

Decision Memo

Newbury Creek Salvage and Thinning Project

USDA Forest Service
Pacific Ranger District, Olympic National Forest
Grays Harbor County, Washington
T21N, R9W, Sections 5 & 6

BACKGROUND

The Pacific Ranger District has identified opportunities to treat second growth stands to enhance structural diversity, promote the development of late-successional stand characteristics, and capture the economic value of windthrown trees. The stands are located in the Newbury Creek drainage within the West Fork Humptulips River watershed in Grays Harbor County. The legal location of the project is: T21N, R9W, Sections 5 & 6.

During the winter of 2007-8, windstorms resulted in approximately 76 acres of blowdown in two adjacent second growth stands which were 58 and 97 years of age in 2007. In areas classified as blowdown, generally over 90% of the trees were blown down or snapped off, leaving less than 40% canopy cover. These stands were in the competitive exclusion/biomass accumulation stage of stand development, which is characterized by structural uniformity and simplicity, one canopy layer, little understory vegetation, and low plant species diversity. The undamaged portion of the 58-year-old stand proposed for thinning averages 311 trees per acre, predominately western hemlock, with lesser numbers of Douglas-fir, western redcedar and red alder, and estimated canopy cover is 90%. This single-storied stand has a calculated relative density for western hemlock of 69%, which is well into the range (greater than 55%) where inter-tree competition results in reduced tree growth, crown recession and tree mortality. If no action is taken, this overstocked condition would result in a stand with reduced vigor, increased mortality, and reduced diversity. Specifically in Riparian Reserves, if thinning is not undertaken, the stand will have reduced capability to produce the size and quantity of large woody debris sufficient to sustain physical complexity and stability of the Riparian Reserves and associated streams.

The Olympic National Forest LRMP designated land allocations within the project area are Adaptive Management Area (AMA) and Riparian Reserve. Adaptive Management Areas are landscape units designated to encourage the development and testing of innovative technical and social approaches to achieving desired ecological, economic, and other social objectives. Riparian Reserves, overlaying other Northwest Forest Plan land allocations, are intended to protect the health of riparian and aquatic systems. The 1990 LRMP designation for the project area is E1 Timber Management, where the primary goal is to produce timber on a long-term sustained yield basis.

With the stated stand conditions and Forest Plan management direction in mind, the purpose and need for this project is to: 1) Utilize thinning to increase structural diversity of forest stands, develop a multi-layered canopy, and enhance growth and coverage of herbaceous plants on the forest floor, and 2) Achieve economic objectives through the salvage of windthrown trees.

DECISION

I have decided to implement the salvage and thinning on 69 acres in the Newbury Creek drainage as detailed below. The salvage and thinning will be designed to minimize disturbance to riparian areas, soils, retained coarse woody debris and retained vegetation.

Windthrown and root-sprung or otherwise severely wind damaged trees of all species will be salvaged on a total of approximately 44 acres in two adjacent second-growth stands. Salvage of windthrown trees will provide economic benefits while maintaining sufficient coarse woody debris and snags to meet ecological needs. Removal of some of the material will provide enhanced foraging opportunities for deer and elk within the wind-created gaps as the new stand or trees develops.

A “thinning from below” silvicultural treatment on approximately 25 acres of the 58 year old stand will remove suppressed, intermediate and some co-dominant trees (i.e., the smaller trees). The stand will be thinned to approximately 120 to 170 trees per acre and favor retention of less common species in order to increase diversity. Approximately 10% of the stand will be left unthinned as “skips”. The thinning will be implemented using a prescription that is feasible for the Forest Service and contractors to implement and results in variable spacing between retained trees. The species and sizes of cut and retained trees will be selected to meet the stated ecological objectives. The reduction in trees per acre will result in increased diameter growth and crown expansion by the remaining trees, while still leaving options for future stand management. Thinning will accelerate development of the stand toward becoming a fully functioning late successional forest. The thinning will also open the stand to allow more light to reach the forest floor, promoting the natural regeneration of trees, shrubs and forbs. Following thinning, stand relative density will be at a level that maximizes stand growth (approximately 40% to 50%), and canopy closure will be in the range of 60%-80%. Thinning in Riparian Reserves within the proposed units will provide more space for the remaining trees to accelerate diameter growth. The objective is to produce the size and quantity of large woody debris sufficient to sustain physical complexity and stability of the Riparian Reserves and associated streams. Additionally, prescriptions would be adjusted for unstable or potentially unstable areas within Riparian Reserves.

Riparian no-cut buffers (areas with no treatment) will be established along streams to protect aquatic resources. However to meet project objectives some activities will occur in the outer portion of the Riparian Reserves, including approximately 2 acres of commercial thinning and 8 acres of salvage.

The salvage and commercial thinning will be accomplished utilizing a combination of ground-based and skyline yarding systems. Approximately 0.46 miles of temporary road will be constructed; including approximately 0.11 miles on Rayonier Forest Resources L. P. land for access, with the remaining 0.35 miles constructed on Forest Service land. All temporary road construction will be located outside the Riparian Reserves and will not cross any stream. The entire length of temporary road would be decommissioned following the salvage and thinning treatments.

The project will use Forest Service Roads 2220-030 and 2220-031, which were identified for decommissioning in the Olympic National Forest Access and Travel Management Plan. If funding is available, these road segments totaling 1.77 miles will be decommissioned. Treatments will be developed for each road segment with the main objective of reducing road-related erosion, mass wasting and associated sediment delivery to aquatic systems. Treatments may include removal of unstable landings and side-cast material, installation of cross ditches in the road bed, removal of culverts, in-sloping and out-sloping of the roadbed, and construction of a road entrance barrier. Treatment could also include subsoiling of the road surface and seeding or planting native forage for elk.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment as under 36 CFR 220.6 (e)(12): “harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction.” and (e)(13): “salvage of dead and/or dying trees not to exceed 250 acres, requiring no more than ½ mile of temporary road construction”. Use of categorical exclusions is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment, and it does not, individually or cumulatively, have a significant effect (40 CFR 1508.27) on the quality of the human environment.

Project Design Criteria:

Aquatic

Mitigation measures designed for the protection of soils and site productivity (as well as water quality) are generally referred to as Best Management Practices (BMPs) and are described in *General Water Quality Best Management Practices*, Pacific Northwest Region, November 1988.

- Follow all applicable general provisions listed in Appendix A of the Memorandum of Understanding (MOU) between the Washington Department of Fish and Wildlife and USDA Forest Service, Pacific Northwest Region, Regarding Hydraulic Projects Conducted by USDA Forest Service, Pacific Northwest Region (January 2005). The specific project provision found in Appendix A for timber felling and yarding will be followed.
- The following no-cut riparian buffers will be designed and implemented based on site specific conditions to eliminate potential impacts to aquatic resources:
 - Perennial fish-bearing streams (Newbury Creek) – a 125 foot buffer or the last slope break into the channel, whichever is greater.
 - Intermittent streams – a 50 to 75 foot variable-width buffer or the last slope break into the channel, whichever is greater.
- No salvage of windthrown trees will occur in no-cut riparian buffers.
- All existing coarse woody debris in streams and wetlands will remain.
- Any machinery maintenance involving potential contaminants will occur at an approved site or greater than 100 feet from wetlands, water bodies, or stream channels.
- Directionally fall trees away from no-cut riparian buffers to protect riparian vegetation from damage. Retain trees accidentally felled into these buffers to minimize stream sedimentation or damage to riparian vegetation.
- A watershed specialist or fish biologist shall be consulted prior to modifying any of the project design criteria that could impact aquatic resources.

Skid Trails, Landings and Temporary Roads

- In locations designated for ground-based yarding systems, operation during periods of excessive soil moisture (as determined by the Forest Service) will require the use of a skyline yarding system, and one end suspension of logs will be a minimum requirement.
- Where ground-based logging systems are used, use designated skid trails to maintain less than 20% of the stands' area in an adversely impacted condition. Where soil is displaced by skidding operations, pull soil back into the skid trail location when operations are completed, install erosion control devices such as backblading and waterbars, as necessary, and restore disturbed coarse woody debris.
- Ground-based equipment should generally be limited to slopes less than 30% (unless otherwise approved by the timber sale administrator) to minimize soil disturbance, and shall be confined to designated skid trail systems approved by the timber sale administrator. Skid trails should not exceed 12 feet in width and would have slash placed on them prior to use by equipment whenever possible.
- Space ground-based skid trails no closer than 110 feet apart, center-to-center. Use existing skid trails where possible. Lining operations may be accomplished by yarding material to lead, or at a 30-45 degree angle towards skid roads wherever possible. Suspension of logs is not required during lining operations. Equipment may be allowed to make one pass between skid trails and occasional "pokes" off the skid trail, using existing openings between trees.
- Use of equipment will be prohibited within the no-cut riparian buffers.

- Skyline corridors will be a minimum of 120 feet apart center to center and will not exceed 12 feet in width.
- Temporary road locations shall be approved by the Forest Service prior to construction. Install sufficient ditch relief pipes on temporary roads to divert flow before it reaches stream channels.
- Construct temporary roads to contour with the terrain and roll grades where possible to reduce clearing limits and excavation. On soft soils, use puncheon (small logs) where appropriate within the road surface for strength and drainage, as well as reducing fill material needed. Minimize clearing widths to what is necessary for safe haul (generally widths of 16 ft on level ground, 20 ft for curves, and slightly more for steeper grades).
- Maximize maintenance activities during summer and early fall to avoid wet conditions and minimize sedimentation.
- All landing locations will be approved by the Forest Service prior to construction. Use existing landings where possible. Build skyline cable landings in areas away from stream courses, wet areas, and unstable soils. Use short landing extensions to reduce and control potential runoff. Landings within Riparian Reserves, if necessary, should be located on existing roadways or on existing landings that may require only minimum reconstruction (e.g., clearing vegetation, sloping for drainage, or surfacing for erosion control purposes) to be made suitable for use.
- Rock will be used only when necessary to reduce erosion, puddling, and compaction on landings and temporary roads, and applied only where needed (spot rocking).
- Skid trail junctions will be set back from landings on ground-based harvest units to minimize landing openings. No more than two skid trails will intersect the landing unless otherwise agreed to in writing by the Forest Service.
- On skid trails where rut depth exceeds 10 inches for 20 feet, the following actions will be required: 1) subsoiling the full width of the trail to the depth of the rut plus six inches, 2) returning all displaced soils on adjacent berms and any excavated material to the skid trail to approximate original soil contours, 3) replacing any disturbed large coarse woody debris as closely as possible to its original position, and 4) placing slash and stumps onto the trail so that it is contiguous with the surrounding area.
- Subsoil compacted landing areas as necessary to the depth of six inches to provide seedbed and allow for tree/shrub root penetration. Restore disturbed coarse woody debris.
- Following use, scarify and mulch newly constructed landings. Weed-free grass seed, and straw or natural slash and coarse woody debris will be used unless waived by the Sale Administrator.
- Review all existing culverts on system roads to be used for timber sale(s), and repair/replace as funding allows those that are determined not suitable for the operations.
- Following project implementation, make skid trails impassable to motor vehicles and all-terrain vehicles.
- Decommission temporary road after last entry by purchaser. Methods may vary, but as a standard, road will at least receive treatments of backblading, waterbars and barriers to vehicular traffic. Further activities can be used to achieve decommissioning objectives. These methods include deep subsoiling, the return of all disturbed coarse woody debris, and the placement of slash such that it is contiguous with the surrounding debris. Stumps may also be placed on decommissioned roadbeds.
- Minimize disturbance to coarse woody debris planned for retention. Keep big, old stumps intact whenever possible and avoid uprooting.

- Road surfaces used will be bladed and cross-drained as outlined under C(T)5.31#. Ditches and culvert inlets will be kept free of debris.
- To minimize the amount of sediment delivered to streams along the haul route, sediment barriers (straw bales, slash filter windrow and/or sediment fence) will be placed in ditchlines along the haul route or in areas where ground is disturbed and sediment has the potential for delivery to streams (i.e. stream crossing fills). Sediment filters will be maintained and adjusted as directed by the sale administrator. Precautions will be followed to minimize transport of trapped sediment material during removal, including the following:
 - removal will be done when site conditions are dry and/or
 - relocate captured sediment to a stable location away from streamcourses.
- Weather conditions will be monitored, and log haul temporarily suspended during prolonged periods of precipitation when soil moisture becomes elevated. If maintenance cannot be performed adequately due to weather, haul will be discontinued until conditions improve.
- Log haul will be allowed during freezing conditions, but will be suspended as roads begin to thaw. Purchaser will work with Forest Service Engineering Representative to develop standards for checking thaw.
- Plowing of snow will be permitted as needed, if the T-803 Snow Removal requirements are met.
- If the purchaser's plan of operations includes log haul between November 1 and May 31, a watershed specialist/fish biologist and Timber Sale Administrator will review the purchaser's plan to prevent sediment from entering stream channels. This may include placing additional road surfacing, rock armoring ditches, constructing silt fencing, and straw mulching exposed soils along cutbanks and fillslopes.

Botany and Invasive Plants

Project design criteria in this section are based on Best Management Practices and the standards set forth in the record of decision for the Pacific Northwest Region invasive plant program (USDA 2005). Follow the standards in the Olympic National Forest site-specific invasive plant treatment project (USDA 2008).

- Treat existing invasive plant infestations with appropriate herbicide, mechanical, or manual methods before ground disturbing activities when practical. If timing or resources prevent treatment before the project begins, then treat infestations in the project area upon completion of the project in order to prevent invasive plants from colonizing the disturbed ground.
- Clean all off-road equipment of dirt/mud, seeds, and other plant parts before it is moved onto National Forest Service land. 'Off-road equipment' includes all machinery other than log trucks, chip vans, pickup trucks or vehicles used to transport personnel on a daily basis.
- Fill material generated from the project site, containing or suspected to contain invasive plants, shall be stockpiled within the project area and as close to the infested source area as possible. The material shall not be broadcast for disposal.
- When the opportunity exists, all material (e.g. soil, gravel, sand borrow, aggregate, etc.) transported onto National Forest System land or incorporated into the work shall be weed-free.
- When needed, mulch and seed used will be weed-free, and priority will be given to seed mixes/plantings with local native species.

Wildlife

- Any active raptor nest located during thinning or salvage operations will have appropriate conservation measures applied (species specific).
- Protect and retain trees with inactive raptor nests to provide nesting quarters for opportunistic (non-nest building) raptors.
- If any individual spotted owl or marbled murrelet is observed, the contractors will inform a Forest Service Wildlife Biologist and measures will be applied to minimize and/or eliminate harassment.
- Any proposed removal of any tree larger than 36 inches dbh for road construction will require Forest Service wildlife biologist review (USDI 2003).
- Seasonal restrictions (i.e. no work permitted that exceeds 92 dB noise level) will be implemented between March 1 and August 5 to minimize impacts to nesting owls or murrelets which may inhabit adjacent mapped suitable habitat.
- Work during the murrelet late breeding season (August 6 to September 15) will begin 2 hours after sunrise and will stop by 2 hours before sunset to minimize effects to murrelets delivering food to their young.
- Employees and contractors will properly store and dispose of food and garbage while working on-site to avoid attracting corvids to reduce indirect impacts to murrelets and other wildlife.
- All snags will be retained unless they pose a hazard to human safety. Where human safety is jeopardized, the snags may be felled, but must be left on-site as coarse woody debris.
- Seasonal restrictions will be implemented around known, active fisher denning sites (should they be located) between mid-March and late May for motorized, mechanized activities. Protection would include a 0.25 mile buffer from disturbance for those activities that are long in duration, such as harvest and road construction operations. Seasonal restrictions would not be applied to hauling or for general road traffic. Adjustments for the buffer would be based on local conditions such as topography (USDI 2007).
- A wildlife biologist shall be consulted prior to modifying any of the project design criteria that could impact wildlife resources.

Cultural

If subsurface archaeological evidence or previously unidentified cultural resources are located during implementation of this project, activities will cease pending an evaluation of cultural significance by a qualified archaeologist, who will determine appropriate mitigation measures, if any. The Forest will fulfill its consultation requirements in accordance with 36 CFR 800.11.

Additional Design Criteria for Decommissioning of 2220-030 and 2220-031 Roads:

- Review, using a team of planners and engineers, the road project sites before preparing design plans for road-decommissioning contracts. Planners and engineers will review any changes in design plans before they are incorporated into contracts.
- All instream work would occur between July 15th and October 15th in the West Fork Humptulips watershed, under the work periods set forth in Table 1, Appendix D of the Hydraulic Project Approval (HPA). Other timing may be allowed on a site-specific basis if the Forest Service fisheries biologist and Washington Department of Fish and Wildlife Area Habitat Biologist agree that it would not be harmful to fish and fish habitat.
- Design fill-removal activities to minimize sediment entering stream channels. The

objectives are to restore stream processes and floodplain access by removing all fill material on the valley floor. Excavate slopes to approximate 1.5:1, where practical; do not encroach on natural slopes. Allow disturbed slopes to revegetate naturally or use erosion control measures (such as tree limbs and tops, native seed mixtures or plants), where a moderate to high potential for surface erosion exists. Because it can impede the establishment of natural vegetation and deplete soil of nitrogen, use straw as a last resort. Where feasible, restore the natural flood plain. Consult with watershed specialist or fish biologist where technical feasibility or economics limit meeting fill removal objectives.

- Place material excavated from stream crossings and unstable side-cast road fills on stable areas at least 100 feet away from stream channels or active flood plains. Suitable areas include roadbeds adjacent to cutbanks, or on previously designated waste areas (if locally available). Remove any alder or conifer from the cut bank before placing excavated material, to enhance soil-to-soil contact and long-term soil stability. Contour waste piles to approximate 1.5:1 to 2:1 slopes and allow to revegetate naturally. Seed piles with a mixture of native, certified weed-free species where a moderate to high potential exists for surface erosion, or where noxious weed infestation is likely.
- Level and seed long-term (multiyear use) waste areas after each season of use. Short-term (one-time use) waste areas should be shaped or graded to contour, seeded, and where other resource objectives are not compromised--planted with appropriate tree species.
- Place woody debris collected on/near work site on newly excavated streambanks and in the stream channels, as directed by fish biologist or watershed specialist.
- Install water bars on both sides of excavated stream banks to route surface water away from newly excavated slopes.
- Stabilize unstable areas (such as road side-cast material) before a road is decommissioned, to prevent fine sediment from entering stream channels. Excavate sidecast fill material adjacent to stream crossings, where fill material could fail, enter streams, or both. Focus on areas where downhill slopes adjacent to roads are greater than 60%, and road fills are within 200 feet slope-distance of streams.
- Design water bars to facilitate proper drainage of surface water and to prevent ponding. Place water bars in areas where drainage will not destabilize road fills. To keep streams within their channels when culverts are obstructed, build water bars immediately above existing culverts to become the overflow point.
- Decompact surfaces of decommissioned roads where necessary, to allow water to percolate through the soil and accelerate the recovery of woody vegetation. Although subsoiling is the preferred method, use ripping if subsoiling is not feasible or economical. Consult a watershed specialist to determine feasibility of subsoiling. Seed and plant native grasses and shrubs for elk forage and other wildlife use (eg. songbirds).
- Transport off-site culverts removed from stream crossings and ditches to be recycled, reused, or disposed of at a landfill.

PUBLIC INVOLVEMENT

This project has been listed in the Schedule of Proposed Actions since April 2, 2008, and letters soliciting public comment were mailed on November 14, 2008. In addition, the Quinault Indian Nation was

consulted on this project. Four comments were received regarding this project; three responses indicated that they were in favor of the project, and one response indicated that they opposed the project.

Substantive comments made on this proposal were carefully considered by the interdisciplinary team during environmental analysis and project design. While the project record contains reports and documents on how the comments were considered, I would like to summarize consideration of some of the comments. Concerns were expressed about harvesting within Riparian Reserves as identified in the Forest Plan. My decision will allow some harvesting within Riparian Reserves, which is important to help achieve desired conditions for these areas. Project design features, such as no-cut riparian buffers and requirements for leaving appropriate levels of snags and down woody debris, will ensure that aquatic resources will be protected and Riparian Reserve standards and guidelines will be met (as documented in the Aquatic Conservation Strategy consistency report). Project design features will also minimize impacts to soils and keep the project within Forest Plan standards and guidelines.

FINDINGS REQUIRED BY OTHER LAWS

As required by the National Forest Management Act, this decision is consistent with the Olympic National Forest Land and Resource Management Plan (1990) as amended by the 1994 Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl, and its amendments, as well as its attached Standards and Guidelines.

Threatened and Endangered Species The proposed action was assessed and found to be consistent with the 2003 – 2008 *Programmatic Biological Assessment for Selected Forest Management Activities, Olympic National Forest*, which addressed potential effects of projects on federally listed threatened and endangered species. It was determined that this proposed project “May Affect, but is Not Likely to Adversely Affect” bull trout, northern spotted owl, marbled murrelet and designated critical habitat for marbled murrelet and would have “No Effect” on designated critical habitat for northern spotted owl. The proposed project would have “No Effect” on Puget Sound Chinook salmon, Hood Canal summer chum salmon and Puget Sound steelhead trout.

The proposed action would not affect northern spotted owl suitable habitat (nesting, roosting, or foraging), prey species, or the habitat they depend on. The salvage of downed wood should not alter habitat. Retention of snags and adequate levels of down wood should retain important features as these blowdown areas or adjacent standing forest develop into spotted owl habitat.

The proposed project would be consistent with the 2008 Final Spotted Owl Recovery Plan and would contribute to the long-term objectives outlined in the Spotted Owl Recovery Plan.

Additionally, on August 8, 2007, the bald eagle was delisted as a threatened species by the U.S. Fish & Wildlife Service, and automatically became designated as a Regional Forester’s Sensitive Species. The Forest Service is still required to follow conservation measures outlined in the post-delisting plan, which includes minimizing harassment. There are no known eagle nest locations within four miles of the project area. There should be no impact to eagles with this project.

Sensitive Species. Potential effects of the proposed project on Regional Forester’s Sensitive plant and animal species were evaluated. The commercial thinning units and salvage areas were reviewed for likelihood of habitat of sensitive fish and wildlife species. It was determined that this project “May Impact” individual Olympic Peninsula Coastal Cutthroat Trout, Van Dyke's Salamander, Olympic Torrent Salamander, Cope’s giant salamander, warty jumping slug, Burrington’s jumping slug, Townsend’s big-eared bat, Keen’s myotis and Pacific fisher but is not likely to contribute to a trend towards federal listing

or cause a loss of viability to the population or species. The project will have no impact to other sensitive fish and wildlife species

Surveys for sensitive plants were conducted to determine if there were any special status plant, fungi and lichen species within the project area. Existing field records in addition to field surveys determined that there were no new occurrences. Therefore, there are no anticipated adverse effects to any of the listed sensitive amphibians, birds, mammals or plants.

Invasive Plants. Noxious weeds and other invasive plants may pose a serious threat to the health of National Forests. Executive Order 13112, Invasive Species (Feb. 1999), provides direction that “Federal agencies shall: (1) prevent the introduction of invasive species; (2) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (3) monitor invasive species populations accurately and reliably; (4) provide for restoration of native species and habitat conditions in ecosystems that have been invaded.”

No invasive plants were found in the project area, however Scot’s broom and Cutleaf blackberry were observed along Forest Service Road 2220-030.

Cultural Resources. A cultural resource effects determination was prepared and submitted to the Washington State Office of Archeology and Historic Preservation (OAHP) on May 19, 2008. Field surveys were conducted for the thinning area. No cultural resources were identified, and therefore, it was determined that there would be no impacts to cultural resources.

Aquatic Conservation Strategy Consistency Finding and Rationale

I have reviewed the relevant analysis for this project that pertains to the Aquatic Conservation Strategy Objectives (NWFP ROD 1994), and I find that this decision meets these objectives. I have reviewed the analysis of the existing condition and desired future condition or range of natural variability of important physical and biological components as documented in the East/West Humptulips Watershed Analysis (USDA 2000) and specialist input. The Aquatic Conservation Strategy consistency report in the project file documents the following conclusions: the project will be restorative for Objectives 1, 2 and 3 and will maintain current conditions for Objectives 4 through 9. I am confident with my finding that this decision will meet the Aquatic Conservation Strategy Objectives.

IMPLEMENTATION DATE

If no appeal is filed within the 45-day time period, implementation of the decision may begin on the 5th business day following the close of the appeal-filing period. If an appeal is filed, the decision may not be implemented until 15 business days following the date of appeal disposition [36 CFR 215.9].

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215, pursuant to the September 16, 2005, order issued by the U. S. District Court for the Eastern District of California in Case No. CIV F-03-6386JKS. Any individual or organization who submitted comments during the comment period specified at 36 CFR 215.6 may appeal. Written notice of appeal must be postmarked or received by the Appeal Deciding Officer, Regional Forester Mary Wagner, ATTN: Appeals, USDA Forest Service, PO Box 3623, Portland, OR 97208-3623 within 45 days of the date of publication of notice regarding this decision in *The Olympian* (Olympia, WA). The appeal must state that the document is an appeal pursuant to 36 CFR 215, and at a minimum must meet the content requirements of 36 CFR 215.14, and include the name and address of the appellant, and must identify the decision by title, subject, date of

decision, and name of the Responsible Official. The appeal narrative must be sufficient to identify the specific change(s) to the decision sought by the appellant or portions of the decision to which the appellant objects, and must state how the Responsible Official's decision fails to consider comments previously provided. If applicable, the appeal should state how the appellant believes this decision violates law, regulation, or policy.

Appeals (including attachments) may be filed by regular mail, fax, e-mail, hand delivery, express delivery, or messenger service. The publication date of the notice regarding this decision in the newspaper of record is the sole means of calculating the appeal filing deadline, and those wishing to appeal should not rely on dates or timelines from any other source. E-mail appeals must be submitted to: appeals-pacificnorthwest-regional-office@fs.fed.us, and must be in one of the following three formats: Microsoft Word, rich text format (rtf) or Adobe Portable Document Format (pdf). FAX appeals must be submitted to: 503-808-2255. Appeals may be hand-delivered to the Resource Planning and Monitoring Office, 333 SW First Ave., Portland, OR between 8:00 AM and 4:30 PM Monday-Friday.

It is the responsibility of all individuals and organizations to ensure their appeals are received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender's responsibility to ensure timely receipt by other means.

CONTACT PERSON

For further information concerning this project or decision, contact the Project Leader, Mark Senger, Olympic National Forest, 1835 Black Lake Blvd. SW, Suite A, Olympia, WA 98512, ph: 360-956-2358.



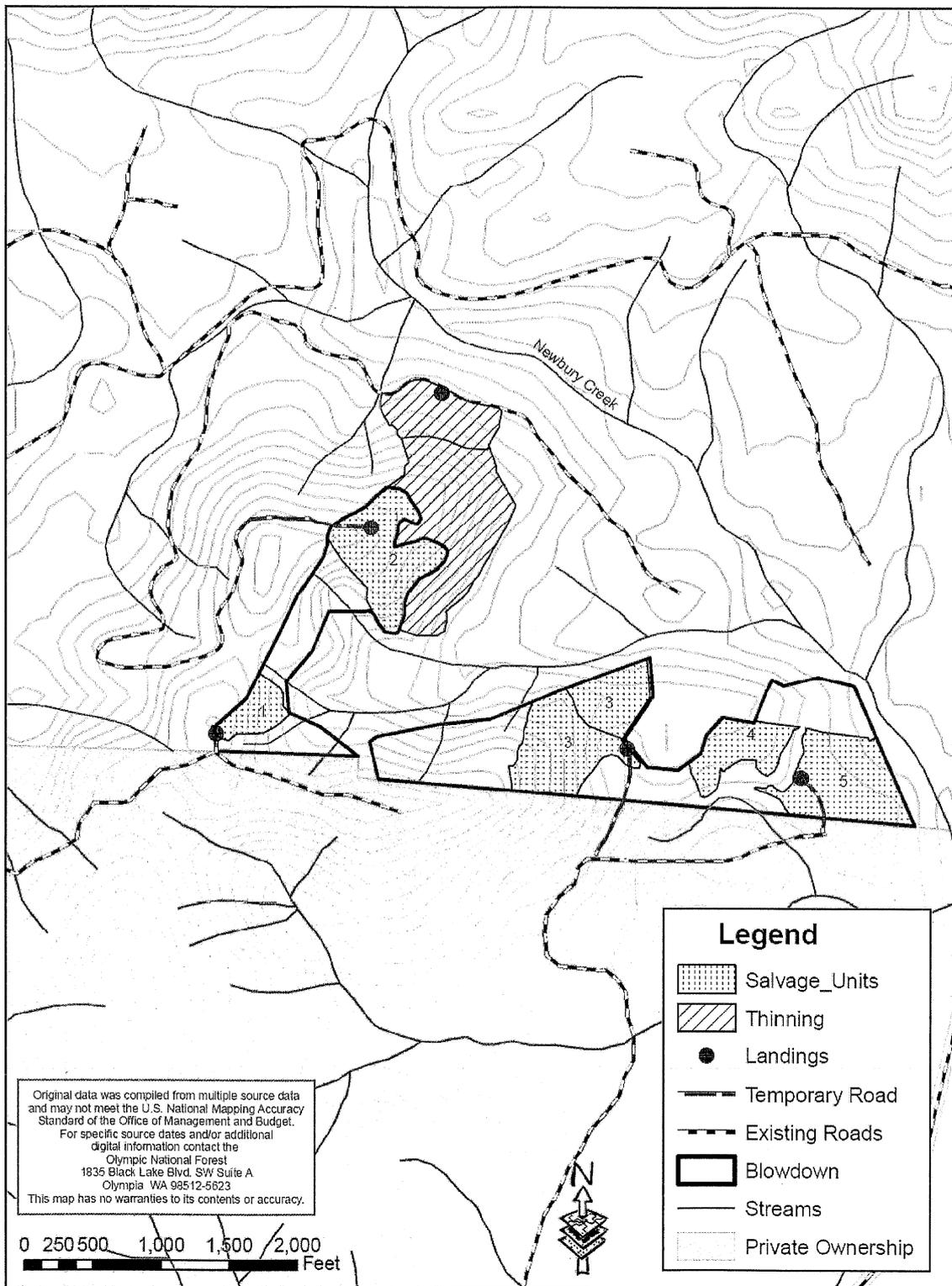
Dale Hom
Forest Supervisor

2/23/09

Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Newbury Creek Salvage & Thinning



T21N R9W Sec. 5 & 6