

## Panhandle Forest Collaborative Meeting Record

12:30 – 4:00 p.m., November 20, 2019

Bonner County Administrative Building

### ATTENDANCE

**Members:** Jeff Bynum, conservation group representative; Commissioner Jeff Connolly, Bonner County; Tom Dabrowski, non-motorized recreation; John Finney, motorized recreation representative; Alan Harper, timber representative; Phil Hough, conservation group representative; Travis Icardo, conservation group representative; Liz Johnson-Gebhardt, community non-profit representative; Eric Nave, timber representative; Peg Polichio, state agency representative; Brad Smith, conservation group representative; Laura Wolf, wildlife representative.

**Technical Advisors:** Lawson Fite, American Forest Resource Council; Sage Dixon, District 1 Representative; Andrew Moore, Idaho Department of Lands; Greg Becker, Natural Resource Conservation Service; Clinton Daniel, Office of Congressman Russ Fulcher; Mitch Silvers, Office of Senator Mike Crapo; Jessie Berner, Felipe Cano, Michelle Caviness, Jeanne Higgins, Kevin Knesek, Brock Martin, USDA Forest Service.

**Guests and Observers:** Nate Demmons, Bonner County Parks & Waterways; Butch Horton, Stan Myers, Paul Sierack, citizens; Caroline Mellor, The Langdon Group; Jake Garringer, Office of Governor Brad Little; Dani Southard, National Forest Foundation; Diane Dawson, Quantum Concepts.

**Facilitator:** Ben Irely and Maisie Powell, National Forest Foundation

### MEETING OUTCOMES

#### Decisions

- September meeting record approved

#### Action Items

- Lawson Fite will reach out to the USDA Legal Counsel
- Liz Johnson-Gebhardt will have the collaborative members vote on a Memorandum of Understanding (MOU)
- Maisie Powell will confirm collaborative members interests to send to Michelle Caviness
- Send out examples for joint collaborative support letter
- The Forest Service will include project timeline updates from project inception especially for the Winter Travel Plan
- The Forest Service will include more recreation considerations in project updates and potentially have a stand-alone recreation and wildlife section on the agenda
- Jeanne Higgins will send out updates about the Priest BORZ area and Biological Assessment
- Maisie Powell will create a glossary of commonly used acronyms

## Bin Items

- Have an update on Secure Rural Schools (SRS) after the Title 2 funds are removed

## MEETING RECORD

### 1. Welcome, introductions, and approve agenda for today's meeting

Group members review the agenda, agree to ground rules, and the Panhandle Forest Collaborative (PFC) members review and approve the September meeting record.

### 2. Policy Updates

- Sage Dixon: The Federal Lands Subcommittee is putting together a program to evaluate recreation and its economic value. Their first meeting was at the end of October to discuss Good Neighbor Authority (GNA)
- Sage Dixon is on the Governors' Council for Shared Stewardship.
- There is a hearing in the Energy and Natural Resources Committee for a bill to extend the Secured Rural Schools program (SRS). This would be a two year extension
- There was a question about how this will affect the Resource Advisory Committees (RACs). In the long term, it would end the Title 2 funds. Title 3 funds would expand so communities can set up their RACs with more county authority.
- There is a hearing on a Senate bill concerning Payment in Lieu of Taxes (PILT). This would reduce the penalty for areas seeing slow population declines and will not have a significant reduction in PILT funding. There is work to authorize PILT for 10 years.
- Members suggested a presentation looking at the effects of changing from Title 2 to Title 3 funds.
- Congressman Fulcher is introducing a bill to catalogue all easements and right of ways on Federal lands.

### 3. Updates on Shared Stewardship & Good Neighbor Authority (GNA)

- **Shared Stewardship:** There is statewide agreement on the priority landscapes in Northern Idaho. The Idaho Panhandle National Forest (IPNF) and the McCall/Boise area are high priority areas where there are high numbers of acres at risk for wildfire, insects, and disease. There is an agreement with the Forest Service (FS) to double the acres treated and for more cross-boundary work. The Governor's Shared Stewardship Committee will meet early December. A new coordinator, Jeff Laos, is jointly funded between the Idaho Department of Lands (IDL) and the FS to focus on cross boundary work.
- **Good Neighbor Authority:** There is a new Forester, Haley Frank. There was a productive meeting with the FS to review GNA contracts and discuss lessons learned. The main lessons were communication at the start and the importance of identifying roles and authorities. The up and coming projects:
  - Malin Wildlife Security Gates: out for FS review. This is gates and road barriers to decrease pressure on elk habitat

- Grouse and bear road decommissioning project: This has been reviewed and is starting this summer. It focuses on aquatic organism passage
- Hard Rock timber sale: This is still ongoing.

#### 4. Hanna Flats litigation discussion

- The Forest Subcommittee convened and discussed intervening and to look at the complaint in depth.
- The lawsuit was filed at the end of August by the Alliance for the Wild Rockies (AWR). The plaintiffs will amend the complaint by December 9<sup>th</sup> and will likely add Endangered Species Act (ESA) claims regarding grizzlies and the access amendment.
- The scheduling conference is January 15<sup>th</sup> and plaintiffs first briefs on the merits would be January 27<sup>th</sup>. If the PFC wants to be involved, they should file the motion by January 15<sup>th</sup>. This would include working with Lawson Fite's staff to prepare a declaration of involvement. The briefing would go through May with a hearing likely next summer and an injunction while case is pending.
- There was a decision from Judge Lodge with the Boulder Creek project on the Payette about how collaboratives are important for the public process.
- The three claims in the complaint are regarding:
  - Compliance with the access amendment, specifically the calculation of open road miles;
  - That the FS cannot use the Bonner County Wildfire Protection Plan's (WFPP) definition of WUI, which means the project cannot use the Farm Bill Categorical Exclusion (CE); and
  - That the Bonner County WFPP did not undergo the NEPA process. (There are similar claims for the Sunny South project on the Tahoe NF; Moose creek, on the Helena-Lewis and Clark 7bNF; and Smith Shields on the Gallatin NF).
- Lawson's firm has a member that purchased one of the sales on Hanna Flats, Stimpson. The would partner with the collaborative and the FS. Part of the role of the PFC taking the case would be to educate the courts about collaboratives. Could enter as an intervenor or through an amicus brief.
- The Idaho Conservation League's (ICL) process requires approving the complaint from a legal standpoint. They believe that the Healthy Forest Restoration Act (HFRA) HFRA gives authority to the FS to use counties' maps, so the second and third claim may be moot. The concerns are with the access amendment. The FS used numbers from a 2018 report instead of the 2011 baseline. There is a suggestion to pull the decision and update the analysis. With legal vulnerability, ICL cannot sign on.
- For an update, the FS would need to work with the Fish & Wildlife Service (FWS).
- It would be worth reaching out to the USDA Legal Counsel. The Forest Subcommittee will be on this call and ICL can decide if intervention is still off the table for their organization. The State of Idaho is also discussing litigation strategies.

#### 5. Discussion around the Congressional Letter regarding travel in Wilderness

- Some members were shocked by the original Congressional letter regarding travel in recommended Wilderness Areas because it came out of the blue. The conservation community felt like their organizations' efforts were being undermined and some interests were being elevated while others were undercut. .
- There are concerns around process, but the group feels there is strength in the PFC's ability to address contentious topics. There is a desire to strengthen discussions about good public engagement in policy.
- The Congressional delegation reaffirmed commitment to open communication moving forward. Members also reaffirm commitment to collaborative protocols and open communication.

## **6. Joint Collaborative Forest Landscape Restoration Program (CFLRP) update**

- Michelle Caviness is taking the lead on the application. Liz Johnson-Gebhardt is the point of contact for the collaborative.
- Tier 2 is due in early January. The Regional Forester will advance proposals to the Washington Office (WO). Congress authorized funding for up to 10 projects and could appropriate up to \$80 million.
- The boundary is entire IPNF. There are fuels and thinning projects that are NEPA ready. Future projects include the 5YAP and Shared Stewardship projects.
- The FS submitted draft to the Regional Office for review last week and have received feedback. Michelle will work with the collaboratives' point people to address the feedback by January 3<sup>rd</sup>. The application will be due to the WO on January 24<sup>th</sup>.
- The three collaboratives discussed creating a Memorandum of Understanding (MOU). This will be sent out to members for approval.
- The FS needs a letter of support from all three collaborates jointly signed.
- Other organizations and counties that have interest can also send letters of support.

## **7. Project Timelines and Status Updates**

- Buckskin Saddle
  - The project is =moving along and is in the middle of effects analysis.
- Chloride Gold
  - There was survey data from this summer, stand exams, and heritage resources.
- Honey Badger
  - This is a 2,000 acre area. The focus is to improve forest health, water quality, fuels, and recreation. The public was supportive at the public meetings in August. There are specific concerns around smoke impacts to CDA, the Hayden Creek shooting area, and water quality associated with the shooting range.
  - The project is going through the transportation analysis process.
  - The FS is looking at consistency with the Forest Plan.
  - Hoping to have public comment in January.
- Bottom Canyon
  - The 206 reroute continues to be looked into. The contract deadline is in January.

- Kaniksu Community Forest Restoration Project
  - A landscape scale project estimated at 135,000 acres.
  - Working on doing something different regarding the fire assessment and are considering using Hessberg's new modeling tool. Region 1 is coming up with a new methodology and has interest in this project
  - The subcommittee has suggested to have project meetings similar to the Colville project.
  - This could be a good project for a Joint Chief's Proposal.
  - Waiting to see what happens with the Priest Lake BORZ area
  
- Potter's Wheel
  - Looking at the 5YAP. Two sales will go out to bid in January. There are wildlife considerations around elk security.
- Scattered Schoolhouse
  - Analysis is finished and the FS is working on implementation
- Kaniksu Winter Travel Plan
  - There are discussions on how to proceed and are working with the regional office. The hope is to start the NEPA process soon, but want an extension from FWS to have adequate time to work through the process regarding over snow vehicle planning and grizzlies.
- Scattered Lands
  - A Shared Stewardship project looking at landscape level work across boundaries. Looking at vegetation management to improve health conditions and reduce fire risks. This is in the initial stages of determining partners. The location is on the West side of 95 on the South end of the district.
- Bog Creek
  - This is a proposal combined with Homeland Security to patrol in between Priest Lake and Bonner's Ferry. Went through the objection process and hope to have a Biological Opinion (BO) by early December. A final decision will follow, likely January.
- Hughes Creek
  - Locating GPS points to gather data, will go out again next year for more data.
  - The Tribe is completing restoration projects and planted willows in September.
- RAC Projects
  - The majority of agreements have been finalized. RAC funding is going to be used towards proposed actions.
- 5-Year Action Plan
  - There is continuing communication around priorities and common issues. Conversations help figure out location for the next vegetative management.
  - What's new from a project perspective is that once the NEPA process begins, that will move quickly. Input from stakeholders in the beginning helps this process.
  - District Rangers have been delegated the authority to make decisions within their district. Project decisions will now be signed by district rangers.

- Recreation
  - The Recreation Strategy is posted on IPNF main website. The Recreation strategy helps guide vegetation management projects.
  - There was work with the county last week to do brushing and maintenance on snowmobile routes.
  - The collaborative would like more recreation considerations in project updates.
- Request to Reinitiate consultation
  - There are plans to execute grizzly bear requirements. The FS has requested an extension on planning and will be looking at the BORZ and the access amendment baselines.
  - Jeanne Higgins will send out more info regarding these decisions.

## **8. Public Comment**

- There was a comment about the importance of biodiversity and focusing on climate change.

## **9. Round robin: meeting closeout**

[In round robin fashion, each member and visitor was given a moment to reflect on how this meeting has gone and to suggest changes for future meetings.]

**Meeting adjourned at 3:27 pm.**