

**DECISION MEMO
GALION ROAD FIRE PROJECT**

USDA Forest Service, Eastern Region, Huron Manistee National Forests
Huron Shores Ranger Station
Tawas Ranger District
Iosco County, Michigan
T23N R7E Sections 29 & 32

I. DECISION

A. Description of Decision

It is my decision to implement the Galion Road Fire Project in Township 23 North Range 7 East Sections 29 & 32 of Iosco County, Michigan. The project is on National Forest lands within the perimeter of the Galion Road Fire and is contained within Management Area (MA) 4.2, Roaded natural sandy plains and hills, as designated by the Forests' Plan.

The following actions will be implemented as a part of this decision:

- Create a fuel break along the east side of the private property, in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of section 32, using mechanical treatment methods of roller chopping or hydro-axing. The treatment will be a 300 foot wide fuel break from the existing fuel break in stand 102 north roughly 2400 feet to the fire line for a total of approximately 17 acres of fuel break creation. Large diameter snags will be left, where available, to meet snag guidelines. **(Project Map-Item 1)**
- Promote firewood gathering in approximately 12 acres of stand 112 south of Williams Trail to reduce the amount of dead material in the stand. Individual fire killed trees that pose a safety hazard will be felled. All non hazardous live trees will be left and large diameter snags will be marked as leave trees to meet snag guidelines and provide for wildlife habitat. Monitoring of residual material left over from firewood gathering will take place to ensure the integrity of the fuel break and maintain its effectiveness. If needed, follow up treatments to the residual material using hand piling and/or prescribed burning, or other mechanical treatment methods will occur. **(Project Map-Item 2)**
- Treat approximately 10 acres of existing fuel break in stand 102 to reduce the dead vegetation and to assist in future maintenance. Treatments will consist of hand cutting and piling of dead materials and/or prescribed burning. Large diameter snags will be left, where available, to meet snag guidelines. **(Project Map-Item 3)**
- Leave burned area, except for fuels treatment areas outlined, to naturally regenerate, due to the low economic value of the stands. Firewood Gathering is allowed from public roads. Monitor regeneration progress to assure reforestation occurs. **(Project Map-Item 4)**
- Reduce road density and associated resource damage by obliterating approximately 2.25 miles of non-Forest System roads in the project area and restore them to native warm season grasses to suppress the spread of non-native invasive species, reduce the risk of human caused fires, and reduce unauthorized motorized use. **(Project Map-Non-System Road Closures)**
- Remove existing garbage/refuse in the project area.

PROJECT DESIGN CRITERIA

The following site specific design criteria apply to project activities:

Wildlife Protection Measures

Provide for 10 snags per acre at 9" dbh or greater to improve habitat for red-headed woodpecker and associated species. If using mechanical methods, do not create snags within one tree length of roads, trails, or private property boundary lines.

Plant Protection Measures

To help maintain habitat quality for Regional Forester's Sensitive Species and to prevent introduction of non-native invasive species from outside the project area, equipment cleaning measures would be implemented.

Prescribed Fire Protection Measures

Prescribed burns and pile burning would be conducted by qualified personnel following parameters in a signed Prescribed Burn Plan.

Other Protection Measures

Cultural resource sites, Federally listed Threatened and Endangered Species, or Forest Service Sensitive Species identified at any stage of the implementation process within the project area would be protected by following protection measures recommended by the appropriate resource specialists. Powerlines, landline witness trees, existing signs, bat boxes and other improvements would be protected from damage or destruction during prescribed activities.

B. Purpose of the Decision

Implementation of site-specific projects is guided by Forests' Plan direction through management prescriptions, which are designed to attain a desired future condition. The Galion Road Fire Project falls within Management Area (MA) 4.2, Roaded Natural Sandy Plains and Hills. The purpose of the proposal is to address site-specific needs and opportunities to move the project area from the existing condition to the desired future condition set forth in the Forests' Plan. General direction for this area is to enhance and increase the variety of wildlife habitats and to reduce life-threatening and property damaging wildfire potential. Proposed project activities would meet MA goals and objectives through the emphasis of hazardous fuels treatments in wildland urban interface, the monitoring of the site to ensure MA returns to an acceptable stocking level, and through the closure of non-Forest System roads.

PROJECT PROPOSALS ADDRESS THE PURPOSE AND NEED FOR ACTION, AND ACCOMPLISH THE FOLLOWING FORESTS' PLAN AND NATIONAL FIRE PLAN OBJECTIVES:

Improve Fire Prevention and Suppression (*Comprehensive Strategy – Goal 1*) and Reduce Hazardous Fuels (*Comprehensive Strategy – Goal 2*). Provide for the protection of National Forest System lands and for the property and safety of users. Base fire prevention and pre-suppression activities on past fire occurrence, fire intensities, and values at risk. Implement fuels reduction and fuelbreak projects where conditions warrant for the protection of life, property, and safety. Emphasize hazardous fuels treatment in wildland-urban interface and intermix areas (Forests' Plan II-3, III-4.4-3).

Measure and Monitor Outcomes (*Comprehensive Strategy – Guiding Principle*). Monitor and evaluate effectiveness of management practices (Forests' Plan II-4). Conduct monitoring of selected projects and evaluate the effectiveness of management activities. Monitor performance and outcomes and utilize results to inform future decisions (Comprehensive Strategy – Guiding Principle).

Manage the Transportation System. Maintain a transportation system that meets health and safety, resource and administrative needs. Provide for the protection of National Forest System lands and for the property and safety of users. Reduce the net miles of roads on the Forests by emphasizing closures of roads determined to be non-essential for resource management (Forests' Plan II-3, II-5).

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

I have concluded that this decision is appropriately categorically excluded from documentation in an environmental impact statement or environmental assessment as it is a routine activity within a category of exclusion and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

A. Category of Exclusion

This decision is in accordance with the National Environmental Policy Act (NEPA) and CEQ regulations contained in Forest Service Handbook (FSH) 1909.15, Chapter 30, Section 31.2, Category 10. Category 10 allows hazardous fuels reduction activities using prescribed fire, not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres. Such activities: a. Shall be limited to areas; (1) In wildland-urban interface; and (2) Condition Class 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface; b. Shall be identified through a collaborative framework as described in "A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment 10-Year Comprehensive Strategy Implementation Plan"; c. Shall be consistent with agency and Departmental procedures and applicable land and resource management plans; d. Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; e. Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction.

B. Relationship to Extraordinary Circumstances

1. Steep slopes or highly erosive soils: The project is located on Land Type Association (LTA) 1 (for definitions of LTA's see USDA Forest Service, Field Guide – Ecological Classification and Inventory System of the Huron-Manistee National Forests) on flat terrain that is conducive to the activities included in the decision.
2. Federally listed threatened or endangered species or designated critical habitat: The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. In accordance with Section 7(c) of this Act, a list of the listed and proposed, threatened or endangered species that may be present in the project area was analyzed and it was determined that there are no Federally listed species in the project area. As required by this Act, potential effects of this decisions on listed species have been analyzed and documented in the Biological Evaluation (see project Action Analysis and Project File).
3. Floodplains, wetlands, or municipal watersheds: This decision does not affect floodplains, wetlands, or municipal watersheds.
4. Congressionally designated areas: The Galion Road Fire Project is not within or does not border any congressionally designated areas and therefore will not affect congressionally designated areas.

5. Inventoried roadless areas: There are no inventoried roadless areas (RARE II or Forest Plan) in the decision area; therefore this decision will not affect inventoried roadless areas.
6. Research natural areas: There are no Research Natural Areas in the decision area.
7. Native American religious or cultural sites, archaeological sites, or historic properties or areas: Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of archeological sites (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through "in situ" preservation, but may encompass other actions to preserve these remains and items. This decision complies with the cited Acts. Surveys were conducted for archaeological sites and historic properties or areas that may be affected by this decision and no archaeological sites, historic or prehistoric are known to exist.

No other extraordinary circumstances related to the project were identified (see Planning Record in its entirety). Based on the information and analysis contained within the project record it has been determined that no extraordinary circumstances exist that would warrant further documentation in an environmental assessment or environmental impact statement.

III. PUBLIC INVOLVEMENT

A notice of the proposed project was posted in Forest's Quarterly NEPA Project Update, also referred to as the Schedule of Proposed Actions (SOPA). Scoping/30 day comment letters describing the proposed action were mailed November 30, 2007 to interested publics, civic organizations, clubs, environmental groups and adjacent landowners. Legal Notices providing opportunity to comment were posted in the Oscoda Press, the newspaper of record, December 5, 2007.

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below:

Federal Land Policy and Management Act: This Act allows the granting of easements across National Forest system lands. The regulations at 36 CFR 251 guide the issuance of permits, leases, and easements under this Act. Permits, leases, and easements are granted across National Forest system lands when the need for such is consistent with planned uses and Forest Service policy and regulations. This decision is consistent with this Act.

National Forest Management Act: This Act requires the development of long-range land and resource management plans (Forest Plans). The Land and Resource Management Plan of the Huron-Manistee National Forests was approved in March 2006, as required by this Act. The plan provides for guidance for all natural resource management activities on the Forest. The Act requires all projects and activities be consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project. This decision is responsive to guiding direction contained in the Plan, as summarized in Section I of this document. After review of the environmental documentation, I believe the proposed fuels reduction projects are consistent with the standards and guidelines in the Forest Plan.

Clean Air Act: This act divides the country into Class I, II, and III airsheds for Prevention of Significant Deterioration purposes. Impacts to air quality have been considered for this decision. There are no Class I

airsheds (most protected) on the Huron-Manistee National Forests. Prescribed burning is regulated and coordinated with the Michigan Department of Environmental Quality.

The Clean Water Act: This Act restores and maintains the integrity of waters. The Forest Service complies with this Act through the use of the State of Michigan's Best Management Practices and through the Huron-Manistee National Forest Land and Resource Management Plan standards and guidelines. This decision incorporates both to ensure protection of soil and water resources.

Endangered Species Act: See Section II, Item B2 of this document.

Wetlands (Executive Order 11990): See Section II, Item B3 of this document.

Floodplains (Executive Order 11988): See Section II, Item B3 of this document.

National Historic Preservation Act: See Section II, Item B7 of this document.

Environmental Justice (Executive Order 12898): This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act: This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

V. ADMINISTRATIVE REVIEW OR APPEAL

This decision is subject to appeal pursuant to 36 CFR 215.11(a), by any person who, or any non-Federal organization or entity that has provided comment or otherwise expressed interest in a particular proposed action by the close of the comment period specified in Sec. 215.6. Written notice of appeal of this decision must be fully consistent with CRF 215.14, and include:

- a) Project or activity-specific evidence and rationale, focusing on the decision, to show why the Responsible Official's decision should be reversed;
- b) An appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, an appeal must include the following:
 - 1) Appellant's name and address, with a telephone number, if available;
 - 2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
 - 3) When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
 - 4) The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
 - 5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C;
 - 6) Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
 - 7) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
 - 8) Why the appellant believes the Responsible Official's decision failed to consider the appellant's comments; and
 - 9) How the appellant believes the decision specifically violates law, regulation, or policy.

The Appeal Deciding Officer shall not process an appeal when one or more of the following applies:

- 1) An appellant's identity is not provided or cannot be determined from the signature (written or electronically scanned) and a reasonable means of contact is not provided;
- 2) The appellant has not provided a reasonable means of contact;
- 3) The decision cannot be identified;
- 4) The appeal is illegible for any reason, including those submitted electronically in a format different from that specified in the legal notice.

Written notice of appeal must be submitted to: Forest Supervisor Leanne Marten, USDA-Forest Service, Huron-Manistee National Forests, 1755 South Mitchell Street, Cadillac, MI 49601; faxed to 231/775-5551; or emailed to appeals-eastern-regional-office@fs.fed.us (must be readable by Microsoft Office 2000 or Adobe Acrobat 4.0 formats). Office hours at the above address are Monday through Friday, 8:00 a.m. to 4:30 p.m., for those wishing to file hand-delivered appeals. The time frame to file an appeal is 45 calendar days following the publication date of the Legal Notice of Decision in the Oscoda Press. Those wishing to appeal should not rely on date or timeframe information provided by any other source.

VI. IMPLEMENTATION DATE

This decision will not be implemented until at least five business days after the close of the 45-day appeal period, or fifteen days after the disposition of appeal, whichever is later.

VII. CONTACT PERSON

Further information about this decision can be obtained from Charles Andrina at the Huron Shores Ranger Station (Address: 5761 North Skeel Ave., Oscoda, MI 48750; Voice: (989) 739-0728; TTY/TDD: 989-739-0806 (hearing impaired); Fax: 989-739-0347, e-mail: candrina@fs.fed.us).

VIII. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is within one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 section 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. My conclusion is based on information presented in this document and the entirety of the Planning Record.

Charles J. Andrina
Huron Shores Ranger Station
Huron-Manistee National Forests

Date

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