



**DECISION MEMO  
And  
Categorical Exclusion  
For  
Fletcher Fire Salvage**



USDA Forest Service  
Devil's Garden Ranger District, Modoc National Forest  
Modoc County, California

T47N, R12E, Sections 8 and 9

**BACKGROUND**

The Fletcher fire started on July 10, 2007 and burned approximately 99 acres on Modoc Forest land before crossing into private timber lands. All ground vegetation was consumed by the fire. The intent of this project is to salvage harvest dead trees to recover economic value and to prepare the site for planting conifers on land suitable for timber production.

The 2004 Record of Decision for the Sierra Nevada Forest Plan Amendment directs salvage harvest of dead trees to recoup economic value and to support objectives for improving forest health, re-establishing forested conditions and restoring ecosystems after severe wildfires. The decision addresses the need to retain industry infrastructure by allowing more wood by-products to be generated from dead and dying trees harvested during salvage operations.

**DECISION:** It is my decision to implement the Fletcher Fire Salvage project. This Project will harvest dead trees greater than 3.0 inches DBH (diameter breast height) and then plant the site to ponderosa pine seedlings.

This proposal addresses the need to:

- Remove dead standing trees to prepare the site for planting.
- Provide for worker's safety.
- Plant the site to ponderosa pine in order to re-establish forested conditions.
- Conduct timber salvage harvest in a timely manner to minimize value loss.

The following activities will be implemented:

- Mechanical harvest dead trees greater than 3.0 inches DBH to recover economic value.
- Plant ponderosa pine seedlings.

Harvest will be completed using conventional ground-based methods and will yield both biomass and saw log products. Trees removed would be greater than 3.0 inches DBH.

The proposed action includes the following management requirements:

- If new weeds are discovered either before or after project implementation, the Forest Botanist will be notified. See Noxious Weed Risk Assessment.
- Road segment 47N47B, exiting the west side of the burn, will be water barred and blocked at the seasonal creek located at the NW ¼ of the SW ¼ of section 8.
- Implement the standard equipment cleaning contract clause (**B6.35**) for off-road equipment.
- Protect existing fence line by implementing standard contract clause (**B6.22**).
- Retain three (3) of the largest (greater than 15 inches DBH) snags per acre, clumped and distributed irregularly across the treatment area.
- To facilitate recruitment of down woody material, retain one additional snag per acre greater than 20 inches DBH at least 10 feet long.
- The “winter” and “summer” logging BMPs (Best Management Practices) will be implemented. BMPs are located in the project file located at the Devil’s Garden Ranger Station in Alturas, CA.
- A BMP waiver for silvicultural activities will be obtained from the North Coast Regional Water Board prior to project implementation

### CATAGORICAL EXCLUSION AND REASONS

The proposed action is categorically excluded from further National Environmental Policy Act documentation pursuant to agency direction found FSH 1909.15, section 31.2, category (13) Salvage of dead and/or dying trees not to exceed 250 acres, requiring no more than ½ mile of temporary road construction.

Based on the following information, it is my determination that this activity will be of limited size, duration and degree of disturbance. The environmental impacts of the proposed action are minimal. All practicable means to avoid or minimize environmental harm have been adopted. The Forest Service has found that projects like this one do not have significant adverse effects on the environment providing there are no extraordinary circumstances as defined in the FSH 1909.15.

Extraordinary circumstances include, but are not limited to the following:

a. *Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.*

The proposed action will not affect or impact any Federally listed threatened or endangered species or designated critical habitat, or Forest Service sensitive species. A Biological Evaluation prepared for this project indicates that there will be “No impact” on any of the sensitive species.

b. The proposed action is not located in any *Floodplains, wetlands or municipal watersheds*. There are no streams or surface water within the project area.

c. The proposed action is not in any nor would it affect any *Congressionally designated area such as wilderness, wilderness study area, or National Recreation Area*.

d. The proposed project is not within nor would it detract from the roadless character of any *Inventoried Roadless Areas* on the District.

e. The proposed project is not part of nor is it located near any *Research Natural Area*.

f. The proposed action will not affect any known *American Indian and religious or cultural sites*.

g. The proposed action will not adversely affect any known *archeological sites, or historic properties or areas*. A cultural resource survey has been completed.

Forest and District staff conducted surveys and analysis to determine the effects of the proposed action on wildlife, botanical, heritage and hydrological resources and concluded the proposed action will not have an adverse effect.

In addition to the above, I've considered the potential for cumulative effects and have determined that without notable individual effects from the proposed action, and the absence of current or proposed similar projects in this specific area, it is unlikely there would be significant cumulative effects.

### SCOPING AND PUBLIC INVOLVEMENT

- On September 13, 2007, a public scoping letter that described the Fletcher Fire Salvage planning effort was posted in a "Legal Notice for Comment" in the Modoc County Record and requested comments by Monday, October 15, 2007.
- On September 17, 2007, a proposal for the Fletcher Fire Salvage planning effort was listed in the Schedule of Proposed Actions (SOPA).
- On October 30, 2007, a tribal scoping letter that described the Fletcher Fire Salvage planning effort was mailed out and requested comments by Friday November 16, 2007. The letter was mailed to the Klamath Tribe and the Alturas Rancheria.
- On April 17, 2008, a draft Decision Memo was published in the Modoc County Record. One comment letter was received in response to the draft Decision Memo.

No comments were received as a result of the scoping requests. One comment was received during the comment period. We had a field visit with the respondent to clarify comments they submitted to the draft and we were able to address all of their concerns. The complete written response received during the 30-day comment period is located within the project file.

### FINDINGS REQUIRED BY OTHER LAWS

This decision is consistent with the Modoc Land and Resource Management Plan as amended by the Sierra Nevada Forest Plan Amendment 2004 Record of decision, the National Forest Management Act, the National Historic Properties Act and other applicable laws. Additional details can be found in the project file located at the Devil's Garden Ranger Station in Alturas, CA.

### APPEAL AND IMPLEMENTATION

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 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 12<sup>th</sup> Street, Alturas, CA., 96101. The FAX number is (530)-233-8719.

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](mailto: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 or expressed interest in the proposal by the end of the comment period may appeal this decision.

If no appeal is received, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

CONTACT PERSON

For additional information concerning this decision, contact Monte White, Forester at: Devil's Garden Ranger District, 800 West 12<sup>th</sup> Street, Alturas, CA 96101, (530) 233-8807.

APPROVED BY:

*Mary Jones*

*For* /S/ H.J. (Jim) Irvin II, District Ranger

*23 June 08*

Date