Appendix O - Public Involvement

Results of public and agency scoping efforts from the 1999 EIS indicate people have concerns about the impacts of invasive weeds on the physical, biological, and ecological environment of the FC-RONRW and the potential effects of herbicides on people and the environment (1999 Record of Decision, Appendix L).

In November 2003, the public was invited to comment on the proposal to continue Integrated Weed Management initiated in 1999, with proposed modifications. A letter inviting comments about this proposed action was sent to those individuals and groups providing comments to the 1999 EIS, individuals and groups from the general mailing list from the Bitterroot, Payette, Nez Perce and Salmon-Challis National Forests interested in weed management, and individuals who had provided comments in the past regarding implementation of the FC-RONRW weed management program. The comments received during this current scoping indicate both support and concern over various aspects of this proposal. The majority of comments focused on elements of weed management that were analyzed in 1999. The comments received did not lead to the development of any new issues. The issues developed following review of public comments in 1999 are discussed in the 1999 Record of Decision (Appendix L) and are listed in Chapter 2 of the SEIS.

In May of 2004, the public was invited to review and comment on the Draft Supplemental Environmental Impact Statement (DEIS) for Noxious Weed Treatment in the Frank Church-River of No Return Wilderness. A "Notice of Availability" for the DSEIS was published in the Federal Register on May 7, 2004. All individuals submitting comments or making inquiries during the scoping period were sent copies of the DSEIS for review.

The following comments were received upon public review of the DSEIS. These comments are followed by Forest Service Response to Comments.

(This page intentionally left blank.)

STATE OF IDAHO

DIRK KEMPTHORNE
Governor
PATRICK A. TAKASUGI
Director

DEPARTMENT OF AGRICULTURE
DIVISION OF ANIMAL INDUSTRIES

2270 Old Penitentiary Rd.
P.O. Box 7249
Boise, Idaho 83707

(208) 332-8540

COPY

May 18, 2004

Mr. Bruce E. Bernhardt
United States Dept. of Agriculture
Nez Perce National Forest
Route 2, Box 475
Grangeville, ID 83530

Re: Draft Supplemental Environmental Impact Statement (DSEIS) for Noxious Weed Treatments in the Frank Church-River of No Return Wilderness (FC-RONRW) [Your letter dated May 13, 2004; File Code No. 1950-3]

Dear Mr. Bernhardt:

Our office is in receipt of the above-referenced letter and draft, addressed to Brenda Waters, Noxious Weed Program Coordinator, Idaho Department of Agriculture.

For your information, Brenda has tendered her resignation from the Idaho State Department of Agriculture. She will be working out of the office until June 12, 2004, and will be unable to respond to your request for comments on the DSEIS.

Should you have any questions, or if I can be of any assistance, please feel free to contact me at (208) 332-8528 or via email at adowning@agri.state.id.us. Thank you.

Sincerely,

Anita D. Downing

Anita D. Downing
Administrative Assistant for Brenda Waters,
Noxious Weed Program Coordinator
Idaho State Department of Agriculture

Copy to:
Salmon River Ranger District
Noxious Weeds EIS
Attn: Howard Lyman
HC 01, Box 70
White Bird, ID 83554

BW/ad

"Serving consumers and agriculture by safeguarding the public, plants, animals and the environment through education and regulation"

(This page intentionally left blank.)

"Friends of the West"
<fowest@salmoncountry.net>

05/22/2004 01:10 PM

To:<comments-intermtn-salmon-challis@fs.fed.us>
cc:
Subject: Noxious Weed Plan for the Frank

Sirs and Madams,

As a yearly float-boater through the Wilderness section of the Salmon River, I have made annual comments to responsible people about specific weed infestations. I have seen some heartening results of some of your work,
especially around Horse Creek, though a lot still needs to be done at Horse and along the trail leading to and from it, and upcanyon as well.

A few days ago we floated the Salmon through the Frank again, this time in an expedited fashion due to the inclement weather, and stayed at only two campsites, Big Squaw Creek and Camp Creek. At Big Squaw Creek I was shocked by the massive infestation of spotted Knapweed in the cobbled beach sand as well as in the flat above it. We were there a few years ago and the situation now is much worse. In addition, there is a lot of cheatgrass
there that I do not remember. It was so disgusting, I must tell you that my usual efforts to pull up near-flowering knapweed were aborted due to the sheer amount of weeds. Camp Creek, on the other hand, had no knapweed and
much less cheatgrass.

I work hard every spring and summer eradicating knapweed from BLM land near my home and have been surprised how effective my hard work has been at eliminating focal infestations. It is definitely possible to pull knapweed, especially in sand, moist or dry, conditions persisting along the river. I am successful pulling it in clay soil too, when I'm persistent and careful.

In my opinion, what is needed is a well-trained, caring, hard-working, dedicated weed staff who have ownership of the river corridor. The best way to handle the problem is to have a jetboat crew who can drop people off for a couple of days at various sites. They can then hike up and downriver and pull/spray and document GPS locations where infestations are present. This crew should be rewarded for their effort, by pounds of weeds collected or some other measure, in my opinion. Furthermore, it is crucial that all staff can identify knapweed rosettes, so they can be eliminated before they become a problem in subsequent years.

It is obvious to me that infected sites spread seeds largely via the river, since the worst infestations seem to be in the area covered by high water. Thus, one must control proximal (upriver) sites, otherwise you will always be fighting a losing battle. At the same time, it's

crucial to eliminate minor seedings downriver, so they don't become sources for further down.

Weeds, and other non-natives, like starlings and house sparrows, are one of my major frustrations. I surely hope that we can inspire enough people, both in the agencies, as well as private citizens to get a handle on these problems, or the future for our relatively fragile ecosystems is tenuous, at best.

Thank you for your hard work and dedication. The Frank Church is one of the last Best Places. We need to work hard to keep it that way for generations to come. And "Thank You" for reading my comments.

David S. Richmond, M.D.
Rocky Mountain Blues
Clayton, Idaho

Lot Owners
Copenhaver Owners Association
Idaho County, Idaho

June 3, 2004

Forest Service
Attn.: EIS Committee
Slate Creek Ranger Station
Slate Creek, Id

Dear Sir:

Lot owners Two who are members of the Copenhavers Homeowners Association. We hope this helps you proceed with the spraying and having it addressed in the new EIS.
6/7/04 Duane & Alberta Smith

We would like to have you consider having the new EIS for the Salmon River Area have a provision to include the spraying of noxious weeds.

The owners of lots at Copenhaver Subdivision, Idaho County, Idaho

Name	Lot #
[signature]	20 & 21
Duane Smith	Lot 11, 12, 13, 14.
[signature]	# 19
[signature]	Lot 9 & 10
Jerry Robinson	Lot 15

(This page intentionally left blank.)

Mr. John R. Swanson
3400 Edmund Blvd
Minneapolis MN 55406-2942

10 June 2004

Salmon-Challis National Forest
U.S. Hwy 93 S
Salmon, Idaho 83467

Dear Sirs;

Please accept my following comments concerning the Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Draft Supplemental Environmental Impact Statement

I support an integrated noxious weed prevention and education plan.

However, I continue to be concerned as to the use of herbicides.

a) herbicides with impact:

Westslope Cutthroat Trout	Chipmunk
Bull Trout	Fisher
Spring Chinook Salmon	Wolf
Summer Steelhead	Grizzly
Harlequin Duck	Peregrine Falcon
Pygmy Whitefish	Spotted Frog
Bonneville Cutthroat	Sage Grouse
Pine Marten	Bald Eagle

and herbicides will damage:

Bear Valley Creek
Elkhorn Creek
Big Mallard Creek
Deer Creek
Little Mallard Creek
Rhett Creek

Sincerely,

John R. Swanson.

(This page intentionally left blank.)

United States Department of the Interior
OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
500 NE Multnomah Street, Suite 356
Portland, Oregon 97232-2036

IN REPLY REFER TO
ER04/0354

Electronically Filed

June 17, 2004

Mr. William Wood
Forest Supervisor
Salmon-Challis National Forest
Forest Supervisor's Office
50 Hwy 93 South
Salmon, Idaho 83467

Re: COMMENTS – Review of the Draft Supplemental Environmental Impact Statement for the Frank Church-River of No Return Wilderness Noxious Weed Treatments, Salmon-Challis National Forest, Idaho, Valley, and Lemhi Counties, Idaho

Dear Mr. Wood:

The Department of the Interior has reviewed the Draft Supplemental Environmental Impact Statement for the Frank Church-River of No Return Wilderness Noxious Weed Treatments, Salmon-Challis National Forest, Idaho, Valley, and Lemhi Counties, Idaho. The Department does not have any comments to offer.

We appreciate the opportunity to comment.

Sincerely,

Preston A. Sleeger
Regional Environmental Officer

(This page intentionally left blank.)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

June 18,2004

Reply To
Attn Of: *ECO-088*

Ref: 95-112-FWS

Howard Lyman
Noxious Weed Program Coordinator
Frank Church-River of No Return Wilderness Salmon River Ranger District
Salmon-Challis National Forest HC 01 Box 70 White Bird, Idaho 83554

Dear Mr.Lyman:

The U.S. Environmental Protection Agency has reviewed the draft supplemental Environmental Impact Statement (ElS) for the **Frank Church-River of No Return Wilderness Noxious Weed Treatments** (CEQ No. 040210) in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. The draft EIS evaluates a No Action alternative and one action alternative for improving the effectiveness of the integrated weed management program in the wilderness. The draft supplemental EIS identifies Alternative 2 as the agency-preferred alternative.

Based on our review of the draft revised EIS, we have no objections to the proposed treatment strategy. Consequently, we have assigned a rating of La (Lack of Objections) to the draft revised EIS. This rating will be published in the *Federal Register.* A copy of the rating system used in conducting our review is enclosed for your reference.

Should you have any questions, please contact Bill Ryan of my staff at (206) 553-8561.

Sincerely,

for Judith Leckrone Lee, Manager
Geographic Implementation Unit

Enclosure

(This page intentionally left blank.)

Dirk Kempthome / Governor
Steven M. Huffaker / Director

June 21, 2004

Howard Lyman
Salmon River Ranger District
HC 01 Box 70
White Bird, ID 83554

FC-RONWNoxious Weed Treatments Draft Supplemental EIS, April 2004

Dear Howard:
The Idaho Department ofFish and Game (Department) has reviewed the Frank Church-River of No Return Wilderness (FC-RONW) Noxious Weed Treatments Draft Supplemental Environmental Impact Statement of April 2004. We support a decision in favor of Alternative 2 (the proposed action) as described in the document to manage the treatment of noxious weeds in FC-RONW.

Although we support the features of Alternative I (no action or current management) as well, we feel that in order to provide greater benefits to fish and wildlife resources by more effectively maintaining and restoring habitat there are additional opportunities presented in Alternative 2, including the following:

Additional management flexibility by allowing rangers to modify priorities and to consider CWMA Steering Committee recommendations,

Improved effectiveness of treatment methods by strategically integrating biological control with other treatments,

Improved management of herbicide applications by expanding the opportunity to conduct ground-based applications with boat-mounted pumps, incorporate the full range of label recommendations, and ensure effective calibration of equipment,

Expansion of available tools to manage annual exotic grass species by adding Plateau to the list of approved herbicides.

Thank you for the opportunity to comment. If you would like additional explanation of our support for Alternative 2, please contact either Jerry Deal or Eric Leitzinger in our Southwest Regional Office at (208) 465-8465.

Al Van Vooren
Southwest Regional Supervisor
NRPB
Salmon Region (Painter)
McCall (Rohlman)

Bureau of Wildlife (Gould)
Southwest Region (Leitzinger)
Clearwater Region (Hansen) A V /jd

IDAHO FISH and GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

(This page intentionally left blank.)

Friends of the Clearwater ☎ 1-208-883-0727 6/21/04 12:27 PM 1/4

June 21, 2004

Salmon River Ranger District
Noxious Weeds EIS
Attn: Howard Lyman
HC 01 Box 70
White Bird, ID 83554

SENT VIA FAX

Dear Mr. Lyman:

The following comments on the noxious weeds SEIS are being submitted by Friends of the Clearwater, Wilderness Watch, the Ecology Center, the Lands Council and Alliance for the Wild Rockies. We refer you to our earlier comments on the EIS, our scoping comments on the SEIS and the various comments on the Frank-Church-River of No Return Wilderness Plan EISs. We incorporate those comments by reference in these comments.

The plan and alternatives regarding noxious weeds in the Wilderness ignores the implication of important monitoring results, is contrary to the letter and spirit of the Wilderness Act, and lacks scientific validity. These serious problems are dealt in more detail in the following sections.

Purpose and Need

The number one and overriding issue must be whether this weed control project is consistent with the Wilderness Act. Even before discussing issues of minimum tool, the agency needs to evaluate whether a massive weeds program is even appropriate in wilderness.

Preservation of wilderness character is the overriding mandate. Section 2(a) of the Wilderness Act is clear. The "purpose" is "to secure for the American people of present and future generations the benefits of an enduring resource of wilderness" through the establishment of "a National Wilderness Preservation System" and that system "shall be administered for the use and enjoyment of the American people in such a manner as will leave them unimpaired for future use and enjoyment **as wilderness** and so as to provide for the protection of these areas, the preservation of their **wilderness character** . . . (emphasis added) ".

Section 4(b) of the Wilderness Act reinforces the importance of preservation of wilderness character. This section does so because it also lists public purposes or uses (plural) to which Wilderness Areas are devoted, as long as the purpose of preservation of wilderness character remains paramount. These are "recreational, scenic, scientific, educational, conservation, and historical use."

Again, these six items are not the purpose of the Act, rather they are the public uses which are compatible with Wilderness designation provided they are properly managed and preserve the wilderness character. That is the message of section 4(b). In fact, preservation of wilderness character is mentioned twice in that section and, as such, reinforces, emphasizes, and underlines that primary purpose. The public uses are enumerated to distinguish them from non-conforming public uses that are allowed under certain circumstances, such as grazing and mining in section 4(d), but to which Wilderness areas are not devoted.

Thus, a clear direction is established in law. The benefits of an enduring resource of wilderness through the establishment of the National Wilderness Preservation System which is to be administered to protect its wilderness character for the future use and enjoyment as wilderness of the American people **is the singular and overriding purpose for the Wilderness Act**. The six items enumerated above, are the uses to which wilderness areas are devoted, provided the primary and overriding purpose is met.

As such, the agency needs to determine whether the activities proposed are even compatible with maintaining an "untrammeled" (uncontrolled, untethered) environment and preserving wilderness character. While the spread of undesirable, non-native weeds inside Wilderness is disturbing and shows a failure of prevention on part of the agency, determining whether herbicide use and an aggressive and manipulative program of going after weeds in the wilderness is appropriate should be done. Questions such as is the cure worse than the disease need to be asked.

Looking at the SEIS, it is obvious there is a confusion between wilderness uses enumerated in section 4b and wilderness character. Page 7 lists several impacts from weeds but those impacts are mainly upon the public uses--recreational, scenic, scientific, educational, conservation, and historical use. There is no discussion in the SEIS of the impacts to the wilderness character, if any, from weeds.

In any case, prevention is the best way to prevent spread of weeds. The agency has been loath to adopt aggressive prevention measures which would include quarantine of any packstock entering wilderness for a period of 24 to 72 hours, requiring the use of pelletized feed (weed-free hay isn't). We have provided you with detailed recommendations in past documents.

The other question that must be asked is all of the manipulation and poisoning actually effective? The answer appears to clearly be no. Even with an aggressive program adopted in the 1999, infested weed acreage increased between two and three times and the number of sites increased by over 60 percent (SEIS page 5).

Minimum Necessary

Is it the minimum necessary requirement for administration of the area **as Wilderness** in accordance with the Act, does it maintain wilderness character and an untrammeled environment? The SEIS does not specifically analyze wilderness character and, as noted above, conflates the overriding mandate with what it terms values (page 7). This is the fatal flaw of the SEIS.

The Wilderness Act governs management of the Frank Church-River of No Return Wilderness and is the overriding statute for anything that happens in the area.

EIS Analysis

We reiterate, the main flaw, and it is a fatal one, of the SEIS is the complete failure to analyze the impacts to wilderness character of a trammeling and manipulative program of killing weeds inside the wilderness. While certain methods (hoeing, weed-pulling) may have a smaller impact on wilderness character, the entire program trammels wilderness and the use of herbicides and the introduction of exotic species are inconsistent with the Wilderness Act.

Another flaw with the SEIS is whether it is a site-specific or programmatic document. It appears to be a programmatic document as no specifics are given as to where weed-killing

would occur, when, and by what methods. We are aware of no site-specific decisions for weed treatment.

Ironically, this apparently programmatic document approves specific management action without further NEPA. Yet, the recently revised wilderness management plan does not. This inconsistency is shocking especially in its implication to wilderness character.

The SEIS does not analyze the impacts to aquatic species from use of jetboats as ground-based weed sprayers. It is clear that herbicide will enter water from this method application. Yet, the assumption in the SEIS is that the way it herbicides could enter the water is through wash-off, not from spraying weeds from jetboats.

Issue #9 incorrectly implies there is universal support for all biological control in Wilderness. Introducing a non-native control agent not only violates the Wilderness Act and agency regulations but could have serious unintended consequences.

Wilderness Plan

The Weeds EIS released in the fall of 1999 states, "The scope of this decision is limited to the site specific actions necessary to treat weeds in the FCRONR over the next five years or until implementation of the FCRONR EIS." This clearly means that the Management Plan EIS must contain long-term weed strategies.

The SEIS for the Wilderness Management Plan states that "wilderness managers are preparing a site specific EIS enabling a quicker route to establishing a plan of action to be used as interim direction until the FEIS is complete." Again this states that the weeds EIS is to be used for "interim direction" implying that a long-term strategy will be presented in the final EIS on the management plan. However, the wilderness plan FSEIS and proposed alternative contain nothing of the sort and deferred weed decisions to the weeds EIS.

This shell game is disgusting. We expect that our government will deal honestly and forthrightly with us. We have been promised that the Wilderness would be managed in an integrated way via the wilderness plan. We earlier pointed out that the Wilderness EIS needed to analyze weeds, which it doesn't. You have received comments from us on these various EISs, all raising this issue.

Prevention

We addressed this issue at length in our past scoping comments, appeal, and past comments. Rather than reiterate the substance of those comments, we will simply point out prevention is the best method to prevent the spread of weeds. The agency's failure in its stewardship responsibilities of the wilderness with regard to regulating recreation impacts is responsible for weed infestations.

Summary

It seems the five years of extensive weed treatment approved by the last ROD within the Wilderness has not resulted in fewer weeds. Rather, weed areas have grown. No real prevention has been implemented even though it is recognized as the most successful way to control weeds. The public is mislead by ludicrous policies such as calling spraying of herbicides from jetboats as ground control.

The past five years, if not he past 25, should have been a wake-up call for the agency. Rather than persist with a failed program, the agency must adopt a program that regulates human use and thereby prevents or slows the spread of weeds.

Sincerely,

Gary Macfarlane

Gary Macfarlane
Friends of the Clearwater
PO Box 9241
Moscow, ID 83843

and

Alliance for the Wild Rockies
PO Box 8731
Missoula, MT
PO Box 1136
Boise, ID 83701

Mike Petersen

Mike Petersen
The Lands Council
423 W. First Ave. Suite 240
Spokane, WA 99201

TinaMarie Ekker

TinaMarie Ekker
Wilderness Watch
PO Box 9175
Missoula, MT 59807

Jeff Juel

Jeff Juel
The Ecology Center
801 Sherwood, Suite B
Missoula, MT 59802

Forest Service Response to Comments

Comments received by – Idaho Department of Agriculture

Our office is in receipt of Draft SEIS for Noxious Weed Treatment in the FC-RONR Wilderness.

Forest Service Response: Your acknowledgement of receiving the SEIS is appreciated.

Comments received by – David S. Richmond, M.D.

#1 I have seen some heartening results of some of your work, especially around Horse Creek, though a lot still needs to be done at Horse and along the trail leading to and from it, and upcanyon as well.

Forest Service Response: We appreciate receiving your encouragement and acknowledge a lot of work remains to be done.

#2 At Big Squaw Creek I was shocked by the massive infestation of spotted Knapweed in the cobbled beach sand as well as in the flat above it. Camp Creek, on the other hand, had no knapweed and much less cheatgrass.

Forest Service Response: Your observations are appreciated and have been forwarded to the North Fork District Office for scheduled treatment.

#3 In my opinion, what is needed is a well-trained, caring, hard-working, dedicated weed staff who have ownership of the river corridor. The best way to handle the problem is to have a jetboat crew who can drop people off for a couple of days at various sites. They can then hike up and downriver and pull/spray and document GPS locations where infestations are present. This crew should be rewarded for their effort, by pounds of weeds collected or some other measure, in my opinion. Furthermore, it is crucial that all staff can identify knapweed rosettes, so they can be eliminated before they become a problem in subsequent years.

Forest Service Response: Your suggestions are incorporated by both alternative 1 and alternative 2, where weed treatment crews are transported by rafts and jet boats to treatment areas. Weed sites are inventoried using GPS, and weed crew are competent in identifying many species of weeds including rosette stage of spotted knapweed.

#4 It is obvious to me that infected sites spread seeds largely via the river, since the worst infestations seem to be in the area covered by high water. Thus, one must control proximal (upriver) sites, otherwise you will always be fighting a losing battle. At the same time, it's crucial to eliminate minor seedings downriver, so they don't become sources for further down.

Forest Service Response: We agree with your opinion and are treating weeds throughout the river corridor, both upstream and downstream.

#5 I surely hope that we can inspire enough people, both in the agencies, as well as private citizens to get a handle on these problems, or the future for our relatively fragile ecosystems is tenuous, at best.

Forest Service Response: We agree with your assessment on the need for cooperation and are taking the lead in facilitating the newly developed Cooperative Weed Management Area for the FC-RONRW.

#6 Thank you for your hard work and dedication. The Frank Church is one of the last Best Places. We need to work hard to keep it that way for generations to come.

Forest Service Response: Thank you for words of encouragement and your support.

Comments received by – Copenhaver Lot Owners Association

We would like to have you consider having the new EIS for the Salmon River Area have a provision to include the spraying of noxious weeds.

Forest Service Response: The proposed action (alternative 2) focuses on implementation of Integrated Weed Management, including the use of herbicides to treat noxious weeds.

Comments received by – Mr. John R. Swanson

I support an integrated noxious weed prevention and education plan. However, I continue to be concerned as to the use of herbicides. Herbicides will impact westslope cutthroat trout, bulltrout, spring Chinook salmon, summer steelhead, pine martin, goshawk, fisher, wolf, grizzly, peregrine falcon, spotted frog, bald eagle (and other species). And herbicides will damage Bear Valley Creek, Elkhorn Creek, Big Mallard Creek Jersey Creek Little Mallard Creek, Rhett Creek.

Forest Service Response: The proposed action (alternative 2) focuses on implementation of Integrated Weed Management, including weed prevention and education components. The use of herbicides is also a component of the proposed action (alternative 2). Our analysis of potential environmental effects, and our Biological Assessments and Evaluations and subsequent consultation with the US Fish and Wildlife Service and NOAA Fisheries Service, conclude no significant impacts and damage will occur as a result of implementing the proposed action (alternative 2).

Comments received by – US Department of Interior

The Department of Interior has reviewed the Draft SEIS for the FC-RONRW Noxious Weed Treatments. The Department does not have any comments to offer.

Forest Service Response: Acknowledge

Comments received by – US Environmental Protection Agency

Based on our review of the draft revised EIS, we have no objections to the proposed treatment strategy. Consequently, we have assigned a rating of LO (Lack of Objections) to the draft revised EIS. This rating will be published in the *Federal Register.* A copy of the rating system used in conducting our review is enclosed for your reference.

Forest Service Response: Acknowledge

Comments received by – Idaho Department of Fish and Game

We support a decision in favor of Alternative 2 (the proposed action) as described in the document to manage the treatment of noxious weeds in FC-RONW. Although we support the features of Alternative I (no action or current management) as well, we feel that in order to provide greater benefits to fish and wildlife resources by more effectively maintaining and restoring habitat there are additional opportunities presented in Alternative 2, including the following; Additional management flexibility by allowing rangers to modify priorities and to consider CWMA Steering Committee recommendations; Improved effectiveness of treatment methods by strategically integrating biological control with other treatments; Improved management of herbicide applications by expanding the opportunity to conduct ground-based applications with boat-mounted pumps; Incorporate the full range of label recommendations, and ensure effective calibration of equipment; Expansion of available tools to manage annual exotic grass species by adding Plateau to the list of approved herbicides.

Forest Service Response: Your support of the proposed action (alternative 2) is acknowledged.

Comments received by – Friends of the Clearwater, Wilderness Watch, the Ecology Center, the Lands Council and Alliance for the Wild Rockies (June 2004).

1) We refer you to our earlier comments on the EIS, our scoping comments on the SEIS and the various comments on the Frank-Church-River of No Return Wilderness Plan EISs. We incorporate those comments by reference in these comments.

Forest Service Response:

Your earlier comments received in association with the Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August, 1999, and your appeal of the Record of Decision were responded to at that time in 1999. Your comments we received in response to the Environmental Impact Statement for the Frank Church-River of No Return Wilderness Management Plan in 2004 were incorporated and/or responded to at that time.

2) The number one and overriding issue must be whether this weed control project is consistent with the Wilderness Act Even before discussing issues of minimum tool, the agency needs to evaluate whether a massive weeds program is even appropriate in wilderness.

Forest Service Response:

This evaluation was conducted and documented by the "Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999," page 86 – 90:

> *Allowing the displacement of native vegetation at the watershed scale by foreign species does not protect or preserve the natural conditions. When noxious weeds disrupt successional pathways of native vegetation they interfere with the natural process and by so doing lessen the primeval character of the Wilderness. The other consideration is irreversible commitment of resources. If land managers deliberately allow invasive weeds to proliferate as part of the natural process and later decide the wrong choice was made, the decision is irreversible. Nothing can be done other than rely on biological control which may or may not be effective. Conversely, if management elects to aggressively manage weeds and later decides to stop management actions, weeds can be allowed to expand at that point.*
>
> *To some, knowing that chemicals were applied in the Wilderness in and of itself reduces the wilderness experience or wilderness integrity. There is little doubt that applying herbicide in the Wilderness is introducing a foreign, non-native substance and chemical treatment of vegetation (including possible loss of non-target native vegetation) is an un-natural process. It is also clear that exotic vegetation is non-native and displacement of native vegetation is an unnatural process. It is not so much whether weed treatment is more un-natural than weed invasion or vise versa. Neither is natural. Rather it is which event is the more extensive or impactive.*

In addition, Deputy Regional Forester, Jack G. Troyer, evaluated this issue in his November 23, 1999 response to your appeal of the FC-RONRW Noxious Weed Treatments Record of Decision:

> *The Wilderness Act allows for wilderness to be protected and managed so as to preserve its natural conditions [16 U.S.C. 1131, Sec. 2(c)]. In addition to the Act, land managers are charged by various laws, Executive Orders, and policies to maintain and protect wilderness ecosystems and natural conditions (ElS, pp. 5, 86 to 87; ROD, pp. 16 to 18). As discussed in the ROD (p. 16) and FEIS (p. 5), the Forest Service Manual (under 2323.2)*

allows for noxious weed control in designated wilderness. The Wilderness Act (16 U .S.C. 1131-1136) and its implementing regulations (36 CPR 293) are silent on the introduction of insects or use of herbicides in wilderness to maintain the natural ecosystem. Such actions, therefore, are not contrary to the Wilderness Act, federal regulation, or agency policy.

3) [T]he agency needs to determine whether the activities proposed are even compatible with maintaining an "untrammeled" (uncontrolled, untethered) environment and preserving wilderness character. While the spread of undesirable, non-native weeds inside Wilderness is disturbing and shows a failure of prevention on part of the agency, determining whether herbicide use and an aggressive and manipulative program of going after weeds in the wilderness is appropriate should be done. Questions such as is the cure worse than the disease need to be asked.

Forest Service Response:

The evaluation of integrated weed management within the FC-RONRW was conducted and documented by the "Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999." Past, present and future monitoring of weed infestations and treatment areas will provide information to assure resource management objectives are achieved and that "the cure" is NOT "worse than the disease."

Further, the 1999 FEIS addresses the irreversible commitment of resources inherently at risk within the decision of maintaining an "untrammeled" environment and the use of herbicide, pg 88...

If land managers deliberately allow invasive weeds to proliferate as part of the natural process and later decide the wrong choice was made, the decision is irreversible. Nothing can be done other than rely on biological control which may or may not be effective. Conversely, if management elects to aggressively manage weeds and later decides to stop management actions, weeds can be allowed to expand at that point.

4) There is no discussion in the SEIS of the impacts to the wilderness character, if any, from weeds.

Forest Service Response:

The Forest Service agrees on the importance to address impacts to Wilderness from weed expansion, and including our responsibility to preserve wilderness character.

Wilderness character is addressed in the Wilderness Act (P.L. 88-577) under the Statement of Policy, Section 2 (a); and within the Use of Wilderness Areas, Section 4 (b). Both of these sections establish the requirement that the Forest Service manage so as to preserve wilderness character. (See Response to Comment 7 below for additional discussion regarding wilderness character).

The SEIS supplements the "Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999" As such, the discussion contained in the August 1999 FC-RONR FEIS still stands and the SEIS would merely supplement information as needed.

The effects of weeds, for both the expansion of weeds and weed treatment, are discussed for wilderness resources and wilderness values. The August 1999 FEIS discussion of environmental effects can be found for wilderness resources on pgs. 60 - 86 and 88 - 92 and for wilderness values on pgs. 86-88. Further, the SEIS, pg 42, discloses our finding that "Alternative 2 will have no effects to Wilderness and Wild and Scenic River values in addition to those described in the 1999 FEIS."

5) Prevention is the best way to prevent spread of weeds. The agency has been loath to adopt aggressive prevention measures which would include quarantine of any packstock entering wilderness for a period of 24 to 72 hours, requiring the use of palletized feed (weed-free hay isn't). We have provided you with detailed recommendations in past documents.

Forest Service Response:

We agree that prevention is "the most effective method for managing noxious weeds." A noxious/invasive weed prevention plan has been developed and is being implemented by the four National Forests of the FC-RONRW (FSEIS Appendix J). This prevention plan incorporates management direction from both Intermountain and Northern Regions of the Forest Service. This plan is also consistent with recommendations from the USDA Forest Service "Guide to Noxious Weed Prevention Practices, July 2001," and the Center for Invasive Plant Management "Invasive Plant Prevention Guidelines, September 2003." Additional noxious weed prevention recommendations received through this analysis will be shared with the four National Forests of the FC-RONRW for consideration in future revision of the prevention plan.

6) The other question that must be asked is all of the manipulation and poisoning actually effective? The answer appears to clearly be no. Even with an aggressive program adopted in the 1999, infested weed acreage increased between two and three times and the number of sites increased by over 60 percent (SEIS page 5).

Forest Service Response:

Clearly noxious and invasive weeds have continued to spread within the FC-RONRW since initiation of integrated weed management activities in 1999. The extent of this spread is not fully known. More weed infestations have been detected since 1999 due to increased weed spread, and also due to increased emphasis on weed detection and inventory. Significant reduction in spotted knapweed infestations within the Main Salmon River corridor, and control of numerous isolated weed infestations throughout the wilderness is evidence that the program has been successful. Sixteen permanent monitoring sites have been established within the FC-RONRW to monitor changes in vegetation composition resulting from herbicide treatments. All of the sites being monitored have revealed significant reduction in weed frequency and density (FSEIS Appendix H). Limited funds and resources will continue to make prioritization of weed sites an important component of this integrated weed management program.

7) The SEIS does not specifically analyze wilderness character and, as noted above, conflates the overriding mandate with what it terms values (page 7). This is the fatal flaw of the SEIS.

Forest Service Response:

The Forest Service agrees on the importance to address impacts to Wilderness, including our responsibility to preserve wilderness character. Wilderness character is addressed in the Wilderness Act (P.L. 88-577) under the Statement of Policy, Section 2 (a); and within the Use of Wilderness Areas, Section 4 (b). Both of these sections establish the requirement that the Forest Service manage so as to preserve wilderness character.

> *P.L. 88-577 Section 2 (a) ...wilderness areas...shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character...*
>
> *P.L. 88-577 Section 4 (b) ...each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character.*

However, the Act does not define the term "wilderness character" and the legislative history for the act does not discuss "wilderness character." Neither is there a section in the FEIS titled "wilderness character."

The Act however does define "wilderness" through the use of terms characteristic of wilderness, such as: untrammeled; undeveloped; without permanent improvements; natural conditions; appears to be primarily affected by the forces of nature, with the imprint of mans work substantially unnoticeable; outstanding opportunities for solitude or a primitive and unconfined type of recreation; size of at least 5000 acres; and may contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

The Forest Service did analyze the effects of weed expansion and weed treatment on a variety of Wilderness Resources and Wilderness and Wild and Scenic River Values that could be susceptible to weed expansion and or weed treatments. The resources and values chosen for analyses were based on Issues raised in public comments; analysis required by NEPA regulations; and values characteristic of the definition of Wilderness.

Specific examples of the applicability of analysis to "wilderness character includes" effects analysis disclosed in the Aug 1999 FEIS and the 2004 FSEIS including:

- 1999 FEIS Pgs 60 – 61, 2004 FSEIS Pg 28; effects of the proposed action on historic and prehistoric archelogical sites and scientific values of the site;
- 1999 FEIS Pgs 67 72, 2004 FSEIS Pgs 33 - 36; effects of the proposed action on human health (human use and enjoyment);
- 1999 FEIS Pgs 72 74, 2004 FSEIS Pg 36; effects of the proposed action on recreation experiences (ROS primitive and semi-primitive) impacts based on weed expansion and encounters with treatment crews (opportunities for solitude);
- 1999 FEIS Pgs 74- 79, 2004 FSEIS Pgs 37 - 39; effects of the proposed action on natural condition of native plant communities and specific species (naturalness in terms of flora);
- 1999 FEIS Pgs 80 86, 2004 FSEIS Pgs 39 - 41; effects of the proposed action on native wildlife species;
- 1999 FEIS Pgs 86 88, 2004 FSEIS Pgs 41 - 42; effects of the proposed action on wilderness and wild and scenic rivers values (natural condition cause and effects);
- 1999 FEIS Pgs 90 91, 2004 FSEIS Pgs 42 - 43; effects of the proposed action on visual effects and landscape viewing as part of the recreational experience; and
- 1999 FEIS Pgs 91 - 92 environmental effects that cannot be avoided.

8) We reiterate, the main flaw, and it is a fatal one, of the SEIS is the complete failure to analyze the impacts to wilderness character of a trammeling and manipulative program of killing weeds inside the wilderness.

Forest Service Response:

See Forest Service Response to comment #7 above.

9) Another flaw with the SEIS is whether it is a site-specific or programmatic document. It appears to be a programmatic document as no specifics are given as to where weed-killing would occur, when, and by what methods. We are aware of no site-specific decisions of weed treatment.

Forest Service Response:

The FSEIS is a supplement to the Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999. Both documents are site-specific analyses. Known weed sites are identified in both analyses, as are the matrices for identifying treatment methods and priorities. Mitigation measures associated with treatments are also discussed.

In addition, Deputy Regional Forester, Jack G. Troyer, evaluated the issue of site specificity of the 1999 EIS in his November 23, 1999 response to your appeal of the FC-RONRW Noxious Weed Treatments Record of Decision:

> *The Draft and Final EIS are site-specific for weed treatments. The DEIS outlines a specific treatment strategy (DEIS, pp. 2-20 and 2-48 through 2-49) and specific treatment sites (DEIS Appendix G, pp. G-2 to G-18).*
> *The FEIS provides the foundation for an integrated, coordinated control plan (pp. 16 to 23). In Alternative 2 (pp. 25 to 26) the FEIS outlines treatment objectives as determined by weed species and acreage, and identifies acres by treatment method. It displays the vegetation susceptible to weed invasion (Map 3.2), the sites of known weed infestations (Map 3.1), lists specific treatment sites (FEIS, Appendices C-l to C-4, pp. 197 to 233), and the treatment acres by area and weed species (Appendix D, p. 237). The FEIS provides a good discussion on how fast various species of noxious weeds increase (p. 60), where those increases may occur (pp. 37 to 43, and 59), and the effects of noxious weed expansion and treatment (pp. 60 to 92).*
> *The ROD outlines the elements of integrated weed management. It discusses the minimum tool concept, weed treatment objectives, treatment priorities, restoration and cultural practices, monitoring, and an adaptive strategy for treatment of future invasions (pp. 10 to 12). It summarizes weed treatment actions and the mitigation measures to minimize impacts (pp. 13 and 14). The Draft and Final EIS and the ROD are site-specific. They are in compliance with NEPA.*

10) The SEIS does not analyze the impacts to aquatic species from use of jet boats as ground-based weed sprayers. It is clear that herbicide will enter water from this method application.

Forest Service Response:

The Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999, page 9 states that "All herbicides would be applied with ground-based sprayers". The FSEIS clarifies this statement to include the use of a pump and other spray apparatus properly mounted within a jet boat. Actual spraying associated with a jet boat mounted system will be conducted by an applicator on land. All required buffer zones will be maintained. Appropriate safety practices and containment components are required (Appendix E). Herbicides properly applied by workers on land using boat mounted equipment, in compliance with herbicide label requirements and treatment buffers, will have the same risk of entering the river regardless of the location of the spray apparatus. The potential for herbicides to enter the water as a result of accidental spill is evaluated by the FSEIS (Chapter 4, page 30).

The FSEIS concludes, although spills of herbicides that reach live waters in sufficient quantity and concentration may negatively impact fish, mitigation measures applied under Alternative 2 will keep the probability of such a spill low.

11) Issue #9 incorrectly implies there is universal support for all biological control in Wilderness. Introducing a non-native control agent not only violates the Wilderness Act and agency regulations but could have serious unintended consequences.

Forest Service Response:

The FSEIS (page 7) lists the key issues identified in the Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999, following review of public comments. Key issue #9, *Support for treatment, including biological control and manual/mechanical methods, but concerns over the use of herbicides*, is not intended to imply universal support for all biological control. The use of biological control as a component of integrated weed management in the wilderness is analyzed in the Frank Church-River of No Return Wilderness, Noxious Weed Treatments, Environmental Impact Statement, August 1999.

In addition, the Reviewing Officer's letter of Nov. 18, 1999 addresses this topic;

> *The FEIS also recognizes an argument can be made that allowing a non-native insect into the wilderness is no less a violation of the Wilderness Act than allowing the non-native noxious weed to expand through the wilderness. The difference lies in the degree of impact each would have on the wilderness character. The noxious weeds displace the native vegetation, which directly affects wildlife populations, the visual experience, and ecosystem function (pp. 3 to 4, 80 to 82,87, and 89). Impacts to these resources would destroy the wilderness character. The exotic insects only directly affect the noxious weed host species and will indirectly retain the native vegetation, wildlife, visuals, ecosystem function, and the wilderness character.*
>
> *The Wilderness Act (16 U.S.C. 1131-1136) and its implementing regulations (36 CPR 293) are silent on the introduction of insects or use of herbicides in wilderness to maintain the natural ecosystem. Such actions, therefore, are not contrary to the Wilderness Act, federal regulation, or agency policy.*

Chapter 4 of the 1999 FEIS:

> *Before introducing new biocontrol agents into the United States, the agent's host-specificity must be tested. These biocontrol agents are tested against a wide variety of plant species under "eat-or-starve" conditions to ensure that their attack is confined to a very narrow range of plant species and in the majority of cases only the weed of concern. Consequently, impacts to native plant species from biocontrol agents would be extremely small to non-existant.*

Several biocontrol agents presently exist in the FC-RONRW, having migrated in from outside the wilderness. Insects found in spotted knapweed populations include the seed head flies (Urophora spp) and seed head moth (Metzneria spp). This insect has had little influence in checking the spread of knapweed however. Another insect already present in St. Johnswort stands includes the Klamath weed beatle (Chrysolina spp). Several other insects have been introduced on knapweed and yellow starthistlepopulations adjacent to the wilderness. It is highly probable that at least some of these insects will emigrate into knapweed populations within the wilderness. Both of these insects were tested for host-specificity. All proposed insect agents are not known to have any effect on sensitive plants.

12) The Weeds EIS released in the fall of 1999 states, "The scope of this decision is limited to the site specific actions necessary to treat weeds in the FCRONR over the next five years or until implementation of the FCRONR EIS." This clearly means that the Management Plan EIS must contain long-term weed strategies.

Forest Service Response:

The decision of the Forest Supervisors was to allow the FC-RONRW Management Plan EIS to remain focused on the significant issues pertaining to the management of the wilderness. Noxious weed treatment was not elevated as significant issue for the FC-RONRW Management Plan during the analysis. The Forest Supervisors decided to evaluate the continuation of integrated noxious weed management, including non-treatment practices, in a separate Supplemental EIS.

13) Prevention is the best method to prevent the spread of weeds. The agency' s failure in its stewardship responsibilities of the wilderness with regard to regulating recreation impacts is responsible for weed infestations.

Forest Service Response:

See item #5. A noxious/invasive weed prevention plan has been developed and is being implemented by the four National forests of the FC-RONRW. This prevention plan is discussed and included in the FC-RONRW Noxious Weed Treatments Supplemental Environmental Impact Statement. Additional noxious weed prevention recommendations received through this analysis will be shared with the four National Forests of the FC-RONRW.

14) Rather than persist with a failed program, the agency must adopt a program that regulates human use and thereby prevents or slows the spread of weeds.

Forest Service Response:

The need for regulation of recreational activities within the wilderness is analyzed in the FC-RONRW Management Plan EIS.