.

Response: It is widely accepted that once cheatgrass dominates a site or area that it can greatly alter the fire regime, typically tending towards a shorter fire return interval (increased fire frequency). The fire ecology of bulbous bluegrass does not support your claim of increased fire risk (Gucker 2007). Exotic, non-native species including cheatgrass and bulbous bluegrass, are not currently dominating any pastures, allotments or sites within the CBT area and have not altered the fire regime or ‘greatly increased fire risk’.

Protest Point F4: How might BLM’s grazing and treatment scheme promote drastically altered fire cycles if/when cheatgrass invades as a result?

Response: Analysis in the EA at pages 76, 81, 117, 121-127 and 188 provide the context for existing cheatgrass infestation and effects within the CBT area. The current inventory indicates that 2,116 acres or approximately 1% of the CBT area is infested with cheatgrass to some degree.

Protest Point F5: BLM greatly ignores the adverse impacts of cattle grazing on aspen loss, as well as conifer expansion. Until BLM fully studies the adverse impacts of cattle grazing (combined with big game use) on aspen, it will have no basis for any analysis, or claims of “improvement”. How is grazing, coupled with climate change, impacting aspen? How is the loss of a robust aspen community adversely impacting watersheds, including beavers and their beneficial impacts?

In what sites is aspen seral to conifers? Where is natural succession occurring? How is livestock grazing drying out soils, and eroding soils, making them less likely to support aspen? How is mechanical damage from livestock grazing impacting aspen?

Response: The impacts of cattle grazing on aspen can be found on pages 4, 69, and 103-105 of the EA. The issue of conifer expansion into aspen and the significant contributing factor as being lack of wildfire is identified on pages 5 and 67 of the EA. In addition, the adverse impacts of cattle grazing on aspen are well known, as documented in the literature and from anecdotal evidence throughout the field office, including ‘improvement’ in aspen health and recruitment from simple changes in grazing management related to season of use.

The effects of climate change on aspen are not possible to determine given the existing science related to climate change. The EA (p. 70) does disclose that the *Swan Basin Aspen Restoration* project will reduce the number of trees. With fewer trees competing for water, nutrients, and light, these scarce resources would be redistributed, effectively shifting growth potential. Understory shrubs, forbs, and grasses are expected to respond to improved growing conditions (as a result of more water, nutrients, light) with a relative increase in biomass production and species richness. Examining the effects of climate change are outside the scope of the EA because the specific effects of a particular action, which may contribute to or

mitigate against climate change, cannot be determined. It is equally impossible to determine whether any of these particular actions will lead to significant climate-related environmental effects.

Within the Salmon Field Office (SFO), aspen is considered seral on all sites. Having said that, conifers are also seral on many of the same sites that aspen are, however conifers tend to be longer lived and so often are the climax species as well. Natural succession is occurring throughout the SFO, however this is in the absence of wildfire. The impacts of cattle grazing on soils can be found beginning on page 57 of the EA. The impacts of cattle grazing on aspen can be found on pages 4, 69, and 103-105 of the EA.

Protest Point F6: What are the wildfire hazards associated with cheatgrass which is very likely to invade areas of livestock disturbance, sagebrush destruction, and facilities under these actions? With hot, dry sites caused by thinning/logging? What, exactly, is the situation/fuels setting on private land in Spring Canyon? What measures have the private land owners taken? Only minimal thinning within 1/8 mile of any private land should occur.

It is our experience that grass areas are more prone to fire. They dry out earlier thus prolonging the fire season — than sagebrush and/or conifers. They are windier, making spread of fire more rapid and accelerating early site drying. The FRCC and other fuels modeling is simplistic, based on often outdated, erroneous, or ever-changing inputs, and serve as no basis for managing wildlife habitats and watersheds — due to the errors, uncertainty, and biases of these models.

Response: It is widely accepted that once cheatgrass dominates a site or area that it can greatly alter the fire regime, typically tending towards a shorter fire return interval (increased fire frequency). Analysis in the EA at pages 76, 81, 117, 121-127 and 188 provide the context for existing cheatgrass infestation and effects within the CBT area.

The effects of thinning/logging on site characteristic changes relative to fire behavior can be found on page 70 of the EA.

The *Gilmore Hazardous Fuel Reduction* and *Silver Moon Gulch Hazardous Fuel Reduction* project area boundaries are within the Wildland-Urban Interface (WUI) as defined by the Lemhi County Wildfire Protection Plan (CWPP) (updated 2006).

Fire Regime Condition Classes (FRCC) (Hann and Bunnell 2001) are qualitative measures describing the degree of departure from historical fire regimes possibly resulting in alterations of key ecosystem components such as species composition, structural stage, stand age, canopy closure, and fuel loadings. One or more of the following activities may cause this departure where it is determined to exist: fire exclusion, timber harvesting, livestock grazing, exotic plant species, introduced insects and disease, or other past management activities. FRCC is one of several remotely-sensed datasets used in the CBTWA Report and CBT EA to assist the BLM with taking a ‘hard look’ at resource conditions. This information was not used as the sole basis for managing wildlife habitat or watersheds analyzed in the EA.

Protest Point F7: BLM has also failed greatly in any assessment of the impacts of grazing in promoting conifer “encroachment” and has failed to separate “encroachment” from succession, as well as take into

account the effects of past mining-related or other deforestation that may have occurred. Wasn't wood burned in charcoal kilns? Well, the wood had to come from somewhere — and it is likely that the sites targeted for treatment are (and were) in actuality conifer sites at climax. Why do we hear endlessly about “historic” grazing, but not historic deforestation — where now trees are re-occupying sites?

Response: The issue of conifer expansion into aspen and mountain big sagebrush communities is discussed on pages 5 and 67 of the EA, and the significant contributing factor being lack of wildfire (or the equivalent being succession in the absence of wildfire). The EA documents that encroachment is regeneration on page 44. Encroachment is used in the EA to differentiate tree regeneration that is a management issue needing to be addressed in order to achieve stated resource objectives (see CBTWA Report pages 49-50).

After taking a hard look at hazardous fuel reduction and restoration project site locations, the BLM has discovered that the effects of past mining-related and other ‘deforestation’ have been preserved by evidence of stumps throughout those areas. The BLM has learned much from this, not the least of which is the location and extent of the forest from before Euro-American settlement of the area.

Protest Point F8: BLM proposes projects to increase cattle forage- See map 18- Gilmore Vicinity Veg projects. Will cows be shifted elsewhere if any lands are “rested” with treatments?

Response: The ‘Purpose of and Need for Proposed Action’ and ‘Issues’ related to proposed vegetation manipulation projects near the townsite of Gilmore, can be found beginning on page 4 of the EA. Again, permitted AUMs have not been increased on any of the allotments where the vegetation manipulation projects will occur.

Cows will not be shifted ‘elsewhere’ following the *Gilmore Hazardous Fuel Reduction* and *Silver Moon Gulch Hazardous Fuel Reduction* projects within forested areas, based on effects of grazing within forested areas as described on page 69 of the EA. The *Gilmore Summit Rangeland Restoration* project proposed near the townsite of Gilmore also will not require ‘rest’ following treatment as effects to the understory, including sagebrush is anticipated to be incidental.

Protest Point F9: How is BLM defining a WUI? For example, is Silver Moon actually a WUI, or is BLM just claiming this to get more ready access to funds? In any thinning project, trees should be individually marked. The EA fails to provide information on stand age, and much other necessary information for an agency embarking on a logging project. Masticator machines cause very significant adverse impacts to cultural and other resources, compact soils, creates significant disturbance that promotes weed invasions, etc.

BLM is clearly piecemealing in a whole battery of deforestation projects in order to promote cattle forage near Gilmore. EA at 43 describes a previous project — now BLM is piecemealing in even more. Salmon BLM is purposefully violating NEPA so as to avoid conducting an EIS.

Just where is every “legacy tree” located? There is no certainty of any kind with this proposal. The logging projects use terms like “where feasible”. THAT is precisely what BLM is supposed to lay out in

clear site-specific detail in a NEPA analysis, not just write an open-ended near-anything goes logging proposal.

Response: The WUI in the vicinity of the Gilmore townsite is defined by the Lemhi CWPP (updated 2006).

The SFO has had great success over the past ten years with a diameter limit specification in its hazardous fuel contracts and meeting stated resource objectives, rather than marking each tree. This type of specification has been demonstrated to save the taxpayers money and result in achieving desired resource objectives without undisclosed environmental impacts.

Stand age turns out to be a relatively unimportant stand parameter considering the stated objective of reducing the wildfire hazard proximate to a WUI. The prescription is designed to eliminate ladder fuels and reduce tree crown continuity which mitigates the wildfire hazard. The magnitude of the wildfire hazard is correlated to stand structure and the overall fuel profile it creates, not age.

You are correct in your statement that masticator machines may cause adverse impacts to cultural resources. Section 106 Class III inventories are completed over areas of potential effect prior to implementation of the proposed forestry/fuels actions. Determinations of effect and mitigation strategies (if necessary) are reviewed and concurred in by the Idaho State Historic Preservation Office (SHPO) prior to completion of the EA and long before any work on the ground commences.

Masticators typically operate using low wheel and track pressures which have been demonstrated to mitigate compaction to the soil. Anecdotal evidence from a hazardous fuel reduction mastication unit completed in 2008 adjacent to the Gilmore townsite (see EA at page 179) confirmed little to no compaction of soils within the treatment area. Masticators do however disturb the ground surface and may expose mineral soil for weed seed. The EA documents this on page 125.

The EA documents on page 44 that, "Post-treatment monitoring concluded a need for additional thinning to reduce tree stocking and crown fire risk further within these areas". The SFO included the proposed *Gilmore Hazardous Fuel Reduction* project in the current analysis since the previous NEPA for that same project area is older than five years and is adjacent to two other vegetation manipulation project proposals.

The EA, including the explanation and resolution of any potentially significant environmental impacts, was reviewed and thoroughly considered all public comments regarding the EA. The ten Intensity Factors for significance listed in 40 CFR 1508.27 were assessed and documented in the FONSI. The proposed action (Alternative 3), along with the design features and terms and conditions described, was determined not to constitute a major federal action that would significantly affect the quality of the human environment or cause unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement is not necessary.

The characteristics of 'legacy' trees are defined in Appendix B of the EA.

Implementation of these projects often may take a year or two to initiate because of BLM funding processes. In the interim, markets may develop or go away, so there is some uncertainty whether there will be utilization of the cut material. The analysis provides flexibility to meet resource objectives, and effects of each methodology can be found beginning on page 70 of the EA.

Protest Point F10: The Swan Basin project treats sagebrush as a disposable landscape. Slash would be piled, burned, disposed of in sagebrush thus destroying important habitat for sagebrush—dependent species including sensitive species.

BLM uses all manner of forestry jargon - on page 45 of the EA a reader is told of “579 acres of “rangeland” that has “advanced Douglas-fir that will suffer “free thinning” —favor specific trees. Well, isn’t this just the forest in a mining era logged-out area recovering its function as a forest? Regeneration (encroachment)” would be “treated” by killing trees. How might this increase forage for livestock?

We are dismayed at BLM proposing to kill larger trees (up to 10 inches in diameter) through “girdling”. ‘WHAT is the reason for this? This is all a boondoggle of destruction to try to eke out a few more AUMs in the highly degraded allotment. Dead trees and logging will result in the site drying out sooner, thus exacerbating fire risk, weed invasion, and amplifying the adverse effects of climate change.

Response: Effects of burning slash piles is described on page 71 and 125 of the EA.

The 579 acre project area that you are referring to is addressing the issue of conifer encroachment into mountain big sagebrush communities (see EA at page 5). After taking a hard look at this specific restoration project site location, the BLM has determined that this site lacks any evidence to suggest ‘a mining era logged-out area recovering its function as a forest’. Additionally, on page 90 of the EA the BLM acknowledges that, “...In most cases, there would be an increase in vegetative understory biomass and vigor in the years following tree removal” associated with this project.

The reason for girdling in this particular case, as opposed to cutting, is because larger trees generate a lot of slash once on the ground. If left standing, the tree becomes a snag due to the girdling, and eventually may provide cavity and other nesting habitat for birds and other critters.

The ‘Purpose of and Need for Proposed Action’ and ‘Issues’ related to the *Swan Basin Aspen Restoration* project within the Timber Creek Allotment, can be found beginning on page 4 of the EA.

The effects of thinning/logging on site characteristic changes relative to fire behavior can be found on page 70 of the EA. To further qualify, there is no logging being proposed as part of the *Swan Basin Aspen Restoration* project. Finally, the EA documents the effects of this proposal concerning weeds on page 125.

The effects of climate change on aspen are not possible to determine given the existing science related to climate change. The EA (p. 70) does disclose that the *Swan Basin Aspen Restoration* project will reduce the number of trees. With fewer trees competing for water, nutrients, and light, these scarce resources would be redistributed, effectively shifting growth potential. Understory shrubs, forbs, and grasses are

expected to respond to improved growing conditions (as a result of more water, nutrients, light) with a relative increase in biomass production and species richness. Examining the effects of climate change are outside the scope of the EA because the specific effects of a particular action, which may contribute to or mitigate against climate change, cannot be determined. It is equally impossible to determine whether any of these particular actions will lead to significant climate-related environmental effects.

Protest Point F11: BLM is relying on a long-outdated Salmon FO Fire Plan — a document from 2004. EA at 57. This of course has wildly outdated fire return intervals. FRCC based on long- known to be false XXX.

Response: The SFO Fire Management Plan (FMP) provides guidance to the fire program to help meet stated resource objectives. The statement on page 57 of the EA is an affirmation of the situation in the Canyon-Big Timber Fire Management Unit (FMU) concerning soils. Preparation of the FMP in 2004-2005 was another time when the SFO staff took a ‘hard look’ at the soil resource in the CBT area.

See my response to **Protest Point F6** concerning FRCC usage.

Protest Point F12: FRCC modeling is essentially meaningless in a real world setting. It is arbitrary, ever-changing depending on whose science is used. It is typically employed by BLM to devastate sagebrush and forested habitats by killing woody vegetation so the agency can plant grass as livestock forage. The problem is — it is grass that is causing the many repeated and ever larger fires across the Snake River Plain. Grass sites retain less moisture, dry out sooner prolonging fire periods, and have less heterogeneity, so fire sweeps rapidly across the landscape.

Response: See my response to **Protest Point F6** concerning FRCC usage. Again, permitted AUMs have not been increased on any of the allotments where the vegetation manipulation projects will occur.

WWP- Marvel Protest (untimely)

Protest Point M1: These projects will have significant direct, indirect and cumulative effects on soils, microbiotic crusts, native vegetation communities, risk of weed invasion and spread, watersheds, waters, sensitive species habitats and populations including imperiled sage-grouse and pygmy rabbit, native raptors like the northern goshawk, migratory birds, recreational values and other very important values of the public lands. We Protest this.

Response: Implementing regulations for the National Environmental Policy Act (NEPA) (40 CFR 1508.27) provide criteria for determining the significance of effects. ‘Significant’, as used in NEPA, requires consideration of both context and intensity. The ten Intensity Factors for significance listed in 40 CFR 1508.27 were assessed and documented in the FONSI. The proposed action (Alternative 3), along with the design features and terms and conditions described, was determined not to constitute a major federal action that would significantly affect the quality of the human environment or cause unnecessary or undue degradation of the natural environment.

Protest Point M2: Treatment projects are inter-related with livestock grazing decisions of the Canyon-Big Timber EA as well. These projects all remove woody vegetation to try to increase livestock forage

on degraded and depleted lands, rather than reducing livestock numbers or removing livestock altogether. We Protest this.

Response: The ‘Purpose of and Need for Proposed Action’ and ‘Issues’ related to proposed vegetation manipulation projects, can be found beginning on page 4 of the EA. These projects do remove woody vegetation to address the issues stated. BLM acknowledges effects to rangeland and forest condition including understory biomass on pages 70 and 90 of the EA. The vegetation manipulation projects described in this decision are designed to meet a variety of objectives; these projects are not designed to increase livestock forage as suggested.

Protest Point M3: The forestry projects do not adequately assess the role of livestock grazing and/or past mining era deforestation in creating hazardous fuels problems, and do not provide adequate controls on livestock degradation and disturbance to prevent these very same problems in the future. Livestock degrade and trample understory grasses, shrubs and mosses/microbiotic crusts –promoting bare exposed soil and increase tree density. Conifers establish in bare soils. There is no adequate rest or recovery period provided from grazing disturbance.

Response: The current forested condition is described beginning on page 67 of the EA. The primary cause of the current forested condition, including the fuel profile it creates, is successional processes in the absence of wildfire. The role of livestock grazing and/or past mining-era deforestation in creating hazardous fuels problems in the vicinity of the proposed *Gilmore Hazardous Fuel Reduction* and *Silver Moon Gulch Hazardous Fuel Reduction* projects is insignificant compared to successional processes and does not warrant detailed assessment.

There is no requirement for a rest or recovery period from grazing following these types of projects in the forested areas, and anecdotal evidence from a previous hazardous fuel reduction project in the vicinity of the Gilmore townsite (see EA at page 44), or any other hazardous fuel reduction project completed within the field office over the past decade, confirms that livestock grazing will not preempt meeting the stated objectives of the projects.

Protest Point M4: BLM fails to consider any alternatives more protective methods and/or configurations and practices to carry out any “fuels” or other actions. We protest this. For example, Gilmore area projects are claimed to be WUI projects. Fire science shows that only actions within 1/8 mile or so of the WUI actually are effective. BLM does not analyze alternatives that only focus on the WUI. Plus BLM does not reveal what conditions actually are in the “Urban Area” of Gilmore or elsewhere. This is essential to understand if the WUI itself is a giant fire hazard, if protective measures have been taken, the risk of weed invasions of “treatments”, etc. BLM is claiming areas are “urban interfaces” and spending scarce federal funds on these sites, while areas of much more dense human habitation interfacing with wild lands go unaddressed. BLM does not identify how the WUI is defined, and how its area and extent is determined, or how BLM determined that any specific treatment action method, or configuration, would be effective.

Response: The proposed hazardous fuel reduction project area boundaries in the Gilmore area are focused within WUI as defined by the Lemhi CWPP (updated 2006). The current forested condition in

the Gilmore area is described beginning on page 67 of the EA. The EA documents the risk of weed invasions related to the forestry projects on page 125. Effects of forestry treatments on site characteristics relevant to potential fire behavior and crown-fire hazard are described in the EA beginning on page 70.

An analysis of alternative methods for treating fuels to reduce crown fire potential adjacent to the Gilmore townsite was prepared in 2005 by the staff Fire Operations Specialist of the SFO (Cluff 2005). The analysis quantified the existing fuel hazard as well as the efficacy of several different treatment methodologies based on stated objectives. The analysis was used to refine the prescription parameters for the *Gilmore Hazardous Fuel Reduction* and *Silver Moon Gulch Hazardous Fuel Reduction* projects.

Protest Point M5: Information on specific stand characteristics is greatly lacking. How many trees of what age classes are present where – within each of the forested project areas? What is the current understory condition, and how will it respond to “treatment” disturbances? How different will the effects of masticators vs. woodcutters chain-sawing be? We protest the lack of certainty – this all needs to be resolved in an EIS.

Response: The current forested condition is described beginning on page 67 of the EA. Effects of forestry treatments on site characteristics relevant to understory plant growth are described in the EA beginning on page 70. Effects of mastication and manual cutting are described in the EA beginning on page 70.

The EA including the explanation and resolution of any potentially significant environmental impacts was reviewed, and thoroughly considered all public comments regarding the EA. The ten Intensity Factors for significance listed in 40 CFR 1508.27 were assessed and documented in the FONSI. The proposed action (Alternative 3), along with the design features and terms and conditions described, was determined not to constitute a major federal action that would significantly affect the quality of the human environment or cause unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement is not necessary.

Protest Point M6: We protest BLM’s failure to examine fire risks associated with hotter, drier, deforested or dramatically thinned or Lawson-aerated sites. It is impossible to understand how much vegetation will remain, where, and its characteristics, following treatment. The context of these treatments in the landscape is also not adequately addressed. Nor does BLM reveal how much livestock use the treated areas currently get – i.e. what is the current stocking rate in the treated land area specifically? BLM does not assess the impacts of continued grazing disturbance in elevating cheatgrass and other weed invasion and early site drying and thus fire risk.

Response: Effects of forestry treatments on site characteristics relevant to potential fire behavior are described in the EA beginning on page 70. Where the Lawson Aerator is being proposed for use (*Jakes Canyon Vegetation Treatment* project), fire risk would not change measurably from surrounding untreated areas. Proposed forestry projects are described on pages 44-47 of the EA, and effects to stand characteristics are described beginning on page 70 of the EA. The proposed *Jakes Canyon Vegetation Treatment* project is described on page 38 of the EA, and effects to site characteristics are described

beginning on page 90 of the EA. The context of vegetation treatments relative to the landscape as a whole is described on pages 183-185 of the EA.

The BLM identifies the ‘actual use’ of livestock grazing within allotments where forestry and other vegetation treatments are being proposed in Table 2 on pages 11-20 of the EA.

A discussion of invasive species/non-native plant susceptibility (risk) and impacts, related to grazing and vegetation treatments can be found beginning at page 122 of the EA.

Protest Point M7: Adverse impacts of feller/bunchers/masticators, slash/pile burning, Lawson aerating, etc. on soils, vegetation (including mature sagebrush), cultural sites, and important wildlife habitats are not adequately assessed. We Protest this.

Response: Effects of forestry projects and the Lawson Aerator on soils, vegetation and important wildlife habitats can be found in the EA on pages 64, 70, 90, and 165.

Section 106 Class III inventories are completed over areas of potential effect prior to implementation of the proposed forestry/fuels actions. Determinations of effect and mitigation strategies (if necessary) are reviewed and concurred in by the Idaho State Historic Preservation Office (SHPO) prior to completion of the EA and long before any work on the ground commences.

Protest Point M8: BLM fails to adequately address the inter-related components and direct, indirect and cumulative effects of the grazing decisions, and of past or foreseeable forestry/fuels/restoration projects as well. We Protest this.

Response: Approximately 156 pages of the EA is dedicated to effects analysis of proposed grazing and forestry actions including a hard look at inter-related components. Direct and indirect effects analysis can be found in the EA on pages 54-177. Cumulative effects (which include past and reasonably foreseeable future actions) can be found in the EA on pages 177-210.

Protest Point M9: BLM never conducted rangeland health analyses at many of the sites proposed for treatment. We Protest this. Sites where assessments were conducted are very limited, info is often old, and in reality provides little idea of the site-specific understory and other conditions of the areas targeted for the forestry/fuels/restoration projects. This is necessary to understand the vulnerability of the site to weed invasion, erosion, livestock impacts and compaction, etc. post-treatment.

Response: Rangeland Health Assessments were completed on every allotment and included the areas where the rangeland restoration and vegetation treatments will occur; this is captured throughout the EA and summarized in Appendix A. For the Jake’s Canyon Vegetation Treatment, transects were read within the proposed treatment area. Effects of forestry/fuels and restoration projects including vulnerability to weed invasion, erosion, livestock impacts and compaction can be found in the EA on pages 64, 90, and 125.

Protest Point M10: Several of these projects will wantonly degrade and destroy sagebrush habitats, and cause long-term harm to them. We Protest this. This also highlights the failure of BLM to consider treatment alternatives that protect sagebrush. Instead the treatment actions damage and/or destroy sagebrush.

Response: The ‘Purpose of and Need for Proposed Action’ and ‘Issues’ related to proposed vegetation manipulation projects can be found beginning on page 4 of the EA. The proposed *Gilmore* and *Silver Moon Gulch Hazardous Fuel Reduction* projects and the *Swan Basin Aspen Restoration* project included in the EA do not occur within sagebrush habitats.

The proposed *Gilmore Summit* and *Swan Basin Rangeland Restoration* projects do protect sagebrush by removing competing tree encroachment which has established on these rangelands in the absence of wildfire. The *Jakes Canyon Vegetation Treatment* project would damage existing shrub cover to some degree as that is part of the design and critical to meeting the stated resource objective. The effects of this project on sagebrush can be found beginning on page 90 of the EA.

Protest Point M11: We protest the reliance on “fire regimes”, FRCC, HRV and other models -and info shown in CBT Map 2. We also protest the reliance on the oversimplistic vegetation mapping in CBT EA Figure 21.

Response: Fire regimes and FRCC are academically published and currently accepted classifications commonly used by federal fire management professionals to assist them in understanding the historic role that wildland fire played on a landscape. HRV is a currently accepted reference for the short- and long-term management of public landscapes.

BLM fire management and vegetation management guidance supports the use of fire regimes, FRCC, HRV and the satellite-based Northwest ReGAP vegetation layer used for analysis is the CBT EA.

Protest Point M12: Removing woody vegetation accelerates site drying and earlier runoff, increases soil erosion, and otherwise has adverse effects to downstream waters...

Response: Effects of forestry/fuels treatments on site characteristics relevant to potential fire behavior are described in the EA beginning on page 70. Effects of forestry/fuels and restoration projects on soils and water quality can be found in the EA on pages 64 and 130.

Protest Point M13: We protest the failure to examine the adverse effects of climate change on site recovery, and the risks of fire, weeds, etc. that are promoted by these actions. Thinned sites dry out sooner, resulting in earlier and longer fire risk seasons. Thinned sites are windier, exacerbating site drying and fires. Hot, dry sites are vulnerable to weed invasion. Sites cleared of trees are vulnerable to ATV use, and catalytic converter, shooting, or other human-caused fires which are an increasing concern in Idaho and across the West. BLM makes these sites more susceptible to human-caused fires.

Response: Effects of forestry/fuels treatments on site characteristics relevant to potential fire behavior are described in the EA beginning on page 70. The effects of climate change on site recovery are not possible

to determine given the existing science related to climate change. The EA (p. 70) does disclose that the proposed forestry/fuels treatments will reduce the number of trees. With fewer trees competing for water, nutrients, and light, these scarce resources would be redistributed, effectively shifting growth potential. Understory shrubs, forbs, and grasses are expected to respond to improved growing conditions (as a result of more water, nutrients, light) with a relative increase in biomass production and species richness. Examining the effects of climate change are outside the scope of the EA because the specific effects of a particular action, which may contribute to or mitigate against climate change, cannot be determined. It is equally impossible to determine whether any of these particular actions will lead to significant climate-related environmental effects.

A discussion of invasive species/non-native plant susceptibility (risk) and impacts related to vegetation treatments can be found beginning at page 125 of the EA.

Proposed forestry/fuels treatment sites will not be 'cleared' of trees. Treatment sites will retain forested cover. ATV use is not authorized off of existing routes. There is no cause-effect relationship between forestry/fuels treatment projects and increased frequency of human-caused fires identified anywhere in the literature.

Protest Point M14: BLM here – as in all of these projects – has failed to consider that destruction of sagebrush/woody vegetation will result in a hotter, drier, more cheatgrass prone and thus more fire prone site.

Response: Effects of forestry/fuels treatments on site characteristics relevant to potential fire behavior are described in the EA beginning on page 70. Analysis in the EA at pages 76, 81, 117, 121-127 and 188 provide the context for existing cheatgrass infestation and effects related to vegetation manipulation projects within the CBT area. The current inventory indicates that 2,116 acres or approximately 1% of the CBT area is infested to some degree.

Protest Point M15: We Protest that these actions are not defined and the reader is not told WHERE specific components will occur, as well as road conditions and effects. Topography etc. will permit and where it won't. BLM must lay out in an EIS where "commercial value permits" - and where it does not, for example. How can BLM sign a forestry decision, and not even know what will occur on the land? These same concerns extend to the other projects, as well. Decking sites will be permanently altered. Extensive soil-disturbing and erosion promoting (as well as sagebrush destroying) cross country motorized travel will occur in many areas. Such impacts have not been assessed – along with the role of livestock soil compaction– which BLM makes such a big deal about in promoting its destruction of Jakes Canyon sagebrush.

Response: Proposed forestry/fuels actions are defined on pages 44-47 of the EA and are shown on maps. Existing roads will be used for project implementation with minimum maintenance or renovation approved to permit safe operations. There is no road construction or reconstruction being proposed (see Appendix B of the EA).

Implementation of these projects often may take a year or two to initiate because of the BLM funding processes. In the interim, markets may develop or go away, so there is some uncertainty whether there will be utilization of the cut material. The analysis provides flexibility to meet resource objectives and effects of each methodology can be found beginning on page 70 of the EA.

The EA including the explanation and resolution of any potentially significant environmental impacts was reviewed, and thoroughly considered all public comments regarding the EA. The ten Intensity Factors for significance listed in 40 CFR 1508.27 were assessed and documented in the FONSI. The proposed action (Alternative 3), along with the design features and terms and conditions described, was determined not to constitute a major federal action that would significantly affect the quality of the human environment or cause unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement is not necessary.

Effects due to decking sites and harvest or mastication machinery are discussed on page 64 of the EA. Effects of livestock soil compaction are discussed beginning on page 60 of the EA.

Protest Point M16: There is tremendous uncertainty about what actions will occur where. Skidding, pile burning, etc. will destroy and kill sagebrush and makes sites vulnerable to weeds. *De facto* roading will result. We Protest this.

Response: Proposed forestry/fuels actions are described on pages 44-47 of the EA. The analysis provides flexibility to meet resource objectives, and effects of each methodology can be found beginning on page 70 of the EA.

Skidding will not occur outside of forested areas and so will not destroy or kill sagebrush. A discussion of invasive species/non-native plant susceptibility (risk) and impacts related to vegetation treatments can be found beginning on page 125 of the EA.

There is no roading associated with any of the proposed forestry/fuels actions.

Protest Point M17: There is no guarantee that livestock will be kept off sites so that revegetation can occur. In fact, there do not appear to be any controls on livestock use of the logging/thinning projects. We Protest this.

Response: There is no requirement for keeping livestock from grazing following these types of projects in the forested areas. See response to **Protest Point M3** concerning anecdotal evidence regarding the need for such requirements and lack of impacts to similar restoration projects from livestock grazing.

Protest Point M18: We protest the failure to consider restoration of the Poison Creek Brush control. This destroyed sage-grouse and pygmy rabbit habitat, and its impacts were not mitigated. This is coupled with the failure to consider any alternative action at all in any of these treatments. For example, why does BLM not consider a tree removal action that involves hand cutting –and not masticating machinery for forested sites, for example?

Response: The Poison Creek Brush Control project was completed in 1970; the CBTWA Report did not identify the need for any restoration activities related to that project. The vegetation manipulation projects as described on pages 44-47 of the EA include the flexibility to meet stated resource objectives associated with these actions by utilizing hand cutting. BLM describes the effects of a tree removal action that involves hand cutting beginning on page 70 of the EA.

Protest Point M19: We protest the failure of BLM to consider alternative restoration measures. This includes passive restoration that removes chronic livestock disturbance, and limited selective hand cutting. Instead, BLM chooses highly disturbing and often destructive “treatments”.

Response: The EA analyzes passive restoration of vegetation through the “No Action” alternative. Effects to forest resources under the “No Action” alternative can be found on page 69.

The proposed action as described on pages 44-47 of the EA includes the flexibility to meet stated resource objectives associated with the restoration actions by utilizing hand cutting. BLM describes the effects of hand cutting beginning on page 70 of the EA.

Protest Point M20: We protest BLM claiming that its Swan Basin Rangeland Project is “Restoration”. BLM is likely to also use if sagebrush-crushing and decoying expensive “mastication” machines. These machines maximally disturb soils, cultural sites, and kill and destroy sagebrush. Does BLM mean that killing sagebrush is “restoration”? Also, the Decision refers to hand cutting on slopes greater than 40% slopes greater than 40% are not sage-grouse habitats.

Response: The purpose of this project is identified in the EA on page 4.

Effects to soils from mastication machinery are discussed on page 65 of the EA. If mastication machinery is used to implement the *Swan Basin Rangeland Restoration* project, then there would be incidental crushing of sagebrush as the machinery moves across the ground from one mastication location to the next, as well as incidental amounts of sagebrush mastication where individual shrubs are growing immediately underneath or adjacent to trees that will be removed.

Section 106 Class III inventories are completed over areas of potential effect prior to implementation of the proposed restoration actions. Determinations of effect and mitigation strategies (if necessary) are reviewed and concurred in by the Idaho State Historic Preservation Office (SHPO) prior to completion of the EA and long before any work on the ground commences.

Protest Point M21: We protest BLM piling and burning trees in Swan Basin aspen “restoration”. BLM never considered alternatives to fell any offending conifers, and leave them where they fall to help protect aspen from being eaten by cows. BLM also proposes “pile burning”. The adverse effects of this in killing sagebrush, scalding soils, and promoting weeds have not been analyzed.

Response: The BLM has the flexibility to allow cut conifers to stay where they lay during implementation of the *Swan Basin Aspen Restoration* project. See EA at page 47. BLM acknowledges

the effects of pile burning, including effects on vegetation, soils and weed encroachment, on pages 65, 71 and 125 of the EA.

Protest Point M22: We protest BLM not providing necessary site-specific information on “legacy tree” to identify them from the start – and so there can be informed analysis of the stand characteristics and legacy tree sites. This is also necessary to understand if areas should be removed from the project boundary. These same concerns apply to the Gilmore Summit Hazardous fuels “reduction”.

Response: Legacy trees are defined in ‘Appendix B- Criteria common to all vegetation manipulation projects’ on page 228 of the EA. Legacy trees will be retained by prescription in the *Gilmore Hazardous Fuel Reduction* project as described on page 44 of the EA.

Protest Point M23: We protest BLM claiming these are forest actions, yet the BLM does not even know how many loggable trees are there, and has no idea of the value of the wood products. There is also no clarity on whether these will be forest stewardship, regular logging, or just what kind of project will be conducted.

Response: This is precisely why the BLM has built in the flexibility of the various methodologies analyzed under the Proposed Action. Current market conditions make commercial forest product removal uneconomical at this time. However, if markets develop and objectives can be achieved concurrently while utilizing cut material, then the BLM would be remiss in not having analyzed those management options. The effects of forestry/fuels and restoration projects can be found in the EA beginning on page 54 under ‘Affected Environment and Environmental Consequences’ by resource and are the same as described regardless of whether the project is accomplished through forest stewardship or regular logging. In addition, both mechanical treatment and hand thinning methodologies have been analyzed in the EA.

Protest Point M24: We protest BLM failing to reveal how very expensive masticators, Lawson aerating and several other actions here are. Will these projects cost taxpayers tens of thousands or hundreds of thousands of dollars?

Response: It is anticipated that these projects will cost tens of thousands of dollars to implement using these types of machinery.

Protest Point M25: We protest BLM claiming this “reduce stand risk” (Decision at 4) – when it places stand as at greater risk of a more prolonged fire season, and creates a hotter, drier site where these effects will be amplified by the impacts of climate change.

Response: Effects of forestry/fuels treatments on site characteristics relevant to potential fire behavior and crown-fire hazard are described in the EA beginning on page 70. See response to M13 concerning climate change.

Protest Point M26: We protest the limited, shallow discussion of “overstocking” (of trees) in the CBT Watershed Assessment 29-30. Nowhere does BLM actually describe what the “historic” pre-mining forest conditions actually were. These are not the mythical open park-like Ponderosa pine woods.

BLM's actions appear to take these sites further away from being forests – and instead make them into logged and/or masticated quasi-clear-cuts. BLM masks this in various logging jargon terms (that are not adequately explained) in the EA.

Response: The BLM is addressing current stand conditions as they relate to potential fire behavior and the resistance of that fire behavior to control within an identified WUI (Lemhi CWPP-2006). Forestry/fuels project sites will retain forest attributes following treatments based on the prescriptions.

Protest Point M27: We Protest BLM not recognizing the important ecological role of insects, mistletoe (provides flying squirrel habitat) and trying to fear monger the occurrence of natural forest processes.

Response: The BLM does recognize natural forest processes, including insects and mistletoe. These processes will continue to operate both within and outside of proposed forestry/fuels project areas as described in the EA. The BLM acknowledges this beginning on page 67 of the EA.

Protest Point M28: We Protest BLM not defining the difference between regeneration and encroachment, and failing to collect necessary site-specific data and take NEPA's required "hard look" to understand actual site conditions, fire return intervals, role of mining in deforestation and current recovery, etc.

Response: Encroachment is regeneration as noted on page 44 of the EA. The BLM has been taking a 'hard look' at the Canyon-Big Timber area since February 2009. This has included internal and external meetings and scoping both in the office and at project site locations; on-the-ground data collection; and using remote sensing technology. Information concerning the CBT is documented in the CBT Watershed Assessment Report; CBT Determination Report; CBT EA, FONSI and two (2) decision documents.

Protest Point M29: We protest BLM spending tax dollars on hazardous fuels projects in lands where there have been few fires. Again, BLM projects are likely to increase fire risk, not decrease it. The purpose and need seems to be kill woody vegetation to try to grow grass for cows.

Response: Effects of forestry/fuels treatments on site characteristics relevant to potential fire behavior are described in the EA beginning on page 70. See page 4 of the EA under 'Purpose of and Need for Proposed Action' and 'Issues'. These projects do remove woody vegetation to address the issues stated. BLM acknowledges effects to forest condition including understory biomass on page 70 of the EA.

Protest Point M30: We protest BLM not examining cumulative effects of grazing disturbance and trampling on top of "treatment" impacts – for example the EA describes: *moderate adverse impacts because frost action and other natural processes would return bulk density, soil strength, and local infiltration rates to pre-treatment levels. Although site-specific impacts to soils would occur, the majority of the soil surface would remain intact ...* The problem is that cattle trampling will not allow the soil surface to remain intact. Will BLM next be Lawson aerating its logged, masticated, skidded and the grazed sites?

Response: The cumulative effect of grazing within forestry/fuels project areas is described beginning on page 184 of the EA. There are no reasonably foreseeable future actions within forestry/fuels project areas being considered at this time that would utilize the Lawson Aerator.

Protest Point M31: We protest BLM never analyzing the combined effects of all of its treatment activities: Mastication, skidding, piling, etc.

Response: Effects of all forestry/fuels treatments and the various methodologies are described in the EA beginning on page 70.

Protest Point M32: We protest BLM not publishing a Notice of Proposed Action related to this forestry project. Or if BLM has, not informing us about this. WWP has requested information on whether BLM will follow the clear words of the protest provisions in the Decision provided to the public, and BLM has not provided us with any information. This creates large-scale uncertainty. When does any protest period start? Which projects will be timber sales? Does one protest when contracts for expensive Lawson aerating are advertised in the local paper? No one seems to know –unless BLM publishes information in the paper, as it is required to do, and as WWP has requested be provided to us so that a timely protest can be filed.

Response: The Proposed Decision signed on June 28, 2012 was sent by certified mail to grazing permittees, interested publics, Tribes, and state and federal agencies, including WWP. The earliest timestamp received from a representative of WWP (Louise Wagenknecht) began the 15-day protest period. The protest period for the notice of proposed decision sent to the WWP Hailey address began on the third attempt of delivery by FedEx on July 9. Although BLM may post information on all vegetation treatments including fuels reduction projects in the newspaper, BLM is only required to post notification of timber sales in the newspaper, which then begins an additional 15-day protest period on that sale. At this time, BLM does not plan on implementing any of the actions identified in this decision through a timber sale.

Protest Point M33: It is clear these are inter-connected complicated actions, and an EIS is essential.

Response: Many of these activities are inter-connected, which is why all activities within the CBT are being analyzed in one EA. The EA, including the explanation and resolution of any potentially significant environmental impacts, was reviewed and thoroughly considered all public comments regarding the EA. The ten Intensity Factors for significance listed in 40 CFR 1508.27 were assessed and documented in the FONSI. The proposed action (Alternative 3), along with the design features and terms and conditions described, was determined not to constitute a major federal action that would significantly affect the quality of the human environment or cause unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement is not necessary.