



File Code: 1300/2350-5/7700
Date: JUL 07 2010

Ms. Sylvia Milligan
Recreation Outdoors Coalition
4000 Beacon Drive
Anderson, CA 96007

Dear Ms. Milligan:

This letter is in response to your April 7, 2010, Request for Reconsideration of the Forest Service's response to your February 1, 2010, Data Challenge of the engineering reports included in the Lassen National Forest Final Environmental Impact Statement for Motor Vehicle Travel Management Plan.

The panel selected to complete this Request for Reconsideration reviewed the March 31, 2010, Forest Service response and your documentation. The panel concluded that the original review addressed the primary challenge and appropriately arrived at the conclusion the engineering reports meet the requirements of the Data Quality Act. The panel did not identify any major concerns; however, they did identify a few items that the Forest Supervisor should be made aware of so that she can consider how these items may affect her decision or management of the forest. The panel also addressed statements from your letter as described in the following paragraphs.

1. In your February 1, 2010, and April 7, 2010, letters, you assert that the Lassen National Forest engineering reports should have considered and been consistent with other reports and decisions, including those of the County, the Modoc National Forest and the 2005 Engineering Report prepared by Recreation Outdoors Coalition (ROC). As explained in the Forest Service, March 31, 2010, letter responding to your Data Challenge, the Qualified Engineer, who was designated by the Regional Engineer, was responsible for preparing the engineering reports. The Qualified Engineer has the responsibility to determine the data to be considered, the methodology and the level of detail in the analysis.
2. The statement that the ROC engineering report was prepared by a retired Forest Service engineer, who is licensed in the State of California, does not automatically require the Lassen National Forest engineer to consider the report. The panel did not find any documentation that the Lassen National Forest or the Regional Office approved the 2005 report for use as an engineering report.
3. The fact that engineers on another forest collected data differently than the Lassen National Forest engineer or that ROC used different methods to gather data, does not constitute an error in the data, nor does it constitute a bias. The management of roads under the jurisdiction of another entity, such as the County or adjacent National Forest may be considered in a mixed use analysis, but does not obligate the Forest Supervisor to make similar decisions for the Lassen National Forest.



4. You also expressed concern about the California State Vehicle Code (CVC) and how it pertains to road management on the Lassen National Forest. The panel found that the CVC was recognized, documented and considered in the Lassen National Forest reports. The analysis correctly complied with the interpretation of the California Vehicle Code made by the Regional Forester for Region 5, where the Lassen National Forest is located. Concerns with the Regional Forester's direction are beyond the scope of this review.
5. The panel reviewed Exhibit 1 submitted by ROC. Many of the items identified in Exhibit 1 did not constitute a data challenge, as there was no data to consider. Instead, the statements were expressions of the opinions or recommendations of the Recreation Outdoors Coalition.

The panel noted that some reports were not signed or dated; however, this does not necessarily imply that the data is flawed. The panel also noted that the description of some agreements in the Forest database did not match those listed on the report. The panel reviewed a random sample of roads and identified some differences between the road characteristic data in the Lassen National Forest engineering reports and the data currently in the INFRA database. The previous INFRA database information was not reviewed, so it is unknown what INFRA database information was available or considered by the engineer during preparation of the report. It is also unknown why the differences exist and what affect this had on the engineering reports and the Forest Supervisor's decision.

The Qualified Engineer is responsible for preparing the engineering report and the Forest Supervisor is responsible for making the decision about motorized mixed use. Issues or disagreements with the Forest Supervisor's decision are more appropriately addressed through the administrative appeals process. This response will be forwarded to the Forest Supervisor for her information and consideration.

In conclusion, the information you provided was carefully considered and I have concluded there were no major data challenge issues. This completes the correction of information options available under the USDA IQ Guidelines.

If you should have any additional questions on the administrative steps of this process, please contact George Vargas, Forest Service Quality of Information Officer, at (202) 205-0444, or send an e-mail to gvargas@fs.fed.us.

Sincerely,



for JOEL D. HOLTROP
Deputy Chief, National Forest System

cc: Nora Rasure