

Meeting Notes
KVRI Forestry Sub-Committee – May 14, 2015 – 9:30 a.m.
Kootenai Tribal Office

In Attendance:

Ron Abraham, KTOI
Barry Wynsma, County Resident
Dave Cobb, USFS
Dan Dinning, Boundary County
Brad Smith, Idaho Conservation League
Bob Blanford, KVRI
Norm Merz, KTOI
Cleve Shearer, County Resident
Dave Wattenbarger, Boundary Soil Conservation District
Judy Morbeck, U.S. Representative Labrador
Karen Roetter, Senator Mike Crapo
Kevin Knauth, USFS
Brett Lyndaker, USFS
Bob Schnuerle, County Resident
Colleen Trese, Idaho Fish & Game
Dan Gilfillan, USFS
Sean Stash, USFS
Sid Smith, Sen. Jim Risch
Erik Sjoquist, Id. Dept. of Lands
Jill Cobb, USFS
Shanna Kleinsmith, USFS
Lee Colson, USFS
Tim Dougherty, Idaho Forest Group
AJ Helgenburg, USFS

Patty Perry, KTOI & KVRI Facilitator
Shandee Alexander, KTOI & KVRI

Patty welcomed those in attendance and briefly described the Deer Creek Project. The Deer Creek Project analysis area was around 30,000 acres. Treatments to portions of the 30,000 acres include: timber harvest, habitat restoration, cleaning up roads and categorizing the unclassified roads.

Introductions were made.

Updates- Kevin:

Hellroaring- Draft Decision sent out to media on May 8th, officially starting the 45 day objection period. Once the period ends, there will be 45 days to resolve any issues. Timber sale late FY15

Brushy Mission #2- Timber sale to complete the project around Brush Lake (FY15). The project will have recreational components in and around lake as well as road work that will get done.

Deer Creek- The roads are being analyzed. There are roads on the Forest Road System that are unrecognizable and can be taken off the System, or there are roads that are not in the system that could be added. The team is evaluating each one. The team is also looking at improving recreational access, road improvements, timber harvest and habitat restoration.

Presentation- AJ Helgenburg:

AJ is the team leader; he presented the proposed action on the Deer Creek Project, and alternatives to discuss. The team has been working on refining the proposed action, while keeping public comments in mind.

Included in the proposed action is Road #2533. There was a major slide on the 2533 road. Geotechnical evaluation estimated reconstruction of the road to be under \$100k. This solution will provide road access to 500 acres of Forest Service (FS) Lands, provide access to a recreation site on the Moyie River, and will also allow the accessibility to 3 units; 2 small wood thinning units, and 1 regeneration harvest unit.

Forest soils specialists studied the proposed units (43, 44, 45, 46A, 48, 49, 50). The units had over 15% detrimental soil disturbances. The team analyzed the soil, weeds and fuels and agreed that there was no need to be in those units at this point, so those 7 units were dropped.

Area Goshawk nests were analyzed and resulted in modifications to 2 units. There is a 40 acre buffer being applied, in order to protect a nest stand.

Concern was expressed with the current management strategy of the Goshawk. Recognizing there are 5 identified active nests in the project area, there is the potential to affect many acres. The Goshawk is no longer a management indicator species (MIS); so the question was asked - will there be more discretion when applying the management protections for the nests?

AJ noted that while the 40 acre buffer will be applied, not all 40 acres would come out of the project treatment units.

The following information/response was provided by Brett Lyndaker, wildlife biologist: the Goshawk was MIS in the '87 Forest Plan (FP) and was bumped up to a Region 1 sensitive species based on, at the time, viability concerns. Over the years it was downgraded back to MIS. With the new FP revision, the Goshawk was dropped from MIS for a few reasons: it was originally added to the '87 FP as an indicator for old growth. It was found that the Goshawk did not need old growth but mature stands; it was more "plastic" in habitat needs than what was originally thought. With this background, there is still a guideline in the FP to protect any rapture nest that is found in a proposed management area. This is the 1st project fully analyzed under the new FP. There is discretion as to how to apply it. The FS is required to use the best available science in "protecting the nest." Right now, the FS is following a guideline of preserving a 40 acre nest stand for any known active nests (regional guideline that came out in 2007 was updated in 2009). This is information the FS can scientifically utilize.

It was also noted that Goshawk nests are normally found in a fairly dense area of the forest. As nestlings and young, the Goshawk is vulnerable to predation. The more open the nest stands, the more vulnerable they would be. There is some flexibility; however, to be safe, by preserving the 40 acres, this will scientifically be defensible. In the end it comes down to about 50 acres of units that will be

dropped out. The nests won't always be occupied. If the stand is unoccupied for more than 5 years, you can do what you want with it.

The question was asked as to whether there is an opportunity for more discretion (i.e. drop the 40 acre protection, put a timing restriction, put in a couple of tree lengths of protection around the nest site to "test the waters.")? It was explained this opportunity would not be likely.

Others voiced concern about the potential threat of lawsuit if the work was outside the guidelines.....expressing that while the nest site is occupied, the group should be looking at what's right for the "critter" because it's the right thing to do.

The science is based on a study from a group of biologists from the region who got together and went through a lot of the existing research that was out there. One of them was Lorraine Brewer, who did Goshawk research in grad school, in Montana. For years, the management was based on some guidelines that came out of Arizona, by Richard Reynolds (the Goshawk guy). One thing that changed was that Reynolds recommended a 30 acre nest stand; the regional biologists recommended 40 acres. Based on the best science to protect the nest, 40 acres need to be left.

The question of how often the nests stands are monitored was posed. It was explained that the nest stands are really monitored when projects arise and for the life of the project, there is some follow up after the project.

The FS, in general, has found that for the last 20 years, the strategy of maintaining 30-40 acre nest stands, has worked overall.

It was explained that there is an ability to work with boundaries, based on the vegetation, topography, and other effects. By doing this and looking at the whole picture, the Goshawks would be protected and it would not affect the entire 40 acres of treatment area.

Patty reminded members that they can provide comments to the FS, asking how the Goshawks are being looked at, and how they need to continue to be looked at under the new FP.

It was stated that even though the Goshawk is not MIS under the new FP, it does not mean Goshawk management is gone. It will continue to come up in comments in the foreseeable future.

Moving on in the meeting, the current proposed treatments include the following: Burn Only (662 acres), Precommercial Thinning (PCT)(325 acres), Small Wood Commercial Thinning (626 acres), Shelter Wood Removal/Seed Tree Removal w/ PCT (392 acres) Dry Site Improvement (186 acres), Regeneration Harvest- Seed Tree (1,329 acres), and Regeneration Harvest- Shelter Wood (723 acres) with a total of 4,243 treated acres.

The original plan for the 2541 UA road was to use the road and then put into storage. After considering comments, the team proposes to use the road for projects, then, keep it open for government (USFS and Tribe) use only. The FS will request an easement down by Perkins Lake....the easement would be through Tribal land. AJ said the process is going smoothly.

The team will brief the Forest Supervisor, Mary Farnsworth, on the proposed actions and alternatives with the goal of having a draft Environmental Assessment (EA) out for public comment in August 2015, a Draft decision April 2016 and the Final decision signed by July 2016.

Some in attendance conveyed that “we the people” paid for the roads; many people within the county use all of the roads. The concern is that the people are getting more limited every year on road access.

The following are issues from scoping: public access, aquatic resources, wildlife habitat, old growth and noxious weeds. One way to address the issues are to provide alternatives. AJ read the definition of “Alternatives” from the Forest Service NEPA Handbook:

“No specific number of alternatives is required or prescribed. Develop other reasonable alternatives fully and impartially. Ensure that the range of alternatives does not prematurely foreclose options that might protect, restore and enhance the environment.

Reasonable alternatives to the proposed action should fulfill the purpose and need and address unresolved conflicts related to the proposed action. Be alert for alternatives suggested by participants in scoping and public involvement activities. Consider alternatives, even if outside the jurisdiction of the Agency.”

The proposed action is designed to meet the purpose and need of the project: maintain and improve landscape resiliency and resistance to disturbances by managing for desirable forest composition, stocking levels and patterns; promote forest conditions that reduce fire hazard; maintain and improve rec. facilities; improve aquatic resource conditions; treat noxious weeds; and manage the roads system.

It was mentioned that seeing money from local timber sales invested back into local forest projects is preferred; the group was assured that it is the FS goal to spend all monies here locally on the project.

Preliminary Potential Alternatives; the level of analysis may vary, some areas may get full analysis or they may not. There were alternatives suggested through public comments, in considering them, the Forest Service will look at the following: An alternative to omit timber harvest and road work in the Bear Management Unit (BMU). This will affect the grizzly bears and our public access. The team thought it would be wise to analyze this alternative to inform the decision-making. The prescribed burn units would be kept in the project. The group discussed the purpose of the burning, and the question of why burn? It was explained that there is a piece on top of Goat Mountain that is a White Bark Pine emphasis area. The south facing slopes are open, the goal is to keep them open, rejuvenate brush, and there is a fire fuels effect for long term. There is not a lot of timber, but forage and brush, so rejuvenate that.

There was much discussion around no activity in the BMU vs. only burning and the disturbance of that, vs. roads in the BMU.

FS staff explained that burning is a disturbance, but a short term disturbance. A road is a fixture on the landscape that remains. It is important, during consultation, to separate short term and long term disturbances.

Next it was discussed that there will be preliminary analysis made of regeneration openings < 40 acres. The project, as proposed, would create forest opening > 40 acres in size.

A.J. told the group that comments from scoping lead the team to consider the alternative of decommissioning 2540 road on Placer Creek. This action could improve aquatic habitat. An alternate route would be proposed by utilizing the 2541 and 2522 roads.

Sean Stash, biologist, has heard and acknowledged the FS received comments during scoping, of individuals not wanting lose access to the 2540 road. Sean wanted the committee to help him understand, "What are you losing motorized access to?" The question drew many responses, including: best huckleberry patch in the county; losing an alternative route for egress and ingress in case of fire or windstorms that close roads for blow downs. Might be losing access time for fire suppression if the engine has to climb that hill to get up on top by the 4 corners where you can go back around to Deer Ridge. More traffic will be funneled up the hill and result in the road getting badly washboarded....haven't determined the need for a full closure.

Dan Dinning commented that we should let the process and the science play out, he also reminded the group that the public has entrusted him, as the Commissioner, to represent them. Dan is concerned that this road discussion has been handled poorly. This is a social issue. We just spent \$50k, and now we are going to throw that away? ...Without the engineer's study, without the science on the fish, without anything else. This is really premature.

Patty reminded the group that Kevin told the public at the open house, and has assured this group several times that there is analysis work being done, looking at the engineering, and the stability of the road. The question really becomes, is there a potential to protect the resource and still protect the public interest which has been made clear as well? The FS has received comments for both decommissioning and for not decommissioning. We all know the community issue. It's been on the landscape for a long time and that people like to use it. She also mentioned there were some made requests by the Tribe -- did anybody look at the genetics of the fish population, is it a pure strain of fish? How many are there? How long have they been there? Or is there any information on the fish. The email response was we don't have any of that. She noted the Tribe has commented that it's a cultural issue, it's a road that is utilized by Tribal members. If at the end of the day the analysis shows something different then we haven't turned our back on the best available science to try to come into some common ground.

Jill Cobb, the project hydrologist, has been working with Sean on the project. Jill contends the question is more simple. They are tasked to look at it as keeping it and removing it. She and Sean have had many discussions, even the same discussion the committee was having. They are trying to do the best thing for the environment and for the people. They have looked at different ways to stabilize the road. A FS staff group of specialists visited the site on April 21st, they considered utilizing a GRAIP (Geomorphic Road Analysis and Inventory Package) modeling method or the WEPP (Water Erosion Prediction Project) model....she acknowledged they are two very different models. Both are being compared. Under one model on the .88 miles of road, there's 1300 lbs. of sediment that is being delivered annually. This is problematic. How to reduce? If they installed a few more pipes, changed location of 1 pipe. What can be reduced? About 500lbs of sediment could be reduced. That's pretty good. Add up ditch stabilization. There are a lot of things that can be done, which will cost a lot of money. Is it worth the money? The slope above the road is very unstable. The team is looking at it very seriously. Letting the process play out and provide information to those making decisions.

It was acknowledged that the only alternative is the 2 miles of road that also would need costly improvements. Patty added that the committee is in agreement that the analysis and process need to

play out. We also need to recognize there are costs in developing an alternative route and in decommissioning....compared to stabilizing, and we need to understand that there will be the upkeep expenses of an alternative route as well.

FS Engineering staff is working to determine the costs of either.

It was also pointed out that if the FS were going to do away with the road there would be much work to be done on the hill where the alternative is proposed....it will not be cheap to fix & it is an unsafe hill to drive.

AJ wanted to explore comments and collaborate on ideas on the alternative to burn in the Grizzly bear BMU.

Patty requested he explain the tradeoffs and why. AJ explained that within the Keno BMU, there are road restrictions and core habitat requirements with BMU. We share this BMU with the Kootenai National Forest as well. They have a lot of projects going on where they are opening and closing roads, logging, restoration work, fluxing the road density of core in the Grizzly bear's place. This is a challenge the team will eventually deal with. We are in compliance in the Keno BMU. The team is looking at vegetative needs and the landscape. FS has identified some areas that are dominated by lodgepole pine. A restricted road goes up into that area. When the FS opens up the road to get up into the stand, the open road density will be effected.....the open road will need to be offset somewhere else; opening 2536, storing 2225 and 2224 to offset core habitat and road density.

Patty asked if the team was at a point where direction was wanted from the KVRI Board after this meeting or is this simply to bring the group up to speed. If a decision needs to be made, the committee should develop a recommendation for the KVRI Board. Are we at a decision making point at all?

AJ wanted to know if the collaborative is comfortable with the range of alternatives that we are being looked at.

Dan pointed out that the board is not going to know what the alternatives look like. The alternatives have been very general. Dan listed what he understood them to be:

- No action
- Not go into 2540
- Proposed action

Patty requested verification that those were the only 3 options correct? I think what I am hearing him say is they're going to flush out each of those 3 alternatives unless we think they're missing one, and there should be something added or there should be something we shouldn't look at. We as a committee have given a couple recommendations in the past:

- If you don't go into the BMU then consider taking the burn units out
- If you have to store roads, the committee wants to look at feasibility and the economics of how the roads are stored just like what was on twenty mile. Evaluate each road for the ability for the pipes to stay on the landscape, or pull the pipes off the landscape.
- 2540 Placer, there's analysis going forward. It's been documented loud and clear that it's a road that is socially and culturally what the people like to see left in. This is also a road that has

issues that is associated with the fisheries. Look at the potential for coming up with a solution for both.

Patty asked AJ, in the alternatives they have put forward (in the 3), if there's the range that is going to allow for all of that to take place under the 3 alternatives, is that correct?

Kevin confirmed that is correct. I guess I would like to hear from the sub-committee for sure that the alternative that doesn't have us going into the BMU for timber harvest, that they truly don't want to see the burning happen. I'm not sure that I got that from earlier discussions. That would change the alternative.

The group was reminded that a target of 1000 acres a year are needed to be burned under the CFLRP. So burning in the BMU would help towards the acreage that needs to be burned.

Brett explained that the Decision Maker does not have to accept these alternatives or choose an alternative as is. Pieces and parts of alternatives can be combined. To present more of a contrast, between alternatives, maybe the burns should be left out in order to present a cleaner alternative.

Dan explained the point being from his prospective, if we do not harvest, are we going to want to spend the money to burn? Basically, can we afford to burn if we don't do the timber harvest in that BMU? The group was reminded the CFLR comes with money to achieve the targets. It doesn't have to necessarily be based on timber harvest, whether we go in there or not.

Kevin said that with hearing the dialogue, he would like to proceed with keeping the burn units in. There's still value in doing the burning regardless on whether the harvest piece will be done.

It was asked, if the committee makes a recommendation to the board, will the alternatives come back to the board and this committee after analysis, or will it be out on the street before the collaboration hears about it? Will the committee get a chance to look at the final alternatives before the Draft EA goes out? Kevin said if we don't get into a crunch that should be doable.

Patty listed alternatives for clarification:

- as proposed in the whole project
- Not doing timber harvest in the BMU, but doing burning
- Doing nothing as far as commercial harvest.
 - ... no action
 - Patty: that was debatable. We said, does that mean no action at all, or does that mean just no commercial harvest? I don't think we got an answer to that.

AJ added not all will likely be taken into full analysis.

Patty asked if you're saying basically there is going to be 2 action alternatives that are going to be analyzed. AJ replied there is also going to be Placer Creek alternative that will likely be analyzed, and the <40 acre alternative.

Patty requested, let's walk back through so we can write down what we are agreeing to then.

AJ listed them as:

- Proposed action

- Grizzly Bear
- Regeneration <40 acres

Dan shared his main concern is once the alternatives are developed beyond where we are today, I think the committee needs to be made aware of the effects, as the document is developing.....prior to releasing it in draft.

Patty requested AJ and Kevin print out Alternatives for the committee to take to the board for approval; this will show exactly what the proposed alternatives are.

Patty asked if anyone needed to review this any further?

Jill spoke up and said there were 5 alternatives:

- Proposed Action
- No Action
- Grizzly Bear
- Regeneration <40 acres
- 2540 Placer Creek Rd.

Patty commented, I think that Bob, Dan, Dave and Ron can fully explain to the KVRI Board, along with Kevin and I. Is there anyone uncomfortable with where we are right now? (nothing) Ok, good. Thank you.

Meeting was adjourned at 12:30 p.m.

Shandee Alexander
KTOI/KVRI Admin. Assistant