

Decision Memo

Skyline Danger Tree Removal Project

Pomeroy Ranger District, Umatilla National Forest Columbia County, Washington

Sections 2, 3, and 10 of Township 6 North, Range 40 East
Sections 1-3, 8-12, 17, 20, 21, 27, 28, 34, and 35 of Township 7 North, Range 40 East
Section 6 and 7 of Township 7 North, Range 41 East
Sections 1, 2, 1-15, 23, 24, 26, and 35 of Township 8 North, Range 40 East
Section 31 of Township 8 North, Range 41 East
Sections 22, 23, 26, 27, and 35 of Township 9 North, Range 40 East
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.

During fire suppression efforts, trees that posed an imminent danger were removed, however, additional standing dead, dying, and unsound green trees that represent a safety threat to the public and Forest Service personnel (both in and outside the burn footprint) are evident. In addition to areas affected by the fire, there are other areas of danger trees located outside the footprint of the fire.

Following is the Forest Service's definition of a danger tree and how it will be used in this project:

A danger tree is defined as any standing tree that presents a hazard to people due to conditions such as, but not limited to, deterioration or physical damage to the root system, trunk, stem, or limbs and the direction and lean of the tree (FSH 6709.11, Glossary). Danger trees will be evaluated by qualified individuals in accordance with the Field Guide for Danger Tree Identification and Response, Pacific Northwest Region, 2005. Since the purpose of this sale is to protect health and safety, the Eastside Screens prohibition on harvest of trees greater than 21 inches diameter at breast height (DBH) does not apply.

Trees will be felled that have an imminent or likely potential to fail and the tree's potential failure zone includes roads listed in Tables 1 and 2. Trees that have an imminent potential to fail are so defective or rotten that it will take little effort to make them fail. Trees considered likely to fail include all dead trees and some live trees with specific diseases and/or damage. A tree's potential failure zone is the area that could be reached by any part of a failed tree. This is generally one and one-half tree lengths, but can vary depending on slope, tree height, lean, individual tree characteristics, and other factors.

DECISION

After careful review and consideration of documented analyses by resource specialists (Project Record), I have decided to implement Skyline Danger Tree Removal Project.

Pomeroy Ranger District will treat danger trees adjacent to approximately 43 miles of Forest system roads (see Tables 1 and 2 below; and attached map). Treatment will include trees that are categorized as high, medium, and low priority level. Danger trees in Riparian Habitat Conservation Areas (RHCAs), Umatilla Land and Resource Management Plan (Forest Plan) management areas B1 (Wilderness) and C1 (Dedicated Old Growth) as well as areas of sensitive soils will be felled and left. Danger trees within designated wilderness areas will be felled using appropriate (non-mechanical) methods, if it can be accomplished safely. If danger trees within designated wilderness areas cannot be felled safely, authorization to use a power saw to fell trees will be requested. Danger trees will be felled and commercially removed from remaining areas if it is economically viable to do so. All others will be felled and left.

Portions of Forest Roads 46 and 4610030 are adjacent to Spangler and Meadow Creek Inventoried Roadless Areas (IRAs). To provide for public and Forest Service personnel safety it is necessary to fall danger trees in portions of the IRAs that are adjacent to these roads. Approximately 85 acres of proposed activities are within Spangler (82 acres) and Meadow Creek (3 acres) IRAs. Danger trees will be removed from these areas if economically viable.

Where commercial removal is authorized, felling and yarding will be accomplished with conventional ground based equipment (feller bunchers and/or hand falling in conjunction with rubber tire or track skidders). Slash treatments will include lopping and scattering, grapple piling, chipping and/or prescribed fire (pile burning).

Specific roads where danger tree treatment will occur are listed in the following tables.

Table 1
Operational Maintenance Level 3 Roads
Suitable for Passenger Cars

Road Name	Road Number	Miles
Kendall Skyline Road	4600000	15.9
Twin Buttes Road	4600300	5.4
Slickear Recreation Residences	4600301	1.6
Godman-Teepee	4608000	6.4
Total Miles		29.3

Table 2
Operational Maintenance Level 2 Roads
Designed for High Clearance Vehicles

Road Number	Miles	Road Number	Miles
4600030	1.4	4600175	0.2
4600035	0.2	4608073	0.3
4600036	0.2	4608080	0.5
4600050	0.4	4608085	0.2
4600052	0.8	4608090	0.8
4600065	0.4	4608100	0.1
4600100	0.1	4608130	0.7
4600120	0.3	4608140	0.6
4600152	0.3	4610000	2.6
4600157	0.6	4610010	0.1
4600160	2.1	4610025	0.2
4600170	0.1	4610030	0.2
Total Miles			13.3

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). The category used for this project is listed in the Forest Service Handbook (FSH) 1909.15-2006-1, Chapter 30, and Section 31.12, as Category 4 (*Repair and maintenance of roads, trails, and landline boundaries*).

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 will preclude use of the category exclusion listed above.

I address each of these conditions below:

Forest Plan consistency and other applicable laws

Forest Plan allocated management areas affected by this project are listed in Table 3 below.

Table 3 – Land allocations affected by this project

Management Area	Area (acres)¹	Forest Plan Page Number
A2 – OHV Recreation	13	4-97
A3 – Viewshed 1	3	4-99
A4 – Viewshed 2	858	4-105
A6 – Developed Recreation	72	4-117
B1 - Wilderness	24	4-138
C1 - Dedicated Old Growth	5	4-144
C2 – Managed Old Growth	12	4-147
C3- Big Game Winter Range	8	4-151
C4 – Wildlife Habitat	1007	4-158

This project has been designed to be consistent with 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 appropriate 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. Design criteria and BMPs have been identified that will minimize erosion. Together with the location of the project, on ridge tops and outside of PACFISH RHCAs, these criteria will prevent sedimentation into surface waters. This project complies with the Clean Water Act and with Washington State Water Quality Standards.

The 1996 amendments to the Safe Drinking Water Act require Federal agencies that manage lands that serve as drinking water sources to protect source water areas. Source water areas are the sources of drinking water delineated and mapped by states for each federally-regulated public water system. Source water areas for Boise Cascade’s surface water supply on the Columbia River are mapped to the headwaters of the Tucannon River and are therefore inside the project boundary. Source water protection has been incorporated into the design of the project. Best management practices from EPA Region 10 Source Water Protection (in draft) have been incorporated as design criteria. The proposed project is in compliance with the Safe Drinking Water Act.

All standards and guidelines in the Forest Plan have been met in the design of this project (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

¹ Acres expressed in this section represent a 200 foot buffer along the roads listed in Tables 1 and 2, and are presented for comparative use only. They do not represent actual acres that will be treated. The actual acres treated will vary based on tree height, lean, slope, and the potential failure zone of the danger trees.

snowmobiling. Twin Buttes and Slick Ear Trailheads are located within the project area. There are numerous dispersed areas traditionally used for picnicking and camping in the vicinity. During the winter months, portions of Forest Road 46 are groomed for snowmobiling as part of an extensive and popular groomed route system. Danger tree removal operations will not occur during winter months (after December 1).

Operations are proposed to occur in and around the following areas: Godman Campground; Godman rental cabin; and Teepee, Twin Buttes, and Slick Ear trailheads. Godman Campground, Godman rental cabin and Twin Buttes trailhead are within Forest Plan management area A6 (Developed Recreation). In this management area, developed recreation sites provide for concentrated use and recreation facilities are evident. Created openings or tree removal can occur to accommodate facilities, provide scenic views or meet vegetative management goals within, and surrounding, the developed site (FP p.4-117). Relevant Forest Plan standards and guidelines for A6 include managing vegetation to reduce the risk of public injury from hazardous trees or vegetation (FP p.4-119).

Operations, including log hauling, potentially affect visitor safety and may temporarily diminish recreation opportunities within the project area. Design features and management requirements that provide for visitor safety and help protect recreation opportunities are included in the project description. Numerous other developed and dispersed recreation opportunities outside of the project area are close-by and will be available when access is temporarily restricted to developed or dispersed sites (Project Record - Recreation Report).

- **Scenery** – As described in Table 3 above, management area A3 and A4 viewsheds are located within the project area. Scenery resources in some of the project area have been affected by high-burn severity. Views along the road system are at the upper reaches of the steep canyons that incise the plateau. Burnt stringers and pockets of high-burn severity in both the foreground and middle ground are apparent. Some viewsheds were affected by high-burn severity while other viewsheds retained similar landscape aesthetics. The existing scenic condition will continue to change rapidly as trees defoliate, debark, and fall to the ground. This landscape will be in transition for the next decade.

Rehabilitation of management areas A3 and A4, after catastrophic circumstances, is consistent with Forest Plan standards and guidelines (FP p. 4-100 to 110). The Forest Plan does not require that pre-fire objectives of created openings and maximum percent of area treated be met in the event of catastrophic circumstances (Project Record – Recreation Report).

- **Undeveloped Areas** – Lands of undeveloped character are in the vicinity of project activity units. While there may be short-term audio and visual effects from management activities associated with cutting, the over-all character of the undeveloped areas along roads to be treated will not appreciably change. The long-term effect will remain the same as the existing condition. Non-motorized recreation opportunities will continue to be available (Project Record – Recreation Report).
- **Soils** – Design of logging system, contractual controls, and erosion control measures, including site-specific BMPs, are sufficient to address potential adverse or detrimental effects to soil quality and erosion hazard concerns (Project Record – Soil Report).
- **Fuels** – Activity fuel treatments will include lopping and scattering, grapple piling, chipping and/or prescribed fire (pile burning). In viewsheds management areas A3 and A4, activity fuel treatments will be compatible with visual objectives for the areas. Activity fuels will not exceed Forest Plan standards in the 0 to 3-inch class for management areas A3 and A4. In management area A6 slash resulting from danger tree removal will be felled and made available for firewood to campground users.

- **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 southeast of project activity units and Eagle Cap wilderness is approximately 55 miles south. Wenaha-Tucannon Wilderness, not a Class 1 federal airshed, is located south of the project area. 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 Dayton and Walla Walla, Washington (largest population centers west of the project) will result in ignition being discontinued and the fire suppressed, as necessary, until the project is in compliance with Washington State smoke management regulations (Project Record – Fuels Report).

- **Wildlife** - Plant and animal diversity and population viability are not diminished with implementation of the project (Project Record – Wildlife Report).

This project is consistent with item 2 of the Umatilla National Forest Plan Amendment #11 -Eastside Screens (USDA 1995) which exempts sales to protect health and safety from interim riparian, ecosystem, and wildlife standards.

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 and avoidance of riparian areas will meet the intent of current management direction (Project Record – Wildlife Report).

Effects to management indicator species (MIS) such as elk, marten, and pileated woodpecker are as follows (Project Record – Wildlife Report):

Elk – Effects to elk will be minimal. Project activities will not increase open road densities. Any physical disturbance to big game will be short in duration. Cutting and/or removal of danger trees along open roads will not reduce big game cover or forage availability.

American marten – Some marten habitat is present in the area where Columbia Complex Fire burned in a mosaic fashion. Danger trees near streams will be left to provide down wood in riparian habitat. For these reasons, cutting of danger trees along open roads will have very little impact to marten and their habitat.

Pileated woodpecker – Pileated woodpecker nesting habitat is no longer available where the fires resulted in heavy tree mortality, however the mixed conifer stands that burned lightly or remain unburned within the Columbia Complex Fire boundaries could provide opportunities for nesting, foraging and roosting. Pileated woodpeckers have been recently seen and heard in the Columbia Complex Fire area.

Primary Cavity Excavators - A range of stand conditions characteristic of black-backed and Lewis' woodpeckers will most likely provide habitat for the entire assemblage of cavity nesting birds (Saab & Dudley 1998, Saab et al. 2002). The Columbia Complex Fire area provides this range of stand conditions. Green trees throughout the burn area will provide habitat for species

such as pileated woodpecker, Williamson's sapsucker, pygmy nuthatch, and white-headed woodpecker. Thousands of acres with high density snag patches will not be logged, benefiting hairy woodpecker, black-backed woodpeckers, and mountain bluebirds. Removal of danger trees will result in a very small reduction of snag habitat relative to the landscape. Use of the area by cavity dependent species is not expected to decline.

- **Snags and Down Wood** – Snags along open roads are a very small component of dead tree habitat in this landscape. Effects from this project will be a very small reduction in snag habitat, relative to the landscape of dead trees created by recent large fires (Project Record – Wildlife Report).
- **Riparian/Fish** – The project is entirely located on ridge-tops. There is no fish habitat located within or adjacent to the project area. Water temperature and sediment will not be adversely affected by project activities. This decision is consistent with PACFISH Riparian Management Objectives and protects riparian and fish resources and habitat (Project Record – Aquatic Species Biological Evaluation).
- **Roads** – Timber stands within the area proposed for activity have been impacted both by natural mortality and by wildfire. Danger tree removal activities meet all Forest Service policy and direction outlined in Forest Service manuals, handbooks, and directives for the safe management of open roads managed by the Forest Service. Providing a safe transportation system for administrative, commercial, and recreational traffic is a primary objective of Forest Service road management (Project Record – Transportation Report).

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 on ESA listed species, and no impact on sensitive species (Project Record – Terrestrial Wildlife Biological Evaluation).

Implementation of the project will have no direct, indirect, or cumulative effects on Mid-Columbia and Snake River Spring/Fall Chinook salmon, Mid-Columbia and Snake River Steelhead, Columbia River 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 wildlife, and aquatic species. A determination of No Impact has been given for sensitive plants, with implementation of specific design criteria for the plant species *Ranunculus populago* (mountain buttercup). Design features include directionally felling trees away from the plant species, and no

feller/bunchers will be allowed in the sensitive plant site. 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 listed and proposed threatened, endangered and sensitive species and biological determinations for these species.

Table 4 – Effect Determinations for Listed and Sensitive Species

Species	Status	Determination
Silene spaldingii	Threatened	NE
Mountain Buttercup (<i>Ranunculus populago</i>)	Sensitive	NI
Gray Wolf	Sensitive	NI
Northern Bald Eagle	Threatened	NE
Canada Lynx	Threatened	NE
American Peregrine Falcon	Sensitive	NI
Upland sandpiper	Sensitive	NI
Gray flycatcher	Sensitive	NI
Green-tailed towhee	Sensitive	NI
Striped Whipsnake	Sensitive	NI
California wolverine	Sensitive	NI
Northern Leopard Frog	Proposed Sensitive	NI
Lynn's Clubtail Dragonfly	Proposed Sensitive	NI
Mid-Columbia and Snake River spring/fall Chinook Salmon	Threatened	NE
Mid-Columbia and Snake River Steelhead trout	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
Columbia River Bull trout	Threatened	NE
Painted Turtle	Proposed Sensitive	NI
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.***

Danger trees in the Wenaha-Tucannon Wilderness will be felled and left using appropriate (non-mechanical) methods, if it can be accomplished safely. If danger trees within designated wilderness areas cannot be felled safely, authorization to use a power saw to fell trees will be requested. Project activities will be short-term and will not adversely affect the wilderness resource.

- ***Inventoried roadless areas (IRAs)***

Danger trees are widely scattered along an 85-acre portion of Spangler and Meadow Creek Inventoried Roadless Areas. These areas will be directly affected by cutting and removing danger trees. The affected areas are within 200 feet of existing roads. Due to their proximity to the roads, opportunities for solitude and primitive recreation in these areas are already limited. While there may be short-term audio and visual effects from management activities associated with cutting, the overall character of the IRAs along roads will not appreciably change. The long-term effect would remain the same as the existing condition. Activities on adjacent lands such as timber harvest, motorized travel, including ATV travel and dispersed camping with motorized vehicles on or near existing roads will continue to occur. Non-motorized recreation opportunities will continue to be available.

The project is in compliance with Washington Office direction for compliance with court ordered injunctive relief for Roadless Area management. (12/21/2006 WO letter). Exceptions to prohibitions under the 2001 Roadless Rule are:

- 294.12 (c) Maintenance of classified roads is permissible in IRAs.
- 294.13 (b) (2)... timber may be cut, sold, or removed in inventoried areas if the responsible official determines it is incidental to the implementation of a management activity not otherwise prohibited.

The project is in compliance with Roadless Area Management direction established in the 2001 Roadless Rule and with Forest Plan direction (Project Record – Recreation Report).

- ***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 Forest zone Archeologist will immediately be notified.

FINDINGS REQUIRED BY OTHER LAWS

This project is consisted with Umatilla's 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. As discussed in previous sections of this document, this 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; National Historic Preservation Act, Executive Order 11988; and Executive Order 11990.

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 Forest system roads.

PUBLIC INVOLVEMENT

This proposal was listed in the summer edition of Umatilla National Forest's Schedule of Proposed Actions, and letters inviting comments during a 30-day comment period were mailed on August 13, 2007 to approximately 196 interested individuals, organizations, tribes, state, local, and federal agencies. A legal notice requesting comments appeared in the East Oregonian (newspaper of record) on August 15, 2007. We did not receive any letters, e-mails, faxes, etc., in response to our request for comments during the 30-day comment period.

APPEAL RIGHTS

As no comments were received during the 30-day comment period which ended September 14, 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. The DM is also available on our website at www.fs.fed.us/r6/uma/projects/readroom. For further information contact:

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s/s Monte Fujishin
MONTE FUJISHIN
District Ranger

May 19, 2008
Date

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