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File Code: 1570-1/2400

Date: November 4, 2002

Bryan Bird  
Forest Conservation Council  
P.O. Box 22488  
Santa Fe, NM 87502-2488

**CERTIFIED MAIL -  
RETURN RECEIPT REQUESTED**

RE: Appeal # 02-03-00-0030-A215, Viveash Fire Salvage, Pecos/Las Vegas Ranger District,  
Santa Fe National Forest

Dear Mr. Bird:

This is my review decision concerning the appeal you filed regarding the Final Environmental Impact Statement and Record of Decision (FEIS/ROD) on the project noted above, which provide for the salvage of fire-killed trees to provide saw logs, house logs, vigas, firewood, and other forest products through commercial timber sales, as well as personal use product permits and several independent road management actions.

### **BACKGROUND**

District Ranger Reddan issued a decision on July 24, 2002, for the Viveash Fire Salvage. The District Ranger is identified as the Responsible Official, whose decision is subject to administrative review under 36 CFR 215 appeal regulations. Pursuant to 36 CFR 215.16, an attempt was made to seek informal resolution of your appeal. The record indicates that informal resolution was not reached.

The Responsible Official elected to focus this analysis and decision on two separate and independent actions within the project analysis area, the Viveash Fire Salvage and some road management actions. The discussion on page ES-3 of the FEIS states, "These road projects are not connected to the salvage proposal. They are considered similar actions that when viewed with the salvage actions, have similarities that provide the basis for evaluating their environmental consequences together. The proposed road projects and salvage harvest will be analyzed in this EIS in order to adequately assess the combined impact of these similar actions."

My review of this appeal has been conducted in accordance with 36 CFR 215.17. I have reviewed the appeal, the project record, interested party comments, and the recommendations of the Appeal Reviewing Officer. My review decision incorporates the project record.



**APPEAL REVIEWING OFFICER'S RECOMMENDATION**

The Appeal Reviewing Officer concluded that: 1) decision logic and rationale were clearly disclosed; 2) the benefits of the proposal were identified; 3) public participation and response to comments were adequate; and 4) the Viveash Fire Salvage is in compliance with NEPA and other applicable federal laws and regulations. However, the Appeal Reviewing Officer found that the scenic environmental effects analysis and disclosure related to the independent road actions were insufficient to allow those actions to proceed without further analysis.

The Appeal Reviewing Officer recommended that the Responsible Official's decision related to the Viveash Fire Salvage be affirmed and that the independent road management decision be reversed for an additional scenic effects analysis (36 CFR §215.13(f)(3)).

**APPEAL DECISION**

After a detailed review of the record, the interested parties' comments, and the Appeal Reviewing Officer's recommendation, I affirm the Responsible Official's decision on the Viveash Fire Salvage and reverse the independent road management actions with the following instructions:

- 1) Proceed with the Viveash Fire Salvage, using the existing road system. Properly maintain the existing roads, in accordance with Forest Service Road Maintenance Standards.
- 2) Evaluate and disclose the scenic effects of the independent road management actions described on page 2-11 of the FEIS.
- 3) Upon completion of this analysis related to the independent road management actions, circulate the supplemental environmental document for review/comment and issue a new decision under 36 CFR §215.

This decision constitutes the final administrative determination of the Department of Agriculture [36 CFR §215.18(c)].

Sincerely,

/s/ Abel M. Camarena  
ABEL M. CAMARENA  
Appeal Deciding Officer,  
Deputy Regional Forester

Enclosure

cc:

Santa Fe National Forest  
Pecos/Las Vegas Ranger District  
R3, FFH  
R3, Appeals & Litigation Staff  
Forest Guardians  
Carson Forest Watch  
Wild Watershed  
Mr. Herbert Cohen  
Mr. Michael Murphy, et al.  
Mr. Larry Ortiz  
Mr. Albino Bustamante  
Ms. Patricia Murphy

**REVIEW AND FINDINGS****of the****Forest Conservation Council's****Appeal #02-03-00-0030-A215****Viveash Fire Salvage FEIS**

**ISSUE 1:** The Viveash Fire Salvage FEIS failed to meet its obligation to take a “hard look” at environmental consequences, use accurate scientific analysis, or disclose important information regarding impacts.

**Contention (1a):** There are no legitimate ecological justifications for Salvage logging.

**Response (1a):** The appellant asserts that there is no ecological justification for salvage logging. The Viveash Fire Salvage is not intended to be a forest health restoration or hazardous fuels reduction project (Purpose and Need, FEIS p. 1-4). Given the Viveash FEIS's purpose and need, to recover the value of wood on a portion of the burn, ecological justification of the project is not required. However, mitigation measures will be implemented that will minimize ecological degradation as a result of the salvage project. (Mitigation Measures, FEIS pp. 2-19 and 2-20, Appendix A of the FEIS)

**Contention (1b):** The proposed actions are not supported by any scientific body of knowledge and many of the predicted impacts are contrary to the best available science.

**Response (1b):** The appellant references several literature sources related to effects of salvage logging. Most of these sources along with many others were used to predict, and describe the environmental effects. (FEIS, pp. 5-1 to 5-8) The response to comments also contains an explanation regarding the applicability of certain appellant-referenced resources to semi-arid southwestern ecosystems. (FEIS, p. C-27)

**Contention (1c):** The FEIS is deficient in analyzing the short-term adverse watershed impacts of reconstructing 43 miles of decommissioned roads.

**Response (1c):** According to the FEIS, most of the roads referred to by the appellant are not in a decommissioned status; they are merely administratively closed. They are low-standard, single-lanes with intact drainage features. (FEIS, p. 3-14) At the current time, vehicle use is prevented by the use of gates or other barriers. The project proposes to temporarily remove the barriers in order to provide vehicle access on the existing roads during the project implementation period. (FEIS, p. 2-7) No reconstruction is proposed and the roads will be administratively closed or decommissioned after salvage activities are completed. (FEIS, p.2-7) The qualitative analysis provided in the FEIS adequately describes and discloses the short-term watershed effects of

allowing vehicle use on these roads. (FEIS, p. 4-13) Further explanation of this issue is contained in the FEIS “Response to Comments”. (FEIS, p. C-20)

**Contention (1d):** The FEIS does not disclose significant effects on soil compaction and erosion, instead relying on Best Management Practices to explain effects (p. 9).

**Response (1d):** The FEIS contains over 12 pages of analysis, display and description of potential environmental effects. (FEIS, pp. 4-4 to 4-16) The use of Best Management Practices is offered as a means to mitigate or reduce the anticipated effects.

**Finding:** The Viveash Fire Salvage FEIS has met the obligation to take a “hard look” at environmental consequences, used accurate scientific analysis, and disclosed important information regarding impacts. There is no violation of NEPA.

**ISSUE 2:** The socio-economic analysis is incomplete because it fails to provide the information needed to insure that the Viveash project is economically justified.

**Contention (2a):** The Viveash Fire Salvage fails to incorporate economic benefits of unlogged forests and the Viveash Fire Salvage fails to incorporate information about externalized costs of logging and the economic feasibility of the proposed timber sales.

**Response (2a):** A financial efficiency analysis is required, whereas an economic efficiency analysis (which would cover a variety of non-market benefits and costs), as requested by appellant, is optional. See FS Handbook direction (FSH 2409.18 section 32.1). The FEIS “Response to Comments” #29 on pages C-14 and C-15, correctly states that it would be impossible to account for all market and non-market costs and benefits. On page C-16, the FEIS refers to job opportunity analysis for the three counties. The salability of the project sales in the future is dependent on markets and pricing factors that are outside the scope of the EIS.

**Contention (2b):** The Viveash Fire Salvage fails to comply with MUS Y Act, NFMA, the FS Economic and Social Analysis Handbook, the FS Timber Sale Preparation Handbook and Manual.

**Response (2b):** The programmatic social and economic analyses required by 36 CFR 219 were met when Forest Plans were adopted for implementation. Projects such as the Viveash Fire Salvage are developed to be consistent with the direction described in the Forest Plan. Project level requirements for social and economic analyses are described in Forest Service Manual (FSM) 1970 and Forest Service Handbook (FSH) 1909.17, the FS Economic and Social Analysis Handbook, and in FSH 2409.18, the FS Timber Sale Preparation Handbook and Manual. The Viveash Fire Salvage FEIS discloses all required economic impacts. (See analysis on present net values, jobs, and costs on EIS pp. 4-37 to 4-43, and the Final Socio-Economic Report in the administrative record [PR # 4.4])

**Finding:** The social and economic analyses on the Viveash Fire Salvage are consistent with regulation and manual and handbook direction for project-level analysis and not in violation of applicable laws, regulation, or policy.

**ISSUE 3:** Significant new information renders the current FEIS invalid.

**Contention:** The seven hundred and twelve acre Roybal Fire and associated suppression activities within the area were not addressed, nor disclosed in the FEIS and ROD.

**Response:** The record contains a Supplemental Information Report (SIR) that addresses the new information on the Roybal Fire.

The SIR addresses effects to soils, Burned Area Emergency Recovery efforts (BAER), Cow Creek watershed and water quality effects, effects to fisheries, wildlife, and their habitats. This SIR was done to determine if there was a change in condition from disclosed effects in the Viveash Fire Salvage FEIS and ROD and the SIR concludes that the effects in Cow Creek from the Roybal Fire, are not cumulative with analyzed effects from the Viveash Fire Salvage and that there is no need for a supplemental FEIS (PR# 8).

**Finding:** The SIR meets the intent of FSH 1909.15 section 18.1, “*Review and Documentation of New Information Received After a Decision Has Been Made*”. The Roybal Fire occurred about the same time period (June 2002) as the publication of the FEIS and ROD (June/July 2002). The use of a SIR is appropriate for addressing this new information.

**ISSUE 4:** Range of alternatives is inadequate which is a violation of NEPA.

**Contention:** The Viveash Fire Salvage ROD and FEIS fail to provide an alternative for restoration without harvest. The Forest Service is required to analyze a no-harvest alternative when proposing stewardship projects. This is especially valid, as the harvest material will have no value.

**Response:** FSM direction in 2432.22c requires that the sale purpose be identified and each timber sale develop cost-efficient alternatives and identify the most cost-efficient alternative. Where timber harvest is proposed, primarily for the purpose of achieving forest stewardship purposes (as defined in FSH 2409.18, sec. 26) a full range of alternatives, including practical and feasible non-harvest options, must be analyzed in the environmental analysis process. However, the manual direction goes on to say that it is not necessary to include harvest or non-harvest options that are not practical or feasible from a biological, social, or legal standpoint or those that do not meet Forest plan objectives, or standard and guideline requirements.

The Viveash Fire Salvage FEIS, Purpose and Section (FEIS, p. 1-4) clearly states that this project is not a forest stewardship project, rather it is proposed to recover wood product value and to increase employment opportunities. The direction applying to forest stewardship projects does not apply to this site-specific salvage proposal.

The FEIS “Response to Comments” #6 on pages C-3 and C-4, address the restoration alternative question. Neither a restoration alternative nor a prescribed fire alternative would meet the purpose and need of the project.

An important issue in the FEIS concerns jobs created in Pecos and the surrounding communities from the salvage actions. (FEIS p. 2-5) The economic analysis in the FEIS found that there was value in the proposed salvage activity. (See analysis on present net values, jobs, and costs on FEIS pp. 4-37 to 4-43, and the Final Socio-Economic Report in the administrative record)

**Finding:** The Viveash Fire Salvage FEIS followed all current law, regulation and policy in its development and analysis of alternatives responsive to the stated purpose and need.

**ISSUE 5:** Species Viability (Violations of NFMA, ESA and APA)

**Contention (5a):** The Viveash Fire Salvage ROD and FEIS violate the ESA due to failure to monitor Mexican spotted owl populations and the action may constitute jeopardy to the species.

**Response (5a):** Surveys for Mexican spotted owl and an analysis of post-fire habitat were completed (PR #4.32 & #4.35). Consultation with the USF&WS was completed when they concurred with the determination of “May Affect-Not Likely To Adversely Affect” (PR #6.22).

**Contention (5b):** The Viveash Fire Salvage ROD and FEIS violate NEPA with regard to assessment of impacts to Northern goshawk habitat and population. Additionally the Santa Fe NF has failed to designate the requisite number of nest areas within the project area and the standards contain no discretionary elements.

**Response (5b):** A thorough discussion of the potential effects on Northern goshawk is found in the administrative record. (PR #4.34 & #6.5 p. 6-2/3) The standards referred to by the appellant, read: “establish, and delineate on a map, a post fledgling area (PFA) that includes six nesting areas”. (FEIS For Amendment of Forest Plans 1985, p. 159) The Santa Fe NF has designated PFAs for all known and historic goshawks within the proposed project area, and therefore, meets the standard. Designation of nesting areas falls under guidelines not standards and guidelines are discretionary.

**Contention (5c):** With regard to the Three-toed and Hairy woodpecker, no quantitative data analysis exists on the effects of salvage logging on these species.

**Response (5c):** Although the Three-toed woodpecker occurs in the proposed project area, it is neither a federally listed nor an MIS for the Santa Fe NF. A thorough discussion of Hairy woodpecker needs, potential effects of the proposed project on their habitat, and population trends may be found in the administrative record. (PR #4.35)

**Contention (5d):** There is no analysis of the effects of the action on Neotropical Migratory Birds and the Migratory Bird Treaty Act will be violated do to “take” of migratory birds within the analysis area.

**Response (5d):** Migratory birds are discussed in the FEIS (PR #7.2 sec. 4.4.3.4 p. 4-30) and in the Migratory Bird Analysis for the Viveash Fire Salvage. (PR # 4.40) Both include discussions of the proposed activities’ impacts on migratory birds.

**Contention (5e):** The Viveash Fire Salvage ROD and FEIS do not acknowledge the existence of the Rio Grande Cutthroat Trout in the Cow Creek watershed and fail to account for impacts of the project on the habitat

**Response (5e):** Discussions on Cow Creek and the Rio Grande cutthroat trout are found in the administrative record. (PR #4.35 pg. 37) A determination was made that Rio Grande cutthroat no longer occur in Cow Creek and as a result will not be affected by the proposed project. Effects on potential future reintroductions are also discussed. Cumulative effects are discussed in the Viveash Fire Salvage FEIS. (PR #7.2)

**Finding:** The Viveash Fire Salvage FEIS and project record meet the requirements of NFMA, ESA, and APA for the proposed project.

**ISSUE 6:** Non-compliance with NFMA and the Santa Fe LRMP.

**Contention (6a):** The Viveash Fire Salvage ROD and FEIS violate the prohibition of cutting trees 24 inches in diameter and greater.

**Response (6a):** The appellant asserts that the proposed action violates the Forest Plan, as amended, by calling for the removal of dead trees greater than 24”. The referenced ROD and FEIS do not violate the prohibition on cutting trees 24 inches and greater. The *Recovery Plan for the Mexican Spotted Owl*, December 1995, requires that all trees >61cm (24 inches) dbh be retained in restricted owl habitat (page 94). The Mexican Spotted Owl Recovery Plan does not establish a maximum tree size outside of restricted owl habitat.

Restricted owl habitat is generally considered mixed conifer. Approximately 60% of the burn area was ponderosa pine and spruce-fir prior to the fire and 30% was mixed conifer (Table 3-8, FEIS page 3-19). Much of the mixed conifer habitat (owl restricted habitat) has been severely degraded by the fire (Table 3-12, FEIS p. 3-22) and is no longer suitable owl habitat. (Biological Assessment- Project Record #6.21, Fish and Wildlife Service concurrence letter- Project Record #6.22) Approximately 60% of the mixed conifer falls within a high-severity burn category and another 20% in a moderate-severity burn category. Salvage logging, with the exception of hazard tree removal along specified roads and trails, will occur only in high-to-moderate severity burn areas. (Proposed Action, FEIS p. 1-4, BA, PR #6.21)

The Addendum to the Biological Assessment for the Viveash Fire Salvage FEIS (PR #6.21) states that nearly 11,000 acres of mixed conifer (restricted owl habitat) were severely degraded

in the Viveash Fire. The addendum states that since most of the fire was so severe, suitable owl habitat has been lost in all four PACs within the burn. Two of the four PACs had 92% and 98% of the acreage degraded by moderate-to-high severity burn, while the PAC in the Upper Cow Creek area had approximately 47% of the PAC in moderate-to-high severity burn and the Upper Bull Creek PAC had approximately 8% of the PAC in moderate-to-high severity burn. Since salvaging is proposed primarily within high and moderate severity burn areas, with the exception of hazard tree removal, the salvage operation has been given a *may-affect-not-likely-to-adversely-affect* determination. It has been determined that the major effects to the owl were from this severe fire. The proposed effect of salvage logging on the owl will be minimal. Salvage activities are not proposed within the two PACs that were only partially burned.

The USF&WS letter dated May 9, 2002 (PR #6.22) documents concurrence with the Biological Assessment prepared by the Forest and the *may-affect-not-likely-to-adversely-affect* determination.

The intent of the Recovery Team, when establishing a maximum tree size for harvest, was for the 24-inch maximum guideline to apply to live tree removal in timber sales. The maximum tree size was not to apply to trees killed as a result of fire or insect events. The Viveash Fire Salvage FEIS calls for the salvaging of trees that have been fire killed (no evidence of green needles).

**Contention (6b):** The direction has been violated with regard to completing the EMA-wide old growth allocation requirements. The 20 percent allocation of areas to old growth has not been accomplished.

**Response (6b):** The appellant asserts that the Forest Plan has been violated by the failure to identify and assign an old growth classification to a minimum of 20% of the forested acreage within the Ecosystem Management Area (EMA) containing the Viveash Fire Salvage. Under old-growth standards, on page 95 of the ROD for the *Final Environmental Impact Statement For the Amendment of Forest Plans* (October 1995) it states, "... until the forest plan is revised, allocate no less than 20 percent of each forest's ecosystem management areas to old growth." There is no requirement that this must be allocated all at one time or that the allocation is made prior to any activity within the EMA. As long as no action is taken that would preclude allocating a minimum of 20 percent of an EMA to old growth, individual projects may proceed. It is the intent of this portion of the ROD that no existing old growth would be treated in any way that would cause it to no longer meet the standards for old growth, unless an EMA-wide assessment is performed that shows there is an excess of old growth above the amount needed to insure sustainability of the ecosystem (assumed to be at least 20 percent).

No existing old growth will be treated in the Viveash Fire Salvage. Areas severely burned and proposed for salvage logging have been pushed back to the vegetative structural stage of grass-forbs, the farthest condition from an old growth structural stage. Other areas within the EMA are much further along temporally that would be better as future old growth and that are not proposed for salvage logging.

**Finding:** There is no violation of NFMA or the Santa Fe National Forest's amended Forest Plan. The area to be salvage logged is no longer suitable owl habitat based on a biological

assessment made by the Forest. The USF&WS concurred with the *may-affect-not-likely-to-adversely-affect* determination made by the Forest. The Forest has not violated the Forest Plan minimum requirements for designating old growth habitat therefore the proposed salvage project is consistent with Forest Plan standards and guidelines pertaining to old growth designation.

**ISSUE 7:** NEPA violations with regard to failing to account for significant contributions to cumulative effects.

**Contention:** The Viveash Fire Salvage ROD and FEIS fail to account for the cumulative impacts of salvage sale on sedimentation and erosion in conjunction with the severely damaging erosion and sedimentation, which has already occurred; and failure to address cumulative effects of the salvage sale in conjunction with extensive private land logging and fire suppression activities, re-opening 43 miles of decommissioned roads, and various other potential impacts.

**Response:** Cumulative effects are listed and addressed in the Environmental Consequences chapter in the FEIS from page 4-1 forward. The cumulative effects on sediment yield are visually depicted on Figure 4-1 (p. 4-12), which shows the additive amount alternatives 1, 2 or 3 would have with the effects of the past fire. Soil productivity effects from the fire are discussed along with planned activities for all alternatives, pages 4-7 to 4-9.

Private logging is addressed on page 4-3 as a cumulative effect. The soils, water, fisheries, and wildlife and other analyses looked at private land actions in their effects reviews.

All the resource discussions covered effects of roads and benefits of decommissioning, reduction in road density and realignment of roads. The FEIS “Response to Comments” section addressed impacts from re-opening roads specifically on page C-20, response #39. It is also discussed in response #5 on page C-3.

The FEIS “Response to Comments” also addressed fire suppression actions as part of effects analysis in response #48 on page C-25. The rehabilitation work done immediately after the fire, reduced many effects of the fire suppression actions. The BAER report in the record details the work that was done

**Finding:** Cumulative effects were adequately described, quantified and considered for the disclosure of environmental impacts of the proposed action and alternatives consistent with policy, regulation and law. NEPA has been satisfied.

**ISSUE 8:** Response to Comments inadequate and therefore a violation of NEPA.

**Contention:** The Forest Conservation Council raised issues for which no response was given, including: literature on detrimental effects of fire salvage logging, lack of referencing pertinent science related to tree mortality, MIS issues, non-market values being used in economic analysis, compliance with the 1996 Forest Plan amendments, specifically not mapping goshawk nest areas, and failure to substantively address noxious weeds.

**Response:** By following the comment identification system used in the letters, the numbering assigned to summarized comments in the table, and the comment responses, it is evident that all of these comments were reviewed and answered in the FEIS “Response to Comments” Appendix C. The literature on detrimental effects of fire salvage logging submitted by Beschta et al. was identified as I4, numbered as comment 254, and responded to in responses #20 and #50, pages C-11, C-25, and C-26.

The reference to pertinent science related to tree mortality was identified as I4, numbered as comment 254, and responded to in response #20, page C-10.

The MIS issues comments were identified earlier as comments GG (numbered 172), JJ (numbered 175), SS (numbered 183), and responded to in responses #61 and 62.

Non-market value issue was identified as J4, numbered as 255, and response is made on page C-14 as #29.

The issue of compliance with the 1996 Forest Plan amendments, specifically mapping goshawk nest areas, was identified as issue EEE, numbered as 195, and response is made on page C-32, in comment #57.

The noxious weed issue was identified as K4, numbered as 256, and responded to in #65 on page C-37.

**Finding:** The response to comments section meets the standards under NEPA, and it responds to substantive comments made to the DEIS.

**ISSUE 9:** The Viveash Fire Salvage ROD and FEIS do not adequately address the threat of noxious weeds.

**Contention:** The impact of noxious weeds and actions that will cause increased spread of them are inadequately treated in the Viveash Fire Salvage ROD and FEIS. These include non-certified seed, washed vehicles and logging activities.

**Response:** The FEIS addresses noxious weeds in each alternative considered (FEIS pp. 2-6, 4-34). Best Management Practices from the USDA Forest Service Guide to Noxious Weed Prevention Practices and the Standard Contract Provision for timber harvest will ensure noxious weeds will be properly controlled.

The FEIS (p.4-34) describes Alternative 2 as follows:

“All equipment entering the Project Area would be required to be thoroughly cleaned and free of weed seeds before entering the Project Area, and only certified weed-free seed mixtures would be utilized in revegetation operations. These mitigation measures would

ensure that there would be a low risk of noxious weed introduction and spread for this alternative...

The cumulative effects of this alternative would result in a low risk of noxious weed introduction and spread in the Project Area. This conclusion is supported by the existing eradication and monitoring program and the proposed mitigation.”

**Finding:** The ROD and FEIS adequately address noxious weeds and their control.

**ISSUE 10:** Violation of NEPA and NFMA with regard to impacts on the scenic resources of the action in the Viveash Fire Salvage ROD and FEIS analysis area. Only slash and unmerchantable material is discussed. Logging trucks, trails, landings, deforestation on travel routes and road building are not addressed.

**Response:** In the Executive Summary page 15 and in the FEIS page 4-45 it states, “Logging trucks, skid trails, and landings could also create scenic impacts.” Recreation and Scenic mitigation measures address skid trails, landings, and log truck haul (FEIS pp. 2-21 and 4-45). Also see “Response to Comments” #84 on FEIS page C-45. Scenic effects of logging trucks, skid trails and landings have been evaluated.

The Proposed Action involves opening of 43 miles of currently closed roads (FEIS p. 1-4). The currently closed roads that will be opened will be closed or decommissioned after salvage activities have taken place (FEIS p. 1-4), mitigating their scenic effects.

The Proposed Action also involves: a new road for Murphy’s private land access (1.5 to 2 miles); road realignment of 1.5 miles of Forest Road 86 to move the road out of Tijeras Canyon; realignment of 2.3 miles of FR 86 from Manzanares Creek to Bull Creek crossing; realignment of FR 92 within the Rito de la Osha Creek; upgrades of maintenance levels on portions of FR 92; and bridge or culvert replacements on FR 86 and 92. (FEIS pp. 1-5, 6) (For other listings of these activities see FEIS p. 2-11, Table 2-1 Summary of Proposed Road Activities, and Record of Decision page 5.) The purposes for realignment are resource protection, principally water quality and public safety. (FEIS p. 2-12) The scenic effects of road realignment and the associated work have not been specifically disclosed in the FEIS.

**Finding:** The scenic effects of logging activities, such as skid trails, landings, and log trucks, have been evaluated and mitigation measures have been prescribed. The currently closed roads that will be opened, will be closed or decommissioned after salvage activities have taken place (FEIS p. 1-4), mitigating their scenic effects. The scenic effects of road realignment and upgrading have not been specifically disclosed in the FEIS. Therefore, it is not possible to determine if Forest Plan requirements will be met with regard to the separate road management actions identified on page 2-11 of the FEIS. However, in the FEIS page 4-45 (scenic cumulative effects) states, “The potential direct and indirect effects of Alternative 2, combined with the existing and anticipated effects of the fire rehabilitation and activities on private land, would create some short term cumulative visual effects.” The road realignment work was scheduled for years 1 and 2 (FEIS, p.1-7), which is in the short term. Therefore, the cumulative visual effects

of Alternative 2, including the reasonably foreseeable road management actions, were considered for the Viveash Fire Salvage.