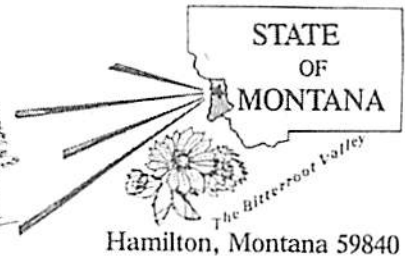


COUNTY OF RAVALLI



RAVALLI COUNTY COMMISSIONERS
215 S. 4th Street, Suite A
Hamilton, MT. 59840
406-375-6500
commissioners@rc.mt.gov

December 18, 2015

Eric Winters
Darby/Sula Ranger District
PO Box 388
Darby, MT 59829

RE: Ravalli County Comments on the Meadow Vapor Project

Dear Eric,

The Board of Ravalli County Commissioners (BCC) thanks you and Cole Mayne for your attendance at our meeting on December 8th. These meetings are important for ensuring the Forest Service understands local concerns and impacts of decisions made in Ravalli County.

The Board of Ravalli County Commissioners in general supports the vegetation management as proposed. It is agreed that our forests are in desperate need of proactive management to prevent mega fires that sterilize the landscape, negatively affect water & air quality, destroy wildlife habitat, fisheries and view shed. Ravalli County requests the Forest Service consider the "Ravalli County Natural Resource Policy" in your analysis and decision making process. The Board's comments on the Meadow Vapor Project are as follows:

Legal Notice and Comment Timeframe

The legal notice for the Meadow Vapors project was posted in the paper on November 18, 2015 and published on the Forest Service website on December 1, 2015 with a comment deadline on December 18, 2015. The published Legal Notice failed to notice the December 18 comment deadline, therefore it is reasonable to assume citizens are unaware of the deadline. The comment period slams directly into Americans' holiday season, first with Thanksgiving and then the Christmas and holidays. Lastly, members of our community do not have the ability to

electronically comment and requiring hand delivery to the Darby/Sula Ranger District Office is prohibitive. Based on this unclear notice of deadline, government transparency and the citizens right to participate has been violated. Ravalli County Commissioners request the comment deadline be extended and allow comments to be hand delivered to the Hamilton Forest Supervisor's Office.

Purpose and Need

It has long since been ruled (40 CFR 1508.25 (a)(1 & 3) that connected actions **MUST** be analyzed in the same NEPA process. In the Meadow Vapors Project you are combining actions of total independent utility (vegetation and road management), combining the actions does not allow for the development of reasonable alternatives to resolve issues and impacts. Your Interdisciplinary Team's primary consideration (4 out of 5) is vegetation management and you scoping letter primarily focuses on vegetation management, yet the project focuses on road decommissioning and goes as far as to exceed the project boundary only to decommission roads. Your scoping letter states, "The Meadow Vapor project area is one of several areas on the Bitterroot National Forest identified as high priority for fuel reduction work through the Bitterroot Community Wildfire Protection Plan." It also states, "The Meadow Vapor project is designed to respond to goals and objectives of the Community Fire Plan, National Fire Plan, and the Bitterroot Forest Plan.", again emphasizing vegetation management. We recommend instead you focus on the goals of vegetation treatments, and include the recognized additional and similar conditions and needs in the Lick, Martin, Needles, Paint and Reynolds Creek drainages. We further recommend separate proposed actions and processes for vegetation and/or road management so one cannot negatively affect the other.

You state in your Forest Plan, direction for all three management areas provide for roaded dispersed recreation. How does decommissioning 29.2 of roads accomplish the goals of the Forest Plan?

As stated in your FOREST SERVICE MANUAL, MISSOULA, MT; TITLE 7700 – TRANSPORTATION SYSTEM; Region 1 Supplement No. 59,

7704.3 – Forest Supervisor. The following Regional Forester's responsibilities and authorities for managing transportation system activities are redelegated to Forest Supervisors:

1. **Coordinating** and maintaining working relationships with counties, cities and public agencies with local offices within the Forest's area of influence.

2. Insuring that **coordinating** requirements for land and multiresource management are incorporated in all transportation plans.

We request that the proposed project **Coordinate** road management activities to Ravalli County's Natural Resource Use Policy.

Project Area

Please explain how the project area was selected? Why weren't the two Inventoried Roadless Areas (IRA) (Needles Creek and Reynolds Creek drainages) included in the project area/proposed action as they are clearly similar in condition and proximity? Additionally, please clarify what is the true boundary of the project area.

Ravalli County requests the Forest Service add the adjacent drainages in Lick, Martin, Needles, Paint and Reynolds Creeks to the scope of the project. These drainages are headwaters to the proposed project and are crucial to the success of the project from a watershed management perspective.

Including these areas in the project scope would be beneficial to vegetation management, fuels reduction, wildlife habitat, economic/cultural opportunity and public safety as well. These adjacent areas are in similar condition to the scoped area, which are vulnerable to insect infestation and catastrophic wildfires. Due to the common conditions of the adjacent areas with the proposed project area, Ravalli County believes the project should be extended into these adjacent areas if they were to include vegetation management with similar environmental impacts.

Proposed Action Outside Project Boundary

Ravalli County is concerned that actions were proposed outside the project boundary. Ravalli County supports expanding the project boundary for vegetation management including commercial harvest and fuels reduction, but does not support decommissioning roads in this expanded area. On page 3 of the scoping letter you state, "Currently, all proposed actions occur in Forest Plan Management Areas (MA) 1 (timber management, forage, and roaded dispersed recreation emphasis), MA2 (Winter Range Emphasis using timber management practices and roaded dispersed recreation), and MA3a (maintain partial retention visual quality objective and manage timber while providing roaded dispersed recreation, old growth and big game cover)." Is this also correct for the actions outside the proposed project boundary? Are all management practices proposed (for both vegetation and roads) approved for each management area?

Access and Transportation

Ravalli County supports maintaining public access and the historic right to travel over public lands whenever necessary for human safety and emergency ingress and egress, especially for wildfire control, in the pursuit of farming, ranching, timber harvest, hunting, mining, recreational activities, motorized vehicle use, access to irrigation infrastructure and other historic uses. The Forest Service is admittedly decommissioning roads based on the potential impact to watersheds if the area were to burn. "Potential impacts" of a future fire event should not be criteria for road decommissioning.

It is stated in the scoping letter that one of the needs of the project is to “Improve watershed conditions through road management activities...”, but there is no detailed explanation of the current conditions in contrast with the desired conditions. According to your Data Table, Road 73573 is the only segment (.2 miles) of the 29.2 total miles slated for decommissioning which contains a reference to runoff and erosion. Even if the potential runoff and/or erosion concerns were not disclosed on your Data Table presented to the public, there are many other Best Management Practices that could be implemented to achieve the desired goal.

Washington DC mandates should not be criteria for road decommissioning, as outlined in FSM 7700 – Travel Management. FSM 7734.03, para. 3 states “When congress has included language in annual Forest Service appropriations authorizing use of road construction and maintenance funds (CMRD) for road decommissioning, prioritize use of CMRD funds for decommissioning projects over needed annual road maintenance, and include decommissioning projects in the applicable annual road maintenance plan.” Ravalli County opposes any use of road construction and maintenance funds for decommissioning roads, and strongly opposes prioritized use of these funds for road decommissioning.

Should decommissioning actions remain in this complex project, we look forward to a comprehensive analysis which will clarify current conditions, the effects of no recontouring, and the cumulative effects of vegetation treatments and the associated road management necessary for access.

Road Decommissioning – RS 2477

Ravalli County opposes decommissioning of roads. There are a number of Best Management Practices that can be adopted at road and stream intersections to mitigate erosive impacts at the crossing. Decommissioning a road because of the potential erosion impacts to a watershed is not sufficient reason to decommission a road and only strengthens the argument for more commercial harvest, fuels reduction and better vegetation management in general on federal public lands. It is Ravalli County’s position that the Forest Service does not have the authority to decommission roads established prior to 1976 under RS 2477.

RS 2477 was enacted by the United States Congress in 1866 to encourage the settlement of the Western United States by the development of a system of highways and reads “the right-of-way for the construction of highways across public lands not otherwise reserved for public purposes is hereby granted.”

RS 2477 was repealed in 1976 under the Federal Land Policy and Management Act (FLPMA). The repeal was subject to “valid existing rights.” The relevant text (Sec. 701. 43 U.S.C. 1701) reads (a) “Nothing in this Act, or in any amendment made by this Act, shall be construed as terminating any valid lease, permit, patent, right-of-way, or other land use right or authorization existing on the date of approval of this Act”

Ravalli County GIS department utilized aerial photos taken in 1970 to compare to existing maps used for scoping purposes to determine if roads proposed for decommissioning existed prior to 1976. The procedure for analysis was as follows: The Meadows Vapor project map was scanned and then geo-referenced to align with existing road and PLSS data. A GIS shape file was created by digitizing the proposed roads from modern orthophotography (see Exhibit A – Meadow Vapor Map with Overlay). These roads can be clearly seen in photography from 1995, 2011, and 2015. The roads are clearly visible in at least one of the data sets. Each road in the Road Data Table was compared to the 1970 geo-referenced photography. Only road segments clearly identifiable in the 1970 photography were considered as RS 2477 eligible (see Exhibit A). See Exhibit B for Methodology.

Ravalli County Natural Resource Policy

The BCC adopted the Ravalli County Natural Resource Use Policy in 2012 (see Exhibit C). The policy outlines goals and objectives in specific Ravalli County Natural Resource areas. Ravalli County requests the Forest Service review the Ravalli County Natural Resource Policy and implement project goals and objectives that are supported by the policy. Access and Transportation section, Goal 1, Objective D states: Decommissioning – Ravalli County is opposed to road and trail closures and/or decommissioning. There shall be no net loss of Forest Service roads/trails. We support additional roads/trails.

Forest Management

Ravalli County supports active forest management in Ravalli County’s jurisdictional lands. This management must be based on sound science and consider impacts to the local economy, cultural values and common sense. Forest management practices must include planting, thinning and harvesting of the forest vegetation. Removal of forest materials using mechanical and other harvesting systems will insure continued investment, employment and business opportunities in Ravalli County. We encourage a harvest level that results in a stable and sustainable volume of merchantable and non-merchantable materials being removed each year. The Bitterroot National Forest and the State of Montana Trust Lands have the capability under proactive management to achieve a healthy forest ecosystem while providing clean water, clean air, wildlife habitat, recreational opportunities and economic benefits and stability.

Ravalli County also encourages timber harvest in the Inventoried Roadless Area (IRA) to the East of the proposed project in the Needles Creek drainage and the IRA to the Northeast in the Reynolds Creek drainage. These drainages are headwaters to the project area and not performing vegetation management in these areas could negate beneficial vegetation and watersheds treatments performed if this area were to burn at the severity level recognized by the Forest Service in the scoping document.

Merchantable Timber Harvest Increase

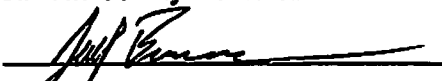
Ravalli County supports project parameters that include increased volumes of merchantable timber with predictable and long-term sustainable harvest level commitments from the Bitterroot National Forest. This commitment would provide the confidence level necessary for infrastructure investment from the private sector and create jobs and business opportunities.

Conclusion

Please consider these comments as part of the official record for the Meadow Vapors Project. We look forward to being actively involved with this project's development and analysis.

Sincerely,

Ravalli County Board of Commissioners

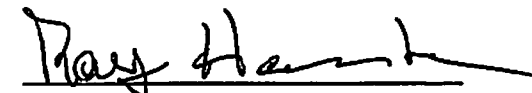


Jeff Burrows, Chairman



Greg Chilcott, Member

JR Iman, Vice-Chair



Ray Hawk, Member

Doug Schallenberger, Member

A

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Exhibit A

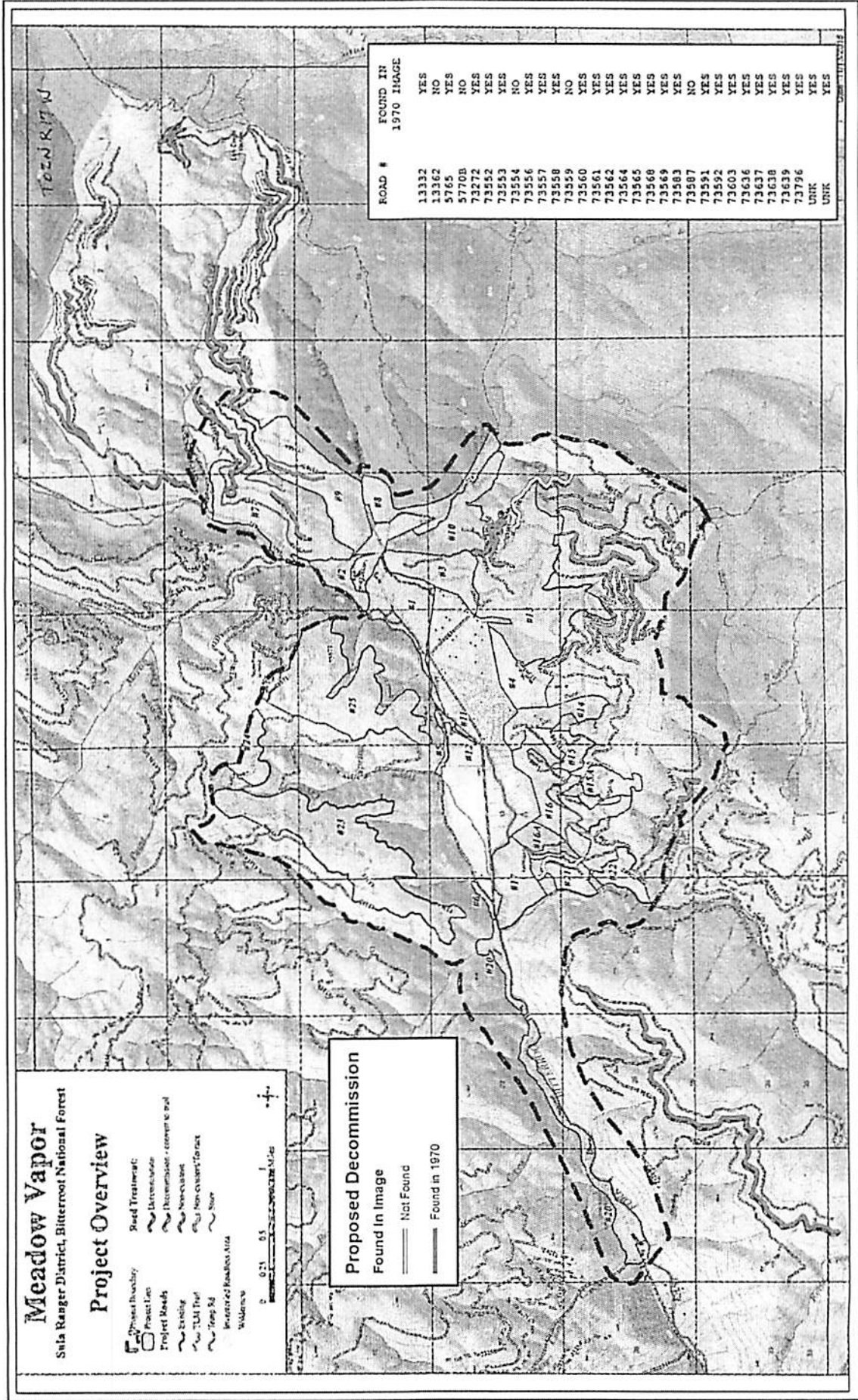


Exhibit B

Jeff Burrows

From: Ken Miller
Sent: Thursday, December 17, 2015 12:38 PM
To: Jeff Burrows
Cc: Greg Chilcott
Subject: Meadow Vapor Project

Jeff,

Regarding the USDA Forest Service's Meadow Vapor Project, I utilized materials sent to us to determine if any roads selected for decommissioning existed prior to 1976. Among the items sent to us were a paper copy of the project map and aerial photographs taken in 1970. My procedure was as follows:

I scanned the Project Overview map that showed the roads selected for decommissioning. I then geo-referenced the scanned map to align with our existing road and PLSS data and created an ArcGIS project to begin the overlay analysis.

I created a GIS Shapefile of the roads in question by digitizing them from modern orthophotography that also overlays our GIS data. These roads can be clearly seen in photography from 1995, 2011, and 2015. Please note that the roads were clearly visible in at least one of the data sets. The GIS Shapefile included an attribute column to indicate if the road segment can be seen in the 1970 photography.

I located the aerial photographs that were applicable to the roads in question. I geo-referenced each photograph to the orthophotographs from 2011 and included them in my project with the GIS Shapefile overlain. Please note that because of the nature of the photographs sent and the lack of further materials, I was not able to create orthophotos, but I was able to get a very close spatial match.

I zoomed to each road and looked for evidence of it in the 1970 geo-referenced photography. In the cases where the road segment was clearly identifiable in the 1970 photography, I gave the segment an attribute value of "1970." If the segment was not clearly visible, I gave it an attribute value of "0." From this process, I was able to symbolize the road Shapefile in my project to indicate "Found in 1970" and "Not Found."

Maps from my project are available upon request.

Ken Miller
Ravalli County GIS
406-375-6622

RESOLUTION NO. 2978

RESOLUTION ADOPTING THE RAVALLI COUNTY
NATURAL RESOURCE USE POLICY

WHEREAS, the Ravalli County Board of Commissioners on April 26th, 2012, received and had a public meeting on a draft proposal from a citizen group requesting the county to review and adopt a Natural Resource Plan; and

WHEREAS, the Ravalli County Board of Commissioners held ten more public meetings on the draft plan on May 24th and 29th, July 23rd, August 6th and 20th, September 17th, October 1st, 15th & 29th, and November 8th and, based on the document and amendments to the document, voted 4-0 to adopt the plan.

WHEREAS, the Board of County Commissioners are the elected representatives of the citizens of Ravalli County; and

WHEREAS, it is in the best interests of the people of Ravalli County for the Board of County Commissioners to have a plan to manage the natural resources on Government managed land in Ravalli County;

NOW, THEREFORE, BE IT RESOLVED that the Ravalli County Board of County Commissioners hereby adopts Resolution Number 2978 establishing the Ravalli County Natural Resource Use Plan.

PASSED AND ADOPTED THIS 21ST DAY OF NOVEMBER, 2012.
BOARD OF RAVALLI COUNTY COMMISSIONERS

Suzy Foss
Suzy Foss, Chairman

Greg Chilcott
Greg Chilcott, Member

J.R. Iman
J.R. Iman, Member

Ron Stoltz
Ron Stoltz, Member

Jeff Burrows
Jeff Burrows, Member

Attest: Regina Plettenberg
Clerk & Recorder



Attached: 2012 Bitterroot Valley Natural Resource Use Policy
30 pages

Return: Commissioner