

Decision Memo
Miller Fire Salvage
USDA Forest Service
Big Valley Ranger District, Modoc National Forest
Modoc County, California

T.40N., R.8E., Sections 1, 2, and 12; and
T.40N., R.9E., Sections 6 and 7.

BACKGROUND

On the afternoon of June 26, 2006, the lightning-caused Miller Fire Complex began on the Big Valley Ranger District. Two fires within the Miller Fire Complex, incidents 233 and 326, grew to 40 acres and 46 acres, respectively. This area is characterized by forests of mixed conifer and various shrubs and grasses growing on moderate slopes south of Stonecoal Valley. Approximately 10 acres burned intensely within incident 233; approximately 14 acres burned intensely within incident 326. The fire burned the remainder of the forest with differing fire intensities that resulted in a mosaic of moderate and light effects to vegetation. The project area is located within the Big Valley Federal Sustained Yield Unit.

Within areas that burned intensely, few trees survived that could serve as an adequate seed source for natural conifer re-establishment. There is a need to re-establish conifers in areas that are suitable for planting.

Ponderosa pine, incense cedar and white fir trees quickly lose their commercial value and their suitability as raw material for sawtimber rapidly deteriorates following fire mortality. There is a need to recover the economic value from the dead trees.

Along the existing road system are dead hazardous trees. Removal of these trees is needed for public safety.

DECISION

I have decided to implement the harvest of dead trees within the fire perimeters of incidents 233 and 326. The majority of salvage harvest will occur within 7 acres of severely burned portion of incident 233. Within incident 326, the majority of salvage harvest will occur within approximately 14 acres of the severely burned portion of the fire. The harvest stands are listed in the following table and are illustrated on the attached map.

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Stand	Size (acres)
4230274	7
4238110	14
Total:	21

Dead hazard trees that are leaning toward and within reach of forest roads will be removed along the road system within the fire perimeters.

Following harvest, stands 4230274 and 4238110 will be jackpot piled and the slash piles will be located such that crop trees will not be damaged when the piles are burned. Following completion of the site preparation activities, approximately 24 acres will be reforested with ponderosa pine seedlings.

An archaeological survey (ASR 05-09-1458) for the planning area was completed and the documents are on file at the Modoc NF Supervisors Office. There are no known cultural resource sites within the planning area. Should the discovery of previously unknown heritage resources occur during project implementation, work would be halted in the area. The Forest Archaeologist will be contacted immediately to assess the nature of the discovery and make appropriate protection and management recommendations in consultation with the State Historic Preservation Office.

No noxious weed sites are known to exist within the fire perimeters, however, management activities will include a mitigation measure to require off-road equipment to be weed-free before entering Forest Service lands.

A biological evaluation was completed for threatened, endangered, or sensitive (TES) plant species. A population of mountain lady slipper occurs within and adjacent to incident 233, however, no impacts to this population are expected from the proposed activities. Therefore, the proposed activities will have “no effect” on TES plant species.

No herbicides or pesticides will be used during implementation of the harvest and reforestation activities.

A Cumulative Watershed Effects (CWE) analysis was completed under the hydrologic analysis and the Forest Hydrologist determined that no CWE would occur as a result of implementation of this project. All applicable Best Management Practices (BMPs) as prescribed by the Forest Hydrologist will be implemented under this decision. Designated skid trails will be used to minimize compaction. This project would be monitored under R5’s Best Management Practices Evaluation Program (BMPEP).

Habitat for snag dependent species will be retained by leaving 1.2 snags/acre between 15” – 24” DBH and 0.3 snags/acre greater than 24” DBH (Modoc National Forest Land and Resource Management Plan, Sierra Nevada Forest Plan Amendment, page 4-30).

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The snags within three acres of the intensely burned portion of incident 233 will not be harvested as the area is too steep to be harvested using conventional equipment.

The existing road system would be used for hauling wood products and the Last Chance well would be used to furnish water for dust abatement.

A biological assessment was prepared for threatened and endangered wildlife species. It was determined that implementation of this project “will not effect” any federally listed threatened or endangered wildlife species or their designated critical habitat. Suitable habitat for the federally listed species that could occur on the Modoc National Forest is not present in or adjacent to the project area.

A biological evaluation has been prepared for Forest Service Region 5 sensitive wildlife species that have the potential to occur on the Modoc National Forest. It was determined that by not harvesting older snags with large plates of exfoliating bark or large cavities, the Miller Fire Salvage project “may affect individuals, but is not likely to result in a trend towards federal listing or loss of viability for the pallid bat”. For the remaining sensitive species, it was determined that the project will have “no effect” because habitat is not present in or adjacent to the project area for these species.

A wildlife report which addressed Modoc National Forest Management Indicator Species (MIS) was completed. For those species with potential habitat in the project area, it was determined that the proposed action would have no effect on the distribution of any MIS species across the forest.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. This action is categorically excluded under FSH 1909.15, 31.2, categories 11 and 13.

PUBLIC INVOLVEMENT

A proposal for the Miller Fire Salvage planning effort was listed in the Schedule of Proposed Actions on September 6th, 2006.

Several publics that have expressed interest in past planning efforts were contacted via telephone between August 24th and September 6th, 2006. One contact was knowledgeable of the planning area, understood the need to salvage quickly and asked the Forest Service to minimize site disturbance if tractor piling activities were prescribed. Another contact had no recommendations to change the proposed action, but asked that they receive the decision document so they could offer comments. Other contacts did not respond.

Information has been posted on the Modoc Nation Forest’s website:
http://www.fs.fed.us/r5/modoc/projects/Miller_Fire_Salvage/.

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The Band Head and Cultural Representative of the Atwamsini Band of the Pit River Tribe has been informed about the purpose and need and proposed action of the project. A field review of the project area was conducted on August 3rd, 2006, which resulted in support for the proposal by the tribal representative.

A list of contacts and meeting notes for all of the public involvement efforts are in the project file available for review at the Big Valley Ranger District office, Adin, California.

FINDINGS REQUIRED BY OTHER LAWS

This decision is consistent with the Modoc National Forest Land and Resource Management Plan as revised by the Sierra Nevada Forest Plan Amendment Supplemental Environmental Impact Statement (LRMP) as required by the National Forest Management Act. The project was designed in conformance with forest plan decisions for managing timbered areas using modification and partial retention visual quality objectives (Modoc LRMP, pages 4-109 to 4-129). Forest standards and guidelines would be applied (Modoc LRMP, pages 4-13 to 4-34).

This action will meet the Central Valley Regional Water Board Basin Water Quality Plan and therefore meet the Clean Water Act. A Waiver for Silvicultural Practices will be obtained from the Central Valley Regional Water Board prior to implementation.

No significant impact is expected on cultural resources. The project site has been surveyed for heritage resources and no effects are anticipated.

No significant impact is expected on threatened, endangered and sensitive (TES) species.

No significant impact is expected on parkland, floodplains, wetlands, prime farmlands, wild and scenic rivers, or ecologically critical areas. There are no municipal watersheds, congressionally designated areas, inventoried roadless areas or Research Natural Areas present. There are no anticipated significant impacts on consumers, minority groups, American Indians, women, or civil rights. There are no anticipated significant impacts to treaty and trust responsibilities with the Pit River Tribes.

There are no known significant indirect, cumulative, or unavoidable adverse effects on the environment. There is no threat to public health or safety.

IMPLEMENTATION DATE

This project will be implemented on or after the date that this decision document is signed. Implementation will be subject to the limiting operating periods.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

In accordance with the October 19, 2005, order issued by the U. S. District Court for the Eastern District of California in Case No. CIV F-03-6386JKS, this decision is subject to

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administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer: Stanley G. Sylva, Modoc National Forest Supervisor, 800 West 12th Street, Alturas, CA, 96101.

For hand-delivered appeals, office hours are 8:00 a.m. to 4:30 p.m., M-F. Submit emailed appeals in plain text (.txt), rich text (.rtf), or Word (.doc) formats to ssylva@fs.fed.us. The identity of the appellant must be identifiable. Appeals must be filed within 45 days from the publication date of this notice in the Modoc Record. Appeals received after the 45 day appeal period will not be considered. Only individuals or organizations who submitted comments during the comment period specified at 215.6 may appeal this decision.

CONTACT PERSON

For additional information concerning this decision or the Forest Service appeal process, please contact Laurence Crabtree, District Ranger, or John Landoski, Forester, at the Big Valley Ranger District, P.O. Box 159, Adin, California, 96006, (530) 299-3215.

SIGNATURE AND DATE

/s/ Laurence Crabtree

2/21/2007

LAURENCE CRABTREE
District Ranger
Big Valley Ranger District
Modoc National Forest

Date

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