

## **DECISION MEMO**

**May 20, 2007**

### **FLAT TIMBER SALE**

**NORTH FORK JOHN DAY RANGER DISTRICT  
UMATILLA NATIONAL FOREST  
UMATILLA COUNTY, OREGON  
T.4S. R. 33E. SECTION 36, WILLAMETTE MERIDIAN**

This analysis is for the Flat Timber Sale on the North Fork John Day Ranger District. The area analyzed for this project is located in portions of Section 36 of T4S., R33E., W.M. It is within Forest Plan management area allocations E2 - Timber and Big Game (Unit 1, 69 acres).

#### **DECISION TO BE IMPLEMENTED**

Commercial thinning will be used to harvest approximately 140 MBF from 69 acres more/or less located along Forest Roads 5916-088 and 5916-085. These roads are less than one mile total length and are accessed by using about 2 miles of Forest Road 5916-000.

The purpose of this project is to: improve sustainability and promote stand vigor by reducing competition for light, nutrients, and moisture; Encourage healthy stands with species compositions within the range of natural variability; Reduce the probability of epidemic level infestations of insects and disease; and Reduce ladder fuels thereby lessening the likelihood of high intensity fires.

Trees will be harvested using ground-based equipment working from existing roads. The unit is only 69 acres so a limited amount of existing road will be needed for harvesting activities. Soils, streams and vegetation will be protected by using Best Management Practices.

Snags and down wood will be retained to meet or provide more than the amount specified in the Forest Plan.

One or more landing piles may be burned or chipped depending on market conditions when logging is completed. Pile burning will be done in accordance with the appropriate North Fork John Day District Pile Burn Plan. Underburning will be accomplished in accordance with an approved Burn Plan for the Flat Timber Sale.

Noxious weed prevention strategies, treatments, and mitigation identified in the Umatilla National Forest's 1995 Decision Notice and Environmental Assessment for the Management of Noxious Weeds (1995 EA) will be implemented as applicable. There are no known Noxious weed sites on this sale Area and precautions will be addressed in the contract to minimize the potential for noxious weed invasion to occur. Noxious weed sites discovered after the 1995 EA will be hand pulled only.

The area will remain fully stocked after these activities.

## **REASONS FOR CATEGORICAL EXCLUSIONS**

### *Category Consistency*

I have determined that this action falls within the categories established by the Chief of the Forest Service that normally do not individually or cumulatively have a significant effect (40 CFR 1508.27) on the quality of the human environment. Therefore, this action may be categorically excluded from documentation in an EA or EIS. My conclusion is based on information presented in this document and the entirety of the analysis file.

This project can be categorically excluded from documentation in an environmental impact statement or environmental assessment because the project fits Forest Service Handbook 1909.15 §31.2 Category 12, harvest of up to 70 acres (commercial thinning of overstocked stands) and Category 6, Timber Stand Improvement (thinning or brush control to improve growth or to reduce fire hazard and prescribed burning to reduce natural fuel build-up and improve plant vigor).

The site occupies only 70 acres so is within the thresholds of the HFRA provisions for category 12 exclusion. Trees to be removed are green and dead, commercial and non-commercial in size.

## **NO EXTRAORDINARY CIRCUMSTANCES**

An interdisciplinary team of scientists analyzed the potential effects of the proposed action on vegetation, fish, heritage resources, and noxious weeds. The effects of this action on the biological, physical, social and economic components of the human environment will be limited in context and intensity. No extraordinary circumstances, as defined in Forest Service Handbook Interim Directive 109-15-2004-3.32.3.(2) were found.

The interdisciplinary team's analyses are included in the Project Record, available at the north Fork John Day Ranger District, and are summarized as follows:

- The Terrestrial Wildlife Biological Evaluation (see analysis file) determined this project will have no effect or impact on Threatened, Endangered, or Sensitive wildlife species. Hauling is prohibited December 1 to March 31 to protect bald eagle activity and further restricted until June 30 to protect elk calving.
- Fish and Aquatic Invertebrate Species and Habitats Biological Evaluation (see analysis file) determined that this project will have no effect or impact on Threatened, Endangered, or Sensitive aquatic species.
- The Plants Biological Evaluation (see analysis file) determined that this project will have no effect or impact on Threatened, Endangered, or Sensitive plant species.
- Wetlands and floodplains will be protected by avoidance of Riparian Habitat Conservation Areas. The area does not contain any Municipal Watersheds.
- The area does not contain any congressionally designated areas, inventoried roadless areas, or research natural areas.
- Alaska Native religious or cultural sites, archeological sites or historic properties or areas were not found when the project area was surveyed. The project fits within the programmatic concurrence from the State Preservation Office for a "Historic Properties Avoided" determination (see Cultural Resource Report) in analysis file).

## FINDINGS REQUIRED BY OTHER LAWS

I find Flat Timber Sale is consistent with the Umatilla National Forest Land and Resource Management Plan Final Environmental Impact Statement, Record of Decision and Forest Plan, dated June 11, 1990; as amended in Plan Amendment #10, *Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho and Portions of California* (PACFISH), dated February 24, 1995; and Plan Amendment #11 *Continuation of Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales*, dated June 12, 1995. Timber harvest will occur in an area allocated by the Forest Plan to E2, Timber and Big Game, and the project is consistent with the Standards and Guidelines.

Commercial thinning is consistent with the Forest Service Handbook, Environmental Policy and Procedures section 31.2, category 12. (FSH 1909.15 §31.2 Cat. 12). A Category 12 CE specifically allows commercial harvest of up to 70 acres for commercial thinning of overstocked stands to achieve the desired stocking level to increase health and vigor.

Non-commercial thinning, hazard fuels reduction, and prescribed fire are consistent with the Forest Service Handbook, Environmental Policy and Procedures section 31.2, category 6. (FSH 1909.15 §31.2 Cat. 6). A Category 6 CE specifically allows “thinning or brush control to improve growth or to reduce fire hazard” and “prescribed burning to reduce natural fuel build-up and improve plant vigor”.

I find this action does not pose a violation of federal, state, or local laws or requirements imposed for the protection of the environment. The project is designed to meet Clean Air standards; air quality would only be slightly affected by burning because of the small size of the area to be burned. In addition burning would be conducted during atmospheric conditions that promote dilution and dispersion of pollutants. Air quality in the Eagle Cap Wilderness and North Fork John Day Wilderness, the nearest Class I airsheds, is not expected to be affected because of their distance from the project (75 miles east and 30 miles southeast respectively).

Clean Water Act standards will be met because Riparian Habitat Conservation Areas will be maintained along the Class 4 stream corridor on the west side of the unit so no temperature increases are expected to occur. Use of existing roads will result in very limited opportunities for sedimentation to occur.

Activities will have no effect on species listed as threatened or endangered under the Endangered Species Act (see Wildlife, Aquatic and Botany Biological Evaluation in the Analysis File).

Fully stocked stands will remain after the project to fulfill the stocking requirements of the National Forest Management Act. The project is not expected to have any disproportional effects on consumers, civil rights, minority groups, women, or low income people. There is no prime farmland, or rangeland, or Late Old Structure forestland within the project area.

I find the Flat Timber Sale can be categorically excluded from documentation in an EA or EIS because it is a routine, low impact activity limited in size and duration with no extraordinary circumstances affected. The effects of this action on biological, physical, social, and economic components of the human environment will be limited in context and intensity, both individually and cumulatively. As such it will not have significant effect (40 CFR 1509.27) on the quality of the

human environment. My conclusion is based on information presented in this document and the entirety of the analysis file.

#### **PUBLIC INVOLVEMENT**

This project was listed on the Fall 2006 issue of the Umatilla National Forest's Schedule of Proposed Actions (SOPA). In addition the District discussed the project with interested timber operators, people not involved in Timber and Umatilla Forest staff. Letters were sent to the normal list of interested parties (112) seeking input and two responses were received. The analysis for the project is complete and the project was opened for a 30 day comment period. The comment period is intended to provide those interested in or affected by this proposal an opportunity to make their concerns known prior to making a final decision. This comment period is being provided pursuant to the September 16, 2005, order issued by the U. S. District Court for the Eastern District of California in Case No. CIV F-03-6386JKS. Those who provide timely and substantive comments will be eligible to appeal the decision pursuant to 36 CFR part 215 regulations.

#### **ADMINISTRATIVE REVIEW AND APPEAL RIGHTS AND IMPLEMENTATION**

Comments will be reviewed at the close of the comment period and **IMPLEMENTATION** of this decision may occur after a 30 day comment period. This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.

#### **CONTACT PERSON**

This decision memo and associated project file may be viewed at North Fork John Day Ranger District in Ukiah, Oregon. For further information contact

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#### **IMPLEMENTATION APPROVED BY**

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CRAIG SMITH-DIXON  
District Ranger

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Date