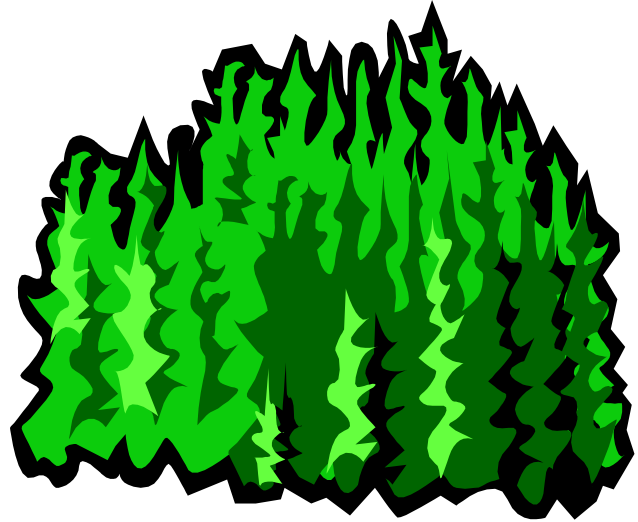


**USDA FOREST SERVICE
UMATILLA NATIONAL FOREST
POMEROY RANGER DISTRICT
POMEROY, WASHINGTON**

**DECISION MEMO/CATEGORICAL
EXCLUSION**

**For the
2008 Non-Commercial Thinning and
Fuels Reduction Project**

**Asotin, Columbia and Garfield Counties,
Washington
And
Wallowa County, Oregon**



DECISION

An environmental analysis for the 2008 Non-Commercial Thinning and Fuels Reduction Project has been completed. After careful review and consideration of public comments made, and analyses by resource specialists disclosed in the project file, I have decided to implement this project. Non-commercial thinning units are located in Asotin, Columbia, and Garfield Counties, Washington and Wallowa County, Oregon (see attached maps for locations). There are twelve areas where treatments will occur.

The purpose of this project is to reduce tree stocking levels to improve the growth and vigor of desirable trees in a stand. The goal of implementing this project is to decrease density-dependent mortality as the stands mature, increase diameter growth rates, increase the length of crown retained by trees, increase resistance to insect and disease attack, and to reduce ladder fuels within designated areas.

Approximately 500 acres per year will be treated during a five year period beginning in 2008 for a total of 2,500 acres. Of the 500 acres treated each year, approximately 300 acres will be non-commercially thinned and 200 acres will be treated for fuels reduction using either hand or mechanical methods. Access will be restricted to existing roads.

Excess trees less-than or equal to 8 inches in diameter and unhealthy trees 10 inches in diameter will be cut by chainsaws. Prescribed spacing will range from:

- 14 feet x 14 feet – non-ponderosa pine stands, leaving approximately 220 trees per acre.
- 16 feet x 16 feet – ponderosa pine stands, leaving approximately 170 trees per acre.
- 18 feet x 18 feet – in some ponderosa pine stands, leaving approximately 130 trees per acre.

Slash in hand treated areas will result through bucking felled trees into 10-foot or less length and it will be lopped and scattered throughout the unit so that slash will not exceed a depth of 24 inches. In mechanically treated areas all trees cut and existing ground slash will be reduced to a depth of less-than or equal to 12 inches in depth.

Project design features include:

- stream buffers (where required) of 25 feet on each side of streams or distance relative to one-site tree's height, which ever is greater, will be maintained for anadromous fish protection.
- A 66-foot road buffer will be left for wildlife cover with 12 feet x 12 feet spacing, leaving approximately 300 trees per acres, whenever boundaries are located along main roads, excluding spur or decommissioned roads.

- Hand treatments will be used in areas where the slope is greater than 25 percent.
- Where they exist, at least 15 dead or downed logs per acre will be retained. These dead logs are to be 12 inches in diameter on the small end and at least have an 8-foot long log.
- Equipment will progress through each unit keeping on the existing slash mat or newly created slash mat, whenever possible.
- Equipment will use existing skid trails and minimize turning by retreating on its path of entry (when possible), by turning on existing roads, landings and hardened areas.
- Fueling of equipment will occur on roads and not in units.
- Units with cultural heritage sites will be flagged and avoided during project activities.

FINDINGS FOR THE DECISION

My decision to implement this project is consistent with the scale of effects disclosed for a category of actions established by the Chief of the Forest Service which does 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). This category is listed in the Forest Service NEPA Handbook 1909.15-2006-1, Chapter 30, Section 31.2, Category 6 (*Timber stand and/or wildlife improvement which do not include the use of herbicides...*)

In making my decision I considered the following conditions:

1. There are no extraordinary circumstances that would preclude the use of the category exclusions listed above.
2. 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.

Resource conditions were considered in determining whether extraordinary circumstances related to the proposed action warranted further analysis and documentation in an EA or EIS. Extraordinary circumstances considered included: federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or Forest Service sensitive species; flood plains, wetlands, or municipal watersheds; Congressionally designated areas, such as wilderness, wilderness study area, or national recreation areas; inventoried roadless areas; research natural areas; American Indian and Alaska Native religious or cultural sites; and archeological sites, or historical properties or areas.

Based on the project record file I find that the project is consistent with agency policy concerning extraordinary circumstances (Forest Service Handbook 1901.15-2006-1, chapter 30, Section 30.3 (2) (a. - g.).

Threatened, Endangered or Sensitive (TES)

Plant Species - Complete species inventory botanical surveys have been conducted in proposed treatment areas. A Biological Evaluation has determined that this project will have "No Impact on any currently listed Region 6 sensitive plant species." There is no potential habitat for any sensitive non-vascular plant species within project units. A determination of "No Effect" was given for listed *Silene Spaldingi* (Project file – Plant BE).

TES Terrestrial Species – Potential habitat for Canada lynx, California wolverine, great gray owl, and gray wolf occurs in or near the project area. No other TES terrestrial species or their habitats will be affected.

Canada lynx (Threatened) - Lynx are known to have occurred on Umatilla National Forest historically in low numbers. U.S. Fish and Wildlife Service has designated the Blue Mountains as non-occupied, peripheral habitat (May, 2006). There are no known lynx on the District at this time. No lynx sightings have been verified since 1999. Approximately 1,400

acres of suitable lynx habitat are located within the project planning area.

California wolverine (Sensitive) - Wolverines are wide ranging carnivores that may pass through the general project area. No denning habitat occurs in or near the project area. There have been some wolverine sightings documented on the district. There have been several other sightings reported in the Blue Mountains.

Great gray owl (Sensitive) - The great gray owl inhabits many types of forests in North America. There have been no reported sightings of great gray owls in or around the project area.

Gray wolf (Sensitive) - Wolves are wide ranging carnivores that may pass through the general project area. Individual gray wolves have been confirmed in the Blue Mountains, but currently no wolves are known to occur near the project area. There have been reports of wolves in the Blue Mountains recently. There are currently no known denning or rendezvous sites near this project or on the district.

A biological determination of "No Effect" was given for Canada lynx. A biological determination of "No Impact" was given for wolverine, gray wolf, and great gray owl.

If any of these species happened to be in the area where project work was occurring, a brief disturbance could result in animals moving elsewhere. The proposed project will not adversely affect habitat conditions or prey resources, nor cause long-term animal movements (Project File – Terrestrial Wildlife BE).



Other Terrestrial Wildlife and Wildlife Habitat:

Old Forest Habitat – Dedicated old growth will not be affected by proposed activities because it does not exist within proposed activity units (Project File – Terrestrial Wildlife Report).

Management Indicator Species (MIS) – This project will not reduce population viability for any MIS. There will be no measurable difference between no action and implementing the proposed project for populations and habitats of Rocky Mountain elk, American marten, and pileated woodpecker (Project File – Terrestrial Wildlife Report).

Dead wood – Dead wood levels will be retained at current levels since no dead wood will be removed or cut. Additional slash piles will be left where required. The best available science was used to determine effects to snag and down wood dependent species (Mellen 2006). This project will not diminish habitat for cavity excavators expected to occur in the project area (Project File – Terrestrial Wildlife Report).

Migratory Birds – This project is consistent with the 1918 Migratory Bird Treaty Act (MBTA) and Migratory 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 for effects disclosure. Design criteria such as the retention of snags and down logs, creation of slash piles and the avoidance of riparian areas will minimize take of migratory birds and meet the intent of current management direction (Project File – Terrestrial Wildlife Report).

This project is consistent with the Forest Plan, because it meets standards and guidelines for management area allocations and provides for viable populations of wildlife species. This project will provide for the diversity of plant and animal communities in the project area based on suitability and capability of the project area (Project File – Terrestrial Wildlife Report).

Aquatic Species – A Biological Evaluation has been completed for Aquatic Species and a

determination of “No Impact” has been given for all listed and proposed Region 6 sensitive aquatic species, and a determination of “No Effect” has been given for all federally listed and proposed Threatened and Endangered aquatic species. Habitat is not present for Lynn’s clubtail dragonfly, bull trout, Snake River steelhead trout (also MIS) , Snake River spring and fall Chinook salmon, West-slope cutthroat trout, painted turtle, and Columbia dusksnail. Habitat is potentially present for redband trout (also MIS), margined sculpin, Columbia spotted frog, tailed frog, and Northern Leopard frog. No shade removal will occur. Implementing this project along with identified design features will not contribute to the loss of viability of species, or cause the species to move toward a federal listing. This project is consistent with PACFISH standards and guidelines. There will be no adverse direct, indirect or cumulative effects with project implementation (Project File – Aquatic BE).

Hydrology – Thinning and slash pullback will be done with chain saws and without ground-based equipment. There will be no ground disturbance and no potential for sedimentation into surface waters. Project design criterion will protect all shade and would meet PACFISH Riparian Management Objectives (RMOs). This project will not affect surface quality and is in compliance with the Clean Water Act (Project File – Hydrology Report).

Heritage Resource Review – A review has been completed and documents that the proposed project meets the conditions listed in Appendix A of the Programmatic Agreement between ACHP, Washington SHPO, and USFS R6. This project complies with Section 106 of the National Historic Preservation Act (Project File – Heritage Resource Report).

Noxious Weeds - This project is consistent with the Managing Competing and Unwanted Vegetation FEIS and its Mediated Agreement, and 1988 Record of Decision, the 1995 Umatilla National Forest Environmental Assessment for the Management of Noxious Weeds, and the Pacific Northwest Region Final Environmental

Impact Statement for the Invasive Plant Program, and 2005 Record of Decision.

Findings

This decision to implement activities to non-commercially thin and reduce fuels on a total of 2,500 acres is consistent with the intent of the Forest Plan’s long-term goals and objectives listed on pages 4-1 to 4-3 and 4-15 to 4-46. This project was designed in conformance with land and resource management plan standards and incorporates appropriate Forest Plan standards and guidelines (pages 4-47 to 4-93).

Other Findings

This action will have limited context and economical components on the human environment. It will have no adverse effects on: consumers, civil rights, minority groups, and women; prime farmland, rangeland, and forestland; old growth forest options; environmental justice; and ecologically critical areas.

Public Involvement

This project was listed in the 2008 Winter and Spring editions of Umatilla National Forest’s Schedule of Proposed Actions.

Letters were sent to approximately 160 recipients (individuals, government agencies, tribes, and environmental organizations) and a legal notice was published in the Forest’s newspaper of record requesting comments during a 30-day comment period. One letter of concern was received from the Oregon Chapter, Sierra Club.

ADMINISTRATIVE REVIEW AND APPEAL RIGHTS

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR Part 215. Only individuals or organizations that submitted comments or expressed an interest in the project may appeal. Any appeal of this decision must be in writing and fully consistent with content requirements described in 36 CFR 215.14.

Send written appeals to:

USDA, Forest Service
Umatilla National Forest,
ATTN: Kevin Martin, Forest Supervisor
2517 S.W. Hailey Avenue
Pendleton, Oregon 97801

The notice of appeal may alternatively be faxed to:

USDA, Forest Service
Umatilla National Forest,
ATTN: Kevin Martin, Forest Supervisor
(541) 278-3730

Or delivered by hand to:
Umatilla Forest Supervisor's Office in
Pendleton, Oregon from 8 a.m. to 4:30 p.m.,
Monday through Friday.

By electronic mail at:
appeals-pacificnorthwest-umatilla@fs.fed.us

Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word, rich text format or portable document format only. E-mails submitted to e-mail addresses other than the one listed above or in other formats than those listed or containing viruses will be rejected. It is the responsibility of persons providing comments by electronic means to ensure that their comments have been received.

Any written appeal, including attachments, must be postmarked or received (via regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) within 45 days of the date of publication of the notice of decision in the *East Oregonian*, newspaper of record. The publication date in the *East Oregonian* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

For further information regarding these appeal procedures, contact the Forest Environmental Coordinator, Janel McCurdy at (541) 278-3869.

Implementation

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the closed of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Contact Person

This Decision Memo and associated project file may be reviewed at the Pomeroy Ranger District in Pomeroy, Washington. For further information concerning this project contact William Lydie, at Pomeroy Ranger District, 71 West Main Street, Pomeroy, Washington 99347, or call (509) 843-1891.

/s/Monte Fujishin
Monte Fujishin
District Ranger

June 9, 2008
date

