

Decision Memo

Teal Fire Salvage Recovery Project

Pomeroy Ranger District, Umatilla National Forest Columbia and Garfield Counties, Washington

Township 9 North, Range 41 East, Section 36
Township 8 North, Range 41 East, Section 1
Township 9 North, Range 42 East, Sections 31 and 32
Township 8 North, Range 42 East, Sections 5, 6, 8, 9, 15, 16, 23, and 26
Willamette Meridian surveyed.

BACKGROUND

The lightning caused Columbia Complex Fire began as several smaller fires (e.g. Columbia Fire, Whiskey Creek Fire and Cory Eye Fire) on August 21, 2006 near the south fork of the Touchet River just south of Dayton Washington. They eventually merged into one large fire. In the early stages of the fire high winds, hot temperatures, and low humidity fanned the flames and by August 23, the fire had grown to 43,000 acres. With continued hot weather and winds the fire burned in grasslands, wheat and wheat stubble fields, timber stringers, and timber land; by August 28, the fire had spread onto Umatilla National Forest. On November 9, 2006 the fire was declared controlled, and on December 1, 2006 it was declared out. In total, approximately 110,000 acres burned in Columbia, Garfield, and Walla Walla Counties, Washington. Approximately 53,300 acres were burned on private land, 3,900 acres on land owned by the Confederated Tribe of the Umatilla Indian Reservation (Rainwater Ranch), 3,900 acres on Washington State Department of Natural Resource land, 170 acres on Washington State Fish and Wildlife Service land, and approximately 48,000 acres on National Forest System land.

Columbia Complex fires spread across approximately 39,000 acres of the Pomeroy Ranger District. Fire effects varied widely from a light underburn in some areas to areas of intense fire activity where almost all trees were killed. Pomeroy Ranger District personnel evaluated the burned landscape and identified approximately 3,800 acres of potential salvage that would be consistent with direction found in the Umatilla National Forest Land and Resource Management Plan (Forest Plan) and did not include inventoried roadless areas. However, to capture the greatest economic value in a timely manner, and taking into account current budgets, work force, and resources available, only 250 acres of the potential salvage area is being proposed for salvage.

After a tree dies, it begins to deteriorate and lose economic value. Wood deterioration can refer to changes in wood strength or appearance that render wood unsuitable for traditional or general uses such as lumber products and this rate varies by species. Weather is often a major contributor to the rate of deterioration. Past experience from School Fire Salvage Recovery Project showed that by late summer of 2007 a significant amount of volume and value from this area could be lost (approximately 65 percent).

There is a need to salvage harvest as rapidly as practicable before decay and other wood deterioration occurs to maximize potential economic benefits. Harvesting dead and dying trees could provide direct and indirect benefits to the local and regional economy. In addition, revenues produced by selling the salvage timber could be available to help finance post-fire restoration and other activities.

During fire suppression efforts, trees that posed an imminent danger were removed, however, additional standing dead, dying, and unsound green trees that represent a threat and danger to public safety have been observed. To provide for safety during operations, there is a need to remove danger trees along haul routes and landings, and public safety when salvage activities are complete.

DECISION

After careful review and consideration of public comments made, and analyses by resource specialists disclosed in the project record, I have decided to implement the Teal Fire Salvage Recovery Project. As part of my decision I will implement project-specific design features, including best management practices (BMPs) listed in the project record, because they are expected to minimize the effects of management activities. The following table summarizes some outcomes of my decision.

Table 1 – Summary of Project Activities

Activity	
Total salvage harvest*	250 acres**
Harvest – ground based – whole tree yarded	250 acres
Danger trees removed along haul routes	20 miles
Danger trees removed that could affect landings	Yes
Danger trees felled in Riparian Habitat Conservation Areas (RHCAs) and left on the ground	Yes
Temporary road construction (no more than ½ mile in total):	2 roads (1200 feet and 800 feet)
Additional short spurs	Yes
Roads decommissioned after use	Yes
Activity Fuel Treatment	Piles at landings to be either burned or chipped at a later. Where necessary some jackpot prescribed burning.
*Harvest prescriptions will salvage dead trees (trees without green needles) greater than or equal to 21 inches in diameter at breast height (dbh). Dead and dying trees less than 21 inches dbh will also be removed using the probability of survival determined by the protocol described in <i>Factors Affecting Survival of Fire Injured Trees: A Rating System For Determining Relative Probability of Survival of Conifers in the Blue and Wallowa Mountains by Scott et al.</i> , also known as the Scott Guidelines. To provide for habitat needs of cavity dependent species, approximately three large dead trees per acre will be left for future large wood.	
** acres, feet, and miles are approximate, but not to exceed 250 acres of harvest	

FINDINGS FOR THE DECISION

My decision to implement this project is consistent with the scale of effects disclosed for two categories of actions established by the Chief of the Forest Service which do not individually or cumulatively have a significant effect on the human environment and therefore normally do not require further analysis in either an environmental impact statement (EIS) or an environmental assessment (EA). These two categories are listed in the Forest Service NEPA Handbook (FSH) FSH 1909.15-2006-1, Chapter 30, Section 31.12, Category 4 (*Repair and maintenance of roads, trails, and landline boundaries*) for the removal of danger trees, and 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*).

I selected Category 13 because the Forest Service did a post-implementation review of similar projects along with past, present, and reasonably foreseeable future actions, and the responsible officials found that the individual and cumulative effects of the projects reviewed were not significant in the NEPA context. The Forest Service, therefore, concluded that the activities described in categories (12, 13, and 14) do not individually or cumulatively have a significant effect on the human environment (see Federal Register, July 29, 2003, Vol. 68, No. 145, page 44599).

In making my decision I considered the following conditions:

1. The project is consistent with the Umatilla Land and Resource Management Plan (Forest Plan) 1990, as amended and all applicable federal and state laws for protection of the environment.
2. There are no extraordinary circumstances that would preclude the use of the category exclusions listed above.

I address each of these conditions below:

Forest Plan consistency and other applicable laws

The units proposed for project activity include four Forest Plan management areas as shown in Table 2. All allow timber harvest however, only A4 and E2 are managed for scheduled harvest. Management area A6 allows harvest for removal of danger trees and C8 allows salvage harvest of timber under catastrophic conditions.

Table 2 – Land allocations within project activity units

Management Area	Area (acres)	Forest Plan Page Number
A4 – Viewshed 2	98	4-105
A6 – Developed Recreation	5	4-117
C8 – Grass-Tree Mosaic	2	4-171
E2 – Timber and Big Game	145	4-183

This project has been designed to be consistent with the Forest Plan and applicable federal and state laws. The following resource narratives demonstrate consistency with Forest Plan direction described for both Management Area and Forest-wide standards and guidelines and applicable federal and state laws.

- **Hydrology** - The Forest Service’s responsibilities under the Clean Water Act are defined in a November 2000 Memorandum of Understanding (MOU) between Washington State Department of Ecology and the Forest Service. The MOU designates the Forest Service as the management agency responsible for meeting the Clean Water Act on NFS lands and recognizes best management practices (BMPs) as the primary mechanism to control nonpoint source pollution on NFS lands. It further recognizes that BMPs are developed by the Forest Service as part of the planning process and includes a commitment by the Forest Service to meet or exceed water quality standards. This project incorporates site-specific BMPs for water and soil resources and a process to monitor BMP implementation and effectiveness (Project Record - Hydrology Report).

Project activities will not detrimentally affect beneficial uses and the proposed salvage harvest has been designed to prevent damage to Riparian Habitat Conservation Areas (RHCAs). Riparian and channel components that protect water quality will be maintained and recovery will proceed at natural rates. Other project design criteria and BMPs will control disturbance that could lead to erosion and sedimentation. Effects of the proposed action will not adversely or measurably affect water temperature, turbidity, fecal coliform, or pH, the criteria for which streams in and around project activity units (Tucannon River, North Fork Asotin, and Asotin Creek) are 303d listed as impaired for these criteria. The proposed project is in compliance with the Clean Water Act, the Safe Drinking Water Act, and Forest Plan (Project Record - Hydrology Report).

- **Recreation** - The area in and around project activity units provides a wide range of recreation activities, experiences, and opportunities, including but not limited to: developed and dispersed camping; sightseeing; off-highway vehicle (OHV) use; hunting; mushroom and berry picking; and snowmobiling. The salvage operation is not expected to impact long-term availability of recreation

opportunities. One developed campground (Teal Spring) is within a project activity unit and another (Spruce Spring) is close by. Salvage operations are proposed to occur in and around Teal Spring campground to remove trees that are a danger to public use. Implementation of project design criteria and management requirements provide for visitor safety, and help protect recreation opportunities (Project Record - Recreation Report).

- **Scenery** – Within management area A4-Viewshed 2, salvage operations will occur in five units affecting approximately 98 acres. Salvage harvesting and subsequent regeneration will lead these affected areas towards a more desirable visual character and rehabilitate the area (Project Record – Recreation Report).
- **Undeveloped Areas** – Lands of undeveloped character are in the vicinity of project activity units. During recent Forest Plan revision efforts, undeveloped areas were identified for potential to become or be included in inventoried roadless areas; no units lie within these areas. There will be no direct, indirect, or cumulative effects to the character of undeveloped areas.
- **Soils** – Design of logging system, contractual controls, and erosion control measures, including site-specific BMPs, will limit detrimental levels of soil disturbance, and will maintain or enhance soil and land productivity (Project Record – Soil Report).
- **Fuels** – Activity fuels will be piled at landings and will either be burned or chipped. Where necessary, jackpot prescribed fire treatments will be used to reduce residual surface fuel loading if fuel loadings exceed Forest Plan standards.
- **Air Quality** – All fuels management burning will adhere to Washington State and federal air quality regulations. Project activities will be in compliance with the Clean Air Act and Washington State's Smoke Management Plan as administered by the Washington State Department of Natural Resources (DNR) (Project Record – Fuels Report).

Two federal Class 1 airsheds are within 60 miles of project activity units. Hells Canyon National Recreation Area is approximately 50 miles to the southeast of project activity units and the Eagle Cap wilderness is approximately 55 miles south. Prevailing wind patterns will be used to minimize smoke and existing procedures in place with Washington State DNR will ensure compliance with the Clean Air Act. Smoke emissions into Lewiston, Idaho and Clarkston, Washington (largest population centers east of the project) will result in ignition being discontinued and the fire suppressed as necessary until the project is in compliance with smoke management regulations (Project Record – Fuel Report).

- **Range** - Approximately 62 acres of the Pomeroy Allotment (Upper Pataha pasture) are within project activity units (Project Record – Range Report). This action will not impact available forage or impact AUMs.
- **Wildlife** - Specific design criteria for wildlife protection have been incorporated into this project (Project Record – Wildlife Report). Plant and animal diversity and population viability are not diminished with implementation of the project. Effects to management indicator species (MIS) such as elk, marten, and pileated woodpecker are as follows:

Elk – Road project activities will not result in a net increase of open road densities. Temporary roads used for harvest will be closed after all treatments are completed. Any road disturbance to big game will be short in duration. No areas that are currently classified as satisfactory or marginal cover will be changed to a forage conditions because of project activities. Security areas will be provided by adjacent roadless areas and Wenaha-Tucannon Wilderness. Effects to

satisfactory and marginal cover, forage, and screening vegetation are all consistent with Forest Plan standards and guidelines.

American marten – Some marten habitat is present in the area where Columbia Complex Fire burned in a mosaic fashion, but salvage harvest is not proposed in these areas. Salvage in project activity units will have no effect to marten habitat or to individuals.

Pileated woodpecker – Stands proposed for salvage harvest do not provide good pileated woodpecker habitat. Since all live trees will be retained, and all large trees (≥ 21 " dbh) that may not live but still have green needles will be retained, no reduction in pileated woodpecker habitat is expected.

An abundance of dead wood habitat will be available for cavity excavator species. This salvage project of 250 acres is less than one percent of the total burned area on Pomeroy Ranger District (Project Record – Wildlife Report).

Umatilla National Forest Plan Amendment #11 established interim riparian, ecosystem, and wildlife standards for timber sales (the Eastside Screens) (USDA 1995). The Interim Wildlife Standard (wildlife screen) restricts the harvest of timber in stands classified as late or old structure (LOS), if the amount of LOS in the area is below the historic range. Since this standard applies to live trees, which will not be harvested, this project will be in compliance with the wildlife screen (Project Record – Wildlife Report).

The project is consistent with the 1918 Migratory Bird Treaty Act (MBTA) and the Migratory Bird Executive Order 13186. The Conservation Strategy for Landbirds (Altman 2000) and the U.S. Fish and Wildlife Service's Birds of Conservation Concern (USDI 2002) were reviewed to determine potential effects. Design criteria such as retention of adequate snags and down logs, retention of live trees, and avoidance of riparian areas will minimize take of migratory birds and meet the intent of current management direction (Project Record – Wildlife Report).

- **Riparian/Fish** – This decision is consistent with PACFISH Riparian Management Objectives and protects riparian and fish resources and habitat with implementation of specific design criteria and management requirements (Project Record – Aquatic Species Biological Evaluation).

Extraordinary Circumstances:

Based on the project record I find that the project is consistent with agency policy concerning extraordinary circumstances (Forest Service Handbook 1909.15-2006-1, Chapter 30, Section 30.3 (2) (a)-(g)).

- ***Federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing, or Forest Service sensitive species***

As required by the Endangered Species Act (ESA), potential effects of this project on listed species have been analyzed and documented in Biological Evaluations for wildlife, aquatic, and plant species. In accordance with Section 7(c) of the Endangered Species Act, the wildlife biologist, fish biologist, and botanist checked for the presence of listed and proposed threatened and endangered species or their habitats, and species on the Regional Forester's (Region 6) sensitive species list that may be present. Cumulative effects were analyzed when making ESA determinations.

Based upon available information, evaluation of direct, indirect, and cumulative effects, and interrelated and interdependent actions, it has been determined that the implementation of the project will have no effect to gray wolf, the only ESA listed species that might occur near the project, and no impact to wolverine.

Implementation of the project will have no direct, indirect, or cumulative effects on Spring/Fall Chinook salmon, Snake River Steelhead, Bull Trout, Westslope Cutthroat trout, Redband trout or Margined Sculpin, or to Essential Fish Habitat (EFH) for listed species (Project Record – Aquatic Species Biological Evaluation).

A determination of No Impact has been given for all Region 6 listed and proposed sensitive species for plants, wildlife, and aquatic species. A determination of No Effect has been given for all federally listed and proposed threatened and endangered plant, wildlife, and aquatic species (Project Record – Plant, Wildlife, and Aquatic Biological Evaluations).

See the following table for a list of threatened, endangered and sensitive species and biological determinations for these species.

Table 3 – Effect Determinations for Listed and Sensitive Species

Species	Status	Determination
Silene spaldingii	Threatened	NE
Striped Whipsnake	Sensitive	NI
Northern Leopard Frog	Sensitive	NI
Northern Bald Eagle	Threatened	NE
American Peregrine Falcon	Sensitive	NI
Upland sandpiper	Sensitive	NI
Gray flycatcher	Sensitive	NI
Green-tailed towhee	Sensitive	NI
Gray wolf	Threatened	NE
California wolverine	Sensitive	NI
Lynn's Clubtail Dragonfly	Proposed Sensitive	NI
Spring/fall Chinook Salmon	Threatened	NE
Snake River Steelhead	Threatened	NE
Westslope Cutthroat trout	Sensitive	NI
Redband trout	Sensitive	NI
Margined Sculpin	Proposed Sensitive	NI
Tailed Frog	Proposed Sensitive	NI
Columbia spotted frog	Proposed Sensitive	NI
Northern Leopard frog	Proposed Sensitive	NI
Columbia Dusksnail	Proposed Sensitive	NI
Bull trout	Threatened	NE
NE – No effect on a proposed or listed species or critical habitat		
NI – No impact to Region 6 sensitive or proposed sensitive species individuals, populations, or their habitat.		

- ***Floodplains, wetlands, or municipal watersheds***

The project will avoid all floodplains and wetlands and will be consistent with Executive Order (EO) 11988 and Executive Order 11990. There are no de-facto or designated municipal watersheds in project activity units (Project Record - Hydrology Report).

- ***Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.***
Project activity units are not located within any congressionally designated wilderness, wilderness study areas, or national recreation areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, Appendix C).
- ***Inventoried roadless areas***
Project activity units are not located within any inventoried roadless areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, Appendix C).
- ***Research natural areas***
Project activity units are not located within any research natural areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, p. 4-31).
- ***American Indians and Alaska Native religious or cultural sites***
Project activity units are within American Indian's ceded lands. Consultation with appropriate tribes has occurred. No religious or cultural sites will be affected by the project.
- ***Archeological sites, or historic properties or areas***
All known sites will be avoided. Should any additional sites be identified during ground disturbance activities, contract provisions will provide protection and the Zone Archeologist will immediately be notified.

FINDINGS REQUIRED BY OTHER LAWS

This project is consistent with the Umatilla's Land and Resource Management Plan (Forest Plan) and all subsequent amendments, as required by the National Forest Management Act. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines. The project is in compliance with the Endangered Species Act of 1973, as amended, Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 2000, Clean Water Act, Safe Drinking Water Act, Clean Air Act, Executive Order 11988, and Executive Order 11990 as discussed in previous sections of this document.

There is no prime farmland, rangeland, or forestland within project activity units. Activities for this project are consistent with the *Managing Competing and Unwanted Vegetation FEIS*, its *Mediated Agreement*, and *1988 Record of Decision* and incorporates the invasive plant prevention measures of the *Pacific Northwest Region FEIS for the Invasive Plant Program*, and *2005 Record of Decision*. This project does not address interim methods of rapid response to invasive plant spread beyond what was analyzed in the *1995 Umatilla Noxious Weed EA*.

Implementation of this project is not expected to have any disproportional effects on consumers, civil rights, minority groups, women, or low income people because there will be no change in the long-term use of the area for these populations (Executive Order 12898). The project will not have unusual energy requirements. The project will improve public health and safety by removing danger trees along haul routes and landings.

PUBLIC INVOLVEMENT

This proposal was listed in the spring edition of Umatilla National Forest's Schedule of Proposed Actions, and scoping letters were mailed on February 20, 2007 to approximately 182 interested individuals, organizations, tribes, state, local, and federal agencies. Seven letters were received in response to our scoping letter. Letters describing the project and analysis and requesting comments were mailed on April 20, 2007 to approximately 185 interested individuals, organizations, tribes, state, local, and federal agencies. A legal notice requesting comments appeared in the *East Oregonian* (newspaper of record) on

April 24, 2007. Three (3) letters responding to our request for comments during the 30-day comment period were received. I reviewed the comments and considered them before making my final decision.

APPEAL RIGHTS

As no negative comments were received during the 30-day comment period which ended May 24, 2007, the decision for this project is not subject to appeal according to 36 CFR 215.12.

IMPLEMENTATION

This decision may be implemented immediately pursuant to regulations at 36 CFR 215.9.

CONTACT PERSON

This Decision Memo and associated project file may be reviewed at the Pomeroy Ranger District, 71 West Main Street, Pomeroy Washington. For further information contact:

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/s Monte Fujishin

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District Ranger

6/11/07
Date



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