

Jasper Salvage Timber Sale

Walla Walla Ranger District, Umatilla National Forest Columbia County, Washington

**Township 7 North, Range 39 East, Sections 1, 2, 11, 14, and 23
Township 7 North, Range 40 East, Section 6
Township 8 North, Range 40 East, Sections 19, 20, 30, 31, and 32
Willamette Meridian surveyed.**

BACKGROUND

The Jasper Fire was one of several lightning fires that began on August 21, 2006 and eventually merged together into the 110,000 plus acre Columbia Complex. On August 29th strong winds caused fire to jump the North Fork Touchet River and enter National Forest system lands, spreading fire in the North Fork Touchet and across several ridges into the Tucannon River drainage. Fire also spread up the North Fork Touchet and Wolf Fork drainages toward the Mill Creek municipal watershed, Chase Mountain, and Ski Bluewood.

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. The rate of deterioration varies by tree species and weather. Past experience from School Fire Salvage Recovery Project on Pomeroy Ranger District proved that by late summer of 2007 over half of the potential volume and value could be lost.

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 used for timber sale activity and public safety when salvage activities are complete.

DECISION

After careful review and consideration of public comments and analyses by resource specialists disclosed in the project record, I have decided to implement the Jasper Salvage project. As part of my decision, I will implement the project-specific design features including best management practices (BMPs) displayed in Appendix A of this decision because they are expected to minimize the effects of management activities. Table 1 summarizes some outcomes of my decision and Map 1 displays harvest unit locations, harvest methods, and roads in the area.

Table 1 – Summary of Project Activities

Activity	
Total salvage harvest*	250 acres**
Harvest - skyline yarding	95 acres
forwarder with mechanical harvester	155 acres
Danger trees removed along haul routes	20 miles
Danger trees removed that could affect landings	Yes
Danger trees felled and left on the ground in Riparian Habitat Conservation Areas (RHCA's)	Yes
Temporary road construction (no more than ½ mile in total):	2 roads (1000 feet and 800 feet)
Additional short spurs	Yes
Roads decommissioned after use	Yes
Activity Fuel Treatment	No surface fuel treatment in units in Wolf Creek, only landing piles burned. Mastication, grapple piling, or combination of both in moist forest types Jackpot burning in some areas
Tree Planting	250 acres**
*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	

RATIONALE 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) 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 whether 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 and whether extraordinary circumstances exist that could preclude the use of the categorical exclusions listed above.

Forest Plan consistency and other applicable laws

The harvest units proposed for project activity fall within two Forest Plan management areas as displayed in Table 2 and Map 2. Management areas A4 and E2 are managed for scheduled harvest.

Table 2 – Land allocations within project activity units

Management Area	Area (acres)	Forest Plan Page Number
A4 – Viewshed 2	2	4-105
E2 – Timber and Big Game	248	4-183

This project has been designed to be consistent with the Forest Plan and applicable federal and state laws. The following resource narratives summarize effects and 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 BMPs as the primary mechanism to control nonpoint source pollution on NFS lands. It further recognizes 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 standards. This project incorporates site-specific BMPs for water and soil resources and a process to monitor their implementation and effectiveness has been established (Project Record – Hydrology Report).

Units in Jasper Salvage Sale are located in Water Resource Inventory Area (WRIA) 32, Walla Walla and drain to the Upper Touchet River Watershed (HUC 5). Project activities will not detrimentally affect beneficial uses and RHCAs, because salvage harvest is not proposed or authorized in RHCAs. Riparian and channel components that protect water quality will be maintained. Other project design features and BMPs will control disturbance and lessen erosion and sedimentation. Effects of the proposed action will not adversely or measurably affect water temperature, turbidity, or dissolved oxygen (DO) the criteria for which streams in and around project activity units (Wolf Creek and North Fork Touchet River) are 303d listed impaired. No Source Water Areas have been mapped in project activity units. The project is consistent with the Clean Water Act, and the Safe Drinking Water Act (Project Record - Hydrology Report).

- **Recreation** - The area in and around project activity units provides a wide range of recreation activities and opportunities, including but not limited to: dispersed camping, sightseeing, off-highway vehicle (OHV) use, hunting, mushroom and berry picking, and snowmobiling. Dispersed recreation opportunities are available along the Skyline road leading south to the Tollgate area on Walla Walla District, and along Forest Road 46 road leading to Meadow Creek on Pomeroy Ranger District. Project design features and management requirements provide for visitor safety and help protect recreation opportunities (Project Record - Recreation Report).
- **Scenery** – Specific direction for managing visual resources is listed in the Forest Plan by management area. Management area A3-Viewshed 1 is specific to the lower portions of Forest Road (FR) 64 known as the Touchet River road. Salvage units will not occur within A3- Viewshed 1. A temporary road leading to unit 17 and its intersection to FR 64 will be located in management area C4; near A3 and A4. The roads location will not change scenic conditions of A3 and A4. Live trees will be retained in all salvage harvest units (if present) and tree harvesting as well as subsequent regeneration will lead these affected areas to a more desirable visual character. Rehabilitation of the area, after catastrophic circumstances, is consistent with Forest Plan standards and guidelines (Project Record – Recreation Report).

- **Undeveloped Areas** –Project activity units are located along or near existing roads at the fringes of two undeveloped areas identified by an environmental group as North Fork Wolf Creek (2,100 acres) and North Fork Touchet Creek (3,300 acres). Salvage will occur on approximately 2 percent (102 acres) of the total of these two undeveloped areas. Stumps from past harvest are especially prevalent along the fringes of both undeveloped areas. Project activity units are within or adjacent to past harvest units where stumps are visible. In the short-term there will be audio and visual effects to the opportunity for solitude and primitive experience from management activities. Activities on adjacent private lands such as timber harvest, motorized travel, camping with motorized vehicles on or near existing roads will continue to occur. Effects to other resources in these areas such as soils, water quality, wildlife and fish habitat, scenery, and forest vegetation are consistent with Forest Plan management area standards and guidelines (Project Record – Recreation Report).
- **Soils** - Design of logging system, contractual controls, and erosion control measures, including site-specific Best Management Practices (BMPs), will limit detrimental levels of soil disturbance consistent with the Forest Plan. Harvest and post-sale slash treatments will not exceed Forest Plan standards and guidelines (Project Record – Soil Report).
- **Fuels** – Fuel treatments will reduce slash fuel loadings to be consistent with Forest Plan standards and guidelines for management areas E2 and A4. In unit 17, which contain a small portion of management area A4-Viewshed 2, activity fuel treatments will be compatible with the visual objective for the area. (Project Record – Fuels Report).
- **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), and Forest wide standards for air quality (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 (winds normally blow from southwest to the northeast) 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, should they occur, into Dayton, WA and Walla Walla, WA (largest population centers west of project activity units) will result in a discontinuation of ignition with fire suppression, as necessary until the project is in compliance with smoke management regulations (Project Record – Fuels Report).

The Wenaha-Tucannon Wilderness is not a mandatory federal Class 1 airshed, but is located only a few miles east of project activity units. Smoke emissions into this area will be in compliance with smoke management regulations (Project Record – Fuels Report).

- **Wildlife** – Plant and animal diversity and population viability are not diminished with the implementation of this project. Effects to management indicator species (MIS) such as elk, marten, and pileated woodpecker are minimal and consistent for the Forest Plan. An abundance of dead wood habitat will be available for cavity excavator species (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). This decision is consistent with the Forest Plan eastside screens because the standards apply only to the harvest of live, green, old forest (Project Record – Silviculture 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 features such as retention of adequate snags and down logs, retention of live trees, and avoidance of riparian areas will meet the intent of current management direction for migratory birds (Project Record – Wildlife Report).

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 forage conditions because of project activities. A very small percentage of the fire area (1 percent) used by elk as hiding cover from hunters and predators will be affected by salvage harvest. There are many green areas still providing cover within the fire perimeter. 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. Removal of only fire-killed trees in 10 small activity units will not likely deter pileated woodpecker use of the general area because of their association with green forest.

An abundance of dead wood habitat will be available for cavity excavator species. This salvage project of 250 acres is less than 1 percent of the total burned area on Walla Walla Ranger District (Project Record – Wildlife Report).

- **Riparian/Fish** – Effects to aquatic habitat components such as water temperature, sediment, chemical, physical barriers, large woody debris, pool frequency, refugia, channel conditions are expected to be minor and short-term. Cumulatively, habitat components are expected to be maintained in their present condition because harvest unit and temporary road locations and BMPs and other design features were carefully selected to avoid or reduce unwanted effects to water quality and aquatic habitat. This decision is consistent with PACFISH Riparian Management Objectives and protects riparian and fish resources and habitat with implementation of specific design features and management requirements (Project Record – Aquatic Species Biological Evaluation).

Extraordinary Circumstances

Based on the project record and the following narrative I find that extraordinary circumstances do not exist (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, fish, and plant species (Project Record – Plant, Wildlife, and Aquatic Species Reports). 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 in the project area. Table 3 displays effect determinations for relevant listed and sensitive species.

Table 3 – Effect Determinations for Listed and Sensitive Species

Species	Status	Determination
Silene spaldingii	Threatened	NE
Clustered lady's slipper	Sensitive	MIIH
Moonworts	Sensitive	NI
Mountain buttercup	Sensitive	NI
Sierra Onion	Sensitive	NI
Striped Whipsnake	Sensitive	NI
Northern Leopard Frog	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
Gray wolf	Threatened	NE
California wolverine	Sensitive	NI
Snake River spring/summer and fall Chinook Salmon	Threatened	NE
Snake River Steelhead	Threatened	NE
Snake River steelhead trout	Threatened	NE
Middle Columbia River steelhead trout	Threatened	NLAA
Redband trout	Sensitive	MIIH
Westslope cutthroat	Sensitive	NI
Margined Sculpin	Sensitive	MIIH
Pacific Lamprey	Sensitive	MIIH
Columbia River Bull trout	Threatened	NLAA
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. NLAA – Not Likely to Adversely Affect MIIH – May Impact Individuals or Habitat, but Will Not Likely Contribute to a Trend Towards Federal Listing or Cause a Loss of Viability to the Population or Species.		

On July 5, 2007 a letter of concurrence was received from U. S. Department of Interior, Fish and Wildlife Service concluding consultation. U. S. Fish and Wildlife Service stated that all effects of the action are *may affect, but are not likely to adversely affect* the federally threatened bull trout or its designated critical habitat.

On July 13, 2007 a letter of concurrence was received from National Marine Fisheries Service (NMFS) completing consultation. They concluded that the action, as proposed for Jasper Fire Salvage Timber Sale, is *not likely to adversely affect* Middle Columbia River (MCR) steelhead and MCR steelhead designated critical habitat. This letter also transmits the results of NMFS' analysis of the effects of the proposed action on essential fish habitat (EFH) under the Magnuson-Stevens Fishery Conservation and Management Act (MSA). They concluded that the action, as proposed, will not adversely affect EFH designated for Chinook and coho salmon. Therefore, no conservation recommendations are provided at this time, and no further response is necessary.

- ***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 the Jasper Salvage Timber Sale area (Project Record – Hydrology Report).
- ***Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.***
Project activity units do not contain congressionally designated wilderness, wilderness study areas, or national recreation areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, Appendix C) (Project Record – Recreation Report).
- ***Inventoried roadless areas***
Project activity units are not within inventoried roadless areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, Appendix C) (Project Record – Recreation Report).
- ***Research natural areas***
Project activity units are not within research natural areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, p. 4-31) (Project Record – Recreation Report).
- ***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 additional sites be identified during project work 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 the project area. This project is consistent with the *Managing Competing and Unwanted Vegetation FEIS*, its *Mediated Agreement*, and *1988 Record of Decision* and incorporate prevention measures listed in the *Pacific Northwest Region FEIS for the Invasive Plant Program*, and *2005 Record of Decision*. This project does not address invasive plants beyond what was analyzed and authorized in the *1995 Umatilla Noxious Weed EA* and decision notice.

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 and summer editions of Umatilla National Forest's Schedule of Proposed Actions, and scoping letters were mailed on March 8, 2007 to approximately 152 interested individuals, organizations, tribes, state, and federal agencies. Five letters were received in response to our scoping letter. Letters requesting review and comment were mailed on April 20, 2007 to approximately 185 interested individuals, tribes, state, local, and federal agencies. A legal notice requesting review and comment appeared in the *East Oregonian* (newspaper of record) on May 10, 2007. Three comment letters were received. I reviewed the comments and considered them before making my decision.

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. A written appeal must be postmarked or received by the Appeal Deciding Officer: Kevin Martin, Forest Supervisor.

Send 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. 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.

EMERGENCY SITUATION DETERMINATION

On June 11, 2007 Chief Gail Kimbell found that an emergency situation existed. An emergency situation is defined in 36 CFR 215.2 as “A situation on National Forest System (NFS) lands for which immediate implementation of all or part of a decision is necessary for relief from hazards threatening human health and safety or natural resources on NFS or adjacent lands; or that will result in substantial loss of economic value to the federal government if implementation of the decision were delayed.”

The determination that an emergency situation exists does not exempt an activity from appeal. The determination only eliminates the automatic stays built into the appeal review process. The Chief has determined that failure to act quickly will result in substantial economic loss to the Federal Government. Implementation for the Jasper Salvage Timber Sale, determined to be an emergency, may proceed immediately.

IMPLEMENTATION

Implementation of this decision, determined to be an emergency, may proceed immediately (36 CFR 215.10).

CONTACT PERSON

This Decision Memo and associated project file may be reviewed at the Walla Walla Ranger District, 1415 West Rose St. Walla Walla, Washington 99362. For further information contact:

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/s David M. Hatfield
DAVID M. HATFIELD
Acting District Ranger

July 20, 2007
date

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