

DECISION MEMO

HIGH ROBERTS FIRE SALVAGE

**GRANT COUNTY, OREGON
T15S, R34E, SECTIONS 27 AND 28**

**MALHEUR NATIONAL FOREST
PRAIRIE CITY RANGER DISTRICT
327 SW FRONT STREET, P.O. BOX 337
PRAIRIE CITY, OR 97869**

DECISION AND PROJECT DESCRIPTION

I have decided to salvage approximately 209 acres of dead and dying trees that were burned by the 13,535-acre High Roberts Fire in 2002. This project is located approximately 15½ miles south of Prairie City, in the Upper Big Creek and Lake Creek subwatersheds. One unit (Unit 7) shares its northern border with the Strawberry Mountain Wilderness for approximately ¼ mile (see enclosed maps). My decision also includes construction of about 300 feet of temporary access road.

This project will recover economic value from approximately 2,700 MBF (519,200 CF) of merchantable dead and dying trees in a timely manner, before insects and decay reduce their value. Table 1 summarizes the units to be salvaged and their associated logging systems.

Units will be tractor logged if their average slope is 35 percent or less. Units will be helicopter logged if they are inaccessible by ground-based equipment or their average slope is greater than 35 percent. Table 2 describes the harvest systems, merchantable tree diameters, and residual treatments by logging system.

Table 1. High Roberts Fire Salvage Units and Associated Logging Systems.

Unit	Area (Acres)	Logging System
2t	43	Tractor
2h	29	Helicopter
3	29	Tractor
4	35	Helicopter
6	8	Helicopter
7	44	Helicopter
8	21	Helicopter
Subtotal	72	Tractor
Subtotal	137	Helicopter
Total	209	

The temporary access road will run from Forest Road 1600033 to access a helicopter landing within Unit 4. The temporary road will be near the top of the drainage and will be located on a former temporary access road. After harvest activities are completed, the temporary road will be scarified/subsoiled, set with boulders, and reseeded.

Existing National Forest system roads used to access units and haul logs are listed in Table 3. The project will not require the construction of permanent roads or the opening of closed system roads.

Table 2. Summary of Harvest Systems, Fuel Treatments, and Merchantable Diameters

	Tractor Units	Helicopter Units
Felling Method	On tractor units, trees will be felled by chainsaws. However, for material less than 20 inches DBH, trees will be felled with chainsaw or mechanically felled with a feller/buncher.	Trees will be hand felled with chainsaws on helicopter units.
Yarding Method	Logs will be dragged, one end suspended, to roadside landings with a crawler tractor or rubber-tired skidder. Trees ≤ 20 inches DBH will be whole tree yarded, bucked, topped, and limbed at the landing. Trees >20 inches DBH will be bucked to length and limbed at the stump, yarded with tops attached to the top log to the landing, and topped at the landing.	Trees will be bucked to length, topped, and limbed at the stump, then flown to the landing.
Minimum Merchantable Tree Diameter	9 inches DBH and greater for ponderosa pine and 8 inches DBH or greater for other species. No maximum diameter limit (trees are dead and dying).	12 Inches DBH and greater for all species. No maximum diameter limit (trees are dead and dying).
Residuals	Harvest residuals will be piled and burned at the landing when conditions permit. Limbs from trees >20 inches DBH, not hauled to the landing with the top attached to the top log, will be lopped and scattered at the stump.	Tops and limbs will be lopped and scattered.

Table 3. National Forest System Roads Used for the High Roberts Salvage Project

Road	From	To	Unit(s) Accessed	Length (Miles)
16	Jct. 1600924	Jct. Cty. 62	All	7.7
1600924	Jct. 16	Jct. 1648	All	2.5
1600033	Jct. 1600924	End	3, 4, 6	1.0
1600924	Jct. 1648	Jct. 1600033	3, 4, 6	1.5
1648	Jct. 1600924	Jct. 1648021	2t, 7, 8	0.4
1648021	Jct. 1648	Jct. 1648574	2t, 7, 8	2.3
1648574	Jct. 1648021	End	2t, 7, 8	0.9

Table 4. Road Restrictions for the High Roberts Fire Salvage Project

Road	Segment(s)	Public Use Restriction
1600033	All	Temporarily Closed to Public
1600034	All	Temporarily Closed to Public
1600924	Below Jct. 1600033	Open with Warning Sign
	Above Jct. 1600033	Temporarily Closed to Public
1648021	All	Open with Warning Sign
1648574	All	Temporarily Closed to Public
1648575	All	Temporarily Closed to Public

Two temporary culverts will be installed at one stream crossing where Forest Road 1600033 crosses an unnamed intermittent tributary to Lake Creek, southwest of Unit 6 (see Project Area Map). Currently, this stream crossing consists of two rock fords. The culverts will maintain fish passage in the creek during logging operations while keeping log trucks out of the streambed. These culverts will be installed when there is no water in the creek and will be removed after the project, also when the creek is dry. This road may be closed at a later date under a separate analysis, and our intent is to leave these crossings in a condition that will not require future maintenance.

Therefore, upon project completion, the crossings will be restored to their current rock fords, which are more stable than culverts in high flows, and require less long-term maintenance to protect water quality.

Water needed for road dust abatement will be obtained from local sources as established with current GIS data. During salvage operations, several roads will be either posted with signs warning of the presence of log truck traffic, or closed. Table 4 displays these roads and their restrictions.

All openings in the salvage units that (1) were created by the wildfire, (2) are 2 acres or larger, and (3) are in need of reforestation will be replanted. I expect that smaller areas (or openings in the canopy) that are surrounded with sufficient seed trees will be successfully reforested by natural regeneration.

The success of natural regeneration will be assessed by stocking surveys, conducted during the first and third years after salvage. Any natural regeneration areas found in these surveys to be understocked by the third-year will be scheduled for replanting before the fifth year after the project.

Planted seedlings will be from local seed sources, will be placed in 24-inch scalps, and spaced according to recommendations described

in the Silviculture Specialist's Report (Analysis File). Species mix will be 50 percent ponderosa pine, 25 percent western larch, and 25 percent Douglas-fir.

Animal damage control to protect planted seedlings will be accomplished with big game repellent (BGR), comprised of putrified eggs. No tubing, netting, trapping, or poisons will be used.

PURPOSE AND NEED

The High Roberts Fire burned in July and August of 2002 on the Prairie City Ranger District. Insects and decay (mainly blue stain) are reducing the marketability of wood in the dead and dying trees, reducing potential income to the U.S. Treasury and to the local economy. The Forest-wide goal for timber is to "*provide and utilize wood fiber in the form of sawtimber, fiber, and/or associated wood products in a manner which will minimize losses and maximize outputs in a cost-effective manner, consistent with the various resource objectives and environmental constraints*" (Forest Plan page IV-2). The purpose of this project is to allow for the recovery of the economic value of dead and dying trees that are surplus to other resource needs.

I chose to salvage these stands because of the high value of the dead and dying trees for wood products that they contain. Receipts from the sale of these trees can be used for possible restoration projects on a larger scale in the fire area at some point in the future. However, I feel that it is important to salvage the merchantable dead and dying trees while we can still realize some economic value from them.

REASONS FOR CATEGORICAL EXCLUSION

I have determined that this action falls within the categories established by 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 can 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.

Specifically this project falls into category 13 of Chapter 30 – Categorical Exclusion from Documentation, Section 31 – *Categories of Actions Excluded from Documentation* (40 CFR 1508.4), sub-section 31.2 – *Categories of Actions for Which a Project File or Case File and a Decision memo are Required*, Forest Service Handbook 1909.15 – Environmental Policy and Procedures Handbook. This category includes “*salvage of dead and/or dying trees not to exceed 250 acres, requiring no more than ½ mile of temporary road construction. The proposed action may include incidental removal of live or dead trees for landings, skid trails, and road clearing.*” Under this project, salvage will occur on approximately 209 acres and less than 0.06 mile of temporary road will be used. No permanent roads will be constructed.

An interdisciplinary team of scientists analyzed the potential effects of the proposed actions on vegetation, fish, wildlife, water, soils, noxious weeds, fuels, recreation, and visual resources. 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 1909.15-2004-3. 30.3(2) were found.

The interdisciplinary team’s analyses are included in the analysis file, available at the Prairie City Ranger District, and are summarized as follows:

- ❑ The project will have **No Effect** to federally listed threatened or endangered species or designated critical habitat, or species proposed for Federal listing or proposed critical habitat. This is because with one exception (gray wolf), none of the federally listed species or habitats exists in the project area. Gray wolf habitat does exist in the

project area but no documented sightings of wolves have occurred in the project area.

The project will have **No Impact** on Forest Service sensitive species because no sensitive species or habitats exist within the project area (Biological Evaluations in Analysis File). No federally listed or regionally sensitive downstream aquatic species or habitat will be affected because the project will not affect the water quality of streams flowing out of the project area. Culvert work will not affect water quality because it will only be done when the stream is dry.

- ❑ The project will not adversely affect flood plains, wetlands, or municipal watersheds because no wetlands or municipal watersheds exist within the project area. No salvage harvest or planting will be done in floodplains. Road culvert installation and removal on the floodplain of the tributary to Lake Creek will be done only when the stream is dry. The stream crossings will be returned to rock fords after completion of the project when the tributary is dry.
- ❑ Unit 7 of this project is adjacent to the Strawberry Mountain Wilderness. The project will have only a low degree of potential adverse effects to congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas. Although noise from the salvage will be audible within the Wilderness, this intrusion will only be of a short-term nature and limited in geographic extent by wind direction, topography, and vegetation.
- ❑ The project will not affect inventoried roadless areas because there are none in the project area.
- ❑ The project will not affect research natural areas because there are none in the project area.
- ❑ The project will not adversely affect American Indians and Alaska Native

religious or cultural sites, archaeological sites, or historic properties or areas because the project will avoid all known historic properties and archaeological sites within the project area. In the event that previously undiscovered cultural resources are encountered during the course of this project, ground disturbing activities will be stopped until the cultural resource property is evaluated by a qualified archaeologist (Archaeological Clearance in Analysis File).

Similar salvage activities have occurred on the Malheur National Forest in the past at much greater scales. These activities include the Summit Fire Recovery Project, 6,700 acres for 50 MMBF in 1998; Flagtail Fire Recovery Project, 3,700 acres, for 15 MMBF in 2004; and the Monument Fire Recovery Project Salvage, 3,300 acres for 26 MMBF in 2004. Each of these recovery projects had an FEIS, which are incorporated by reference (40 CFR 1502.21). These FEISs discussed an array of alternatives, including no action, for the recovery of their project area. The action alternatives considered various levels of salvaging fire-killed timber using ground-based and helicopter harvesting methods plus appropriate mitigation measures.

Additionally, an effects analysis was done for resource, economic, and social values affected by the proposed project and the alternatives. Since the implementation of the Records of Decision for these recovery projects, effects have been monitored during and after salvage operations with no significant effects due to these operations identified to date. The High Roberts salvage of 209 acres for 2,700 MBF is also expected to have no significant effects and is therefore suitable for this CE category.

PUBLIC INVOLVEMENT

This project appeared in the Fall 2003 and Winter, Spring, and Summer 2004 editions of the Schedule of Proposed Activities for the Malheur National Forest. The interdisciplinary team met internally to develop probable issues and possible mitigations on June 8 and July 20, 2004.

On July 29, 2004, the District sent out 14 letters to inform interested persons about the project and to solicit comments. The Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation, and the Burns Paiute Tribe were also sent letters on that date. Responses were received from the Oregon Natural Resource Council (ONRC), Linda Driskill, the Blue Mountains Biodiversity Project/League of Wilderness Defenders (BMBP/LPWD), and Dan Becker. The analysis file contains summarized external comments received during scoping along with detailed responses. The following is a list of issues summarized from both internal and external scoping and my responses:

- **Effects of the salvage activities on undesignated roadless areas.** There are many interest groups that advocate we identify and evaluate as "roadless areas" all areas without roads, regardless of the size or shape of the area. The Forest Service doesn't identify "roadless areas" other than Inventoried Roadless Areas (IRAs). We evaluate the effects of the project on the resource values in areas that are not IRAs as we would in any other area.

The project area is not roadless. It was not designated as roadless in the Malheur National Forest Land and Resource Management Plan, as amended. It was not designated roadless by the 2000 Roadless Area Conservation EIS. District records show logging in the area in the past. The earliest record shows that logging occurred in 1955 in the general location of units 3, 4, and 6. The remainder of the units were logged about 1959. These harvest effects are visible and the data from soil surveys showed the lasting effects. This data is taken from an old harvest atlas and is not in the G.I.S. system. The next harvest within the project units occurred in the in 1981 and 1984. There was a total of 21 acres harvested near units 3 and 4.

There are clearcuts remaining from the 1988 McCoy timber sale, between some of the proposed High Roberts units and the Strawberry Mountain Wilderness. All the units show visible signs of prior road construction, tree stumps, and recognizable remnants of skid trails.

- **Effects of salvage activities on soils and water quality.** Field surveys show existing detrimental soil impacts ranging from 10 to 18 percent of the project area. These impacts are primarily the result of past management actions. All the units were tractor logged in the 1950's. The detrimental impacts that can be attributed to the High Roberts fire and its suppression activities are burning, displacement, and compaction affecting from zero to 1 percent of the soil in the project area.

Ash soil types found in the harvest units are considered stable to very stable in the soil resource inventory, and are not prone to erosion, landslides, or mass wasting. No excessive surface erosion was found during surveys.

Existing skid trails and landings will be used where possible to minimize ground disturbance. Additional skid trails will likely be required. Skid trails will be blocked, subsoiled, and/or waterbarred after completion of the project. All landings will be subsoiled (except where rock prevents subsoiling) and replanted after salvage.

Tractor landings will be located on or adjacent to existing roads. All log landings and all skid trails with slopes greater than 20 percent will be seeded (Forest-Wide Standard #129) to prevent erosion, with local, native seed or approved non-native, certified weed-free seed mix that has been approved by the district botanist.

No harvest will occur within Riparian Habitat Conservation Areas (RHCAs). Although hazard trees in RHCAs will be cut,

they will be left where they fall. The method of delineating RHCAs is described in the Hydrologist Specialist's Report (Analysis File).

Hazard trees cut in RHCAs for safety will be left where they fall. Past actions on the forest have proven the effectiveness of RHCAs in maintaining water temperature, large woody debris, bank stability, lower bank angle, width-to-depth ratio, pool frequency, and preventing sedimentation in streams.

Two temporary culverts will be placed in the RHCA of a tributary to Lake Creek. However, the placement and removal of these culverts will only be done when the stream is dry. Once the culverts are removed, the stream fords will be returned to their current condition. Otherwise, no temporary road construction or skid trails will occur within RHCAs.

All disturbed soil within 100 to 200 feet of a stream, or areas further than 200 feet that could erode into a stream will be seeded (Forest-Wide Standard #128).

As a result, detrimental soil impacts in tractor units would increase in Unit 2T from 17 percent to 19 percent of the unit area. In tractor Unit 3, detrimental soil impacts would decrease from 15 percent to 13 percent of the unit area. The expected decrease is due to the fact that we will be using existing skid trails and will restore these trails to a better condition than they were left after previous harvest.

Detrimental soil impacts in helicopter units would not change from existing conditions, except in units 4 and 7 where the helicopter landings would be located. Unit 4 will also contain a temporary road. In those two units, detrimental soil impacts would increase by 1 percent of the unit area. In no unit would detrimental soil impacts after salvage exceed

20 percent, which is the maximum impact allowed by the Forest Plan.

- **Effects of salvage and replanting activities on the area's recovery of vegetative density, structure, and composition after the fire.** Trees that are not dead or dying will only be cut if unsafe, or as necessary to accommodate the temporary road or helicopter landings. Helicopter landings will be cleared of trees to an area of not more than $\frac{3}{4}$ acre. Additional trees may need to be removed to clear the flight paths into the landings.

Where safety permits, directional felling will be used to protect residual conifers, RHCAs, and improvements (i.e. fences, stockponds, section corner monuments, etc). Trees will be felled at an angle to designated skid trails to minimize damage to residual trees during yarding.

The project will advance the pace of vegetative recovery by replanting trees in areas where no live trees remain to provide seed, and seeding native grasses. Planted trees will be a mix of species as described in the *"Decision and Project Description"* section of this memo. All remaining trees that survived the fire, unless cut for incidental purposes, will remain to provide seed for the next generation of forest.

- **Effects of salvage activities on old growth.** This project will have no effect on designated old growth, replacement old growth, or old growth connectivity areas because the project will not salvage in these areas. Live old growth trees in salvage units, that are expected to survive the effects of the fire, will be retained unless cut for incidental or hazard reduction purposes.
- **Effects of salvage activities on wildlife habitat.** The effects of the project on wildlife habitat are described in the Wildlife Specialist's Report and Biological Evaluation (Analysis File). Snags and down

wood will be retained at levels required by the Forest Plan, as amended (2.4 snags per acre). Snags will be left in groups where possible. All snags will be marked as "leave" trees (see Silvicultural Prescription in the Analysis File). Treatment will not reduce the quality or quantity of cover in treated stands because, other than incidental amounts, only dead and dying trees will be removed. These trees are not providing cover. Up to $1\frac{1}{2}$ acres of trees will be incidentally removed to allow for two helicopter landings. Tree cutting will only occur within riparian habitats to prevent safety hazards to people working near those areas. Trees felled in riparian areas will be left where they fall.

The remaining 98.5 percent (13,334 acres, of which 10,616 acres are in Wilderness) that burned in the High Roberts fire will not be salvaged in the foreseeable future. These areas are a mosaic of burn intensities and severities, yielding a variety of wildlife habitat. A walk through the area in and around the Ferguson Spruce Grove on September 20, 2004 yielded a large amount of evidence of elk use and a sighting of foraging hairy woodpeckers.

The effects to the habitats of Management Indicator Species, featured species, neotropical migratory birds, and Northern Goshawk will be none to negligible. Pine marten would prefer stands in RHCAs but would avoid these areas during salvage operations.

Salvage of dead trees would reduce the potential nesting and foraging habitats of primary cavity excavators, including pileated woodpeckers, but compliance snag retention guidelines within the salvage units, and the more than 13,000 acres of snags surrounding the project area would eventually provide nesting and foraging habitat once these snags soften. Any soft snags in the project units

would be preserved unless they posed a safety hazard.

Three-toed woodpecker would not be expected to inhabit the salvage units because they prefer cool, moist forest types at higher elevations. Three-toed woodpecker would be expected in the Ferguson Spruce Grove, however, no harvest activities will occur in that area.

Elk cover has already been altered by the fire and will not be further reduced to any measurable extent.

The habitats of featured species (antelope, bighorn sheep, osprey, upland sandpiper (also Sensitive), sage grouse (also Sensitive), and blue grouse) do not occur in the project area and therefore would not be affected.

The project area contains goshawk habitat, but the closest known goshawk nest is 2½ miles to the west. Goshawk would not be expected to nest in the project area because the units are greater than 50 percent dead. Goshawk would be expected to forage in the project area, but would avoid the area during salvage operations.

This project may affect the habitats of neotropical migratory birds, however, the effects would be negligible given the number of acres of habitat that would be affected (209 acres).

No habitats for wolverine, Columbia spotted frog, American peregrine falcon, fisher, bobolink, tri-colored blackbird, gray flycatcher, or pygmy rabbit (all Sensitive species) occur within the project area. Therefore, none of these species would be affected by the project.

No foraging or denning habitat for Canada lynx (Threatened) exists within the project area. Habitat for gray wolf (Threatened) does exist within the project area, but this species is not known to exist within the project area. No nesting or foraging habitat

for bald eagles (Threatened) exists within the project area.

- **Effects of salvage activities on fuel quantities.** Tractor harvest units will have lower total fuel loads, ranging from 4 to 8 tons per acre, while the helicopter units will have total fuel loads ranging from 8 to 12 tons per acre. Surface fuel loads will be in the range considered optimal for this fire regime. Ladder fuels will be reduced with the harvest of much of the commercial size red needled Grand fir. Crown densities in the proposed units will be well below critical canopy bulk densities for propagation and spread of a crown fire (Analysis File, Fire/Fuels Report).

Disturbance to the wilderness area resulting from salvage activities. Unit 7 shares its border with the Strawberry Mountain Wilderness for approximately ¼ mile. The Wilderness boundary has been marked to prevent operations from inadvertently occurring within the Wilderness. No harvest or ground disturbing activities are permitted inside this boundary. Helicopters will not conduct salvage operations over the Strawberry Mountain Wilderness.

When it passed the Wilderness Act, Congress did not require the creation of protective perimeters or buffer zones around Wilderness Areas. The fact that non-wilderness activities can be seen or heard from within a Wilderness Area does not preclude these activities up to the boundary of the Wilderness Area (16 U.S.C. §1133(a)(1)).

Although noise from the salvage will be audible within the Wilderness, this intrusion will only be of a short-term nature and limited in geographic extent by wind direction, topography, and vegetation. .

- **Effects of the salvage activities on scenic values.** The project area is within the

middleground viewshed of the Wilderness Loop visual corridor. The visual quality objective for the area is partial retention. The degree of deviation from the landscape character will be evident, but not dominant. The temporary road and landings will not be visible from the Wilderness Loop.

Within the project area, trees within 150 feet from FS roads 1600924, 1648039, and 1648021, trees will be cut low, approximately 6 inches or less (measured on the uphill side) above the ground with a flush cut (Analysis File, Scenery Report).

- **Effects of the salvage activities on the spread of noxious weeds.** Off-road equipment will be washed prior to entering National Forest lands. New weed locations will be reported to the Forest Service sale administrator, who will report new weed sightings to the District Weed Coordinator. Work will stop if weed populations are located in the project area to allow forest employees to evaluate need for treatment and prevent spreading seed or reproductive plant parts.

Equipment will be cleaned before moving to another unit if equipment has contact with weed seed in known weed locations. The sale administrator will determine washing areas after consulting district specialists. Equipment will be washed on a flat area with a ditch-line around the washing area to trap weed seed.

- **Uncertainty in determining whether a tree is actually dying.** Trees designated as dead and dying for removal will meet scientifically established criteria for predicting probable mortality for tree species in the Blue Mountains (see Scott Guidelines and Marking Guide in the Analysis File). These criteria enable the determination of relative survival potential of large-diameter, mature or overmature ponderosa pine for more than one year. Much evidence is

accruing for delayed mortality for the second through fourth year following the fire (Scott 2002).

- The accuracy of these guidelines was field verified by their authors in June of 2003 and July of 2004 on visits to the Monument and Easy fires, which also occurred on the Prairie City Ranger District in July and August of 2002 (see memo from D. Scott and C. Schmitt to District Ranger, Prairie City Ranger District, August 23, 2004, Analysis File). The guidelines, as applied by the marking crews for these salvage projects, were found to be accurately portraying the survival potential of fire-injured trees.
- **Concurrent use of the area for grazing and measures needed to control movement of livestock.** Fences cut in order to facilitate logging will be repaired to their original condition by the purchaser, and the purchaser will prevent the movement of livestock (if present) between pastures. All gates will remain closed during work and non-work hours while cattle are in the project area. Fence rights-of-way, stock driveways, and trails will be cleared of slash produced by logging or post-sale activities.

The decision to resume livestock grazing will be made according to "*Postfire Grazing Interim Guidelines*" for the Malheur National Forest (Analysis File). These guidelines establish the minimum timeframes that an area will be rested from grazing following fire.

- **Road Damage from Salvage Activities.** The purchaser will maintain all roads used for salvage activities. Snowplowing, if necessary, will be conducted according to guidelines identified in the Biological Opinion for Columbia River bull trout and the Malheur National Forest LRMP (INFISH S&G RF-2.f).

FINDINGS REQUIRED BY OTHER LAWS

Forest Plan Consistency

I find that the High Roberts Fire Salvage is consistent with the "Malheur National Forest Land and Resource Management Plan Final Environmental Impact Statement" and Record of Decision ("Forest Plan"); 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.

The proposed salvage units are designated MA 14 – Visual Corridor - Middleground (206 acres) and MA 1 – General Forest (3 acres) by the Malheur National Forest Land and Resource Management Plan, as amended (Forest Plan). The Forest Plan permits salvage within General Forest and Visual Corridor areas consistent with achieving the primary management goals for other resource needs within these management areas and subject to associated Standards and Guidelines for these areas within the Forest Plan.

The project area is within the middleground viewshed of the Wilderness Loop visual corridor. The visual quality objective for the area is partial retention. The degree of deviation from the landscape character will be evident, but not dominant. The temporary road and landings will not be visible from the Wilderness Loop.

Unique wildlife habitats and key use areas will be protected through RHCA restrictions. None of the potential combined effects are expected to adversely affect INFISH Riparian Management Objectives or bull trout and redband trout population viability. No salvage activities will occur within RHCAs and the culvert work will only occur when the stream is dry. Application of INFISH direction will maintain or improve fish habitat conditions in the analysis area (see

Fish and Aquatic Habitat Biological Evaluation in the Analysis File).

The High Roberts Fire removed most big game cover and only dead or dying trees that are currently providing the least amount of winter thermal or hiding cover will be harvested. No permanent roads are proposed to be constructed. Habitat effectiveness indices are calculated on a subwatershed scale and the 209 acres planned for salvage cover approximately 0.6 percent of the subwatersheds affected. Therefore any change in habitat effectiveness resulting from salvage will not be measurable. The approximately 300 feet of temporary road will be closed and returned to production of habitat upon completion of harvest activities.

The ecosystem standard from Forest Plan Amendment #11 does not apply to this project because the project is a salvage sale with incidental green. Except for hazard trees and incidental tree removal for helicopter landings and the temporary road, only dead and dying trees will be harvested. The project meets the wildlife standards from Amendment #11: the fire removed any late/old structure from the project area, adequate snags and any remaining down logs will be left, and goshawk nesting habitat will not be reduced (see Wildlife Report in the Analysis File).

Downed wood densities in the fire area (project area) may not currently meet standards in the Malheur Forest Plan (as amended by Regional Forester's Eastside Forest Plans Amendment #2) for the Warm-Dry plant association group. In time, given the number of snags left in the project area after salvage and the availability of green tree replacements, downed wood densities will meet or exceed these standards. In adjacent non-salvage areas, the number of snags that will eventually fall to the ground and provide large downed wood will be in excess of these standards.

The proposed project will meet Forest Plan Standards for the Recreation Opportunity Spectrum (ROS) of roaded natural and roaded

modified (see Recreation Specialist's Report in the Analysis File). There will be no activities within or over the Strawberry Mountain Wilderness. The Wilderness Recreation Opportunity Spectrum (WROS) class for this area will not be affected.

Harvest of stands adjacent to the wilderness area may result in direct, short-term effects on solitude within the area. Potential effects include increased sights and sounds of chainsaws, equipment, and helicopters within audible range of or adjacent to the wilderness boundary during harvest and planting activities.

There will be short-term effects to recreational traffic during salvage operations. Table 4 (above) shows the measures that will occur to prevent safety hazards to recreational traffic from log truck haul, tree felling operations, and helicopter activity over the roads.

Compliance with Other Federal, State, and Local Laws

Clean Air Act

I find that this action does not pose a violation of the Clean Air Act. The High Roberts Salvage Project area lies directly adjacent to the Strawberry Mountain Wilderness Area. The Strawberry Mountain Wilderness Area is a Class I airshed. The 1977 Clean Air Act amendments provide the most protection to this class of airshed by limiting the amount of additional air pollution which can be added to these areas.

The State of Oregon's implementation plan restricts intrusions of smoke into Class I airsheds in Western Oregon and Cascade wilderness areas from July 1 to September 15 (during the high recreation use times). There is nothing in the State Implementation Plan for Eastern Oregon or the Strawberry Mountain Wilderness. However, no burning will occur between July 1 and September 15. The only burning proposed in the project area will be landing pile burning. These smoke-producing activities will be very short in duration and limited to very few acres and will

occur in the late fall or early winter when there is snow on the ground.

In compliance with the Clean Air Act, burning of any kind will not occur unless prior approval is granted by Oregon Department of Forestry. All amounts of PM10 emissions will be estimated and submitted with planned burn operations to the Oregon Department of Forestry to insure compliance with the Clean Air Act (Fuels Report, Analysis File).

Wilderness Act

Although the High Roberts Salvage Project lies adjacent to the Strawberry Mountain Wilderness Area, the project area contains improved roads maintained for travel by standard passenger-type vehicles. The Wilderness boundary has been marked to prevent operations from inadvertently occurring within the Wilderness.

The proposed activities include the use of mechanized ground-based equipment and helicopters, the noise from which will carry into the Wilderness for distances that depend upon source intensity, wind direction, topography, and vegetation. Helicopters will not conduct salvage operations over the Strawberry Mountain Wilderness. The project will not result in conditions within the Strawberry Mountain Wilderness that violate the Wilderness Act.

Clean Water Act

Two streams in the project area are currently on the 2004 303(d) list: 1) Lake Creek (exceeds 53.6°F temperature parameter from mouth to headwaters), including stream segments running through the project area, and 2) Big Creek (exceeds 53.6°F temperature parameter from mouth to Snowshoe Creek). The nearest stream segment of Big Creek that exceeds the temperature standard is approximately $\frac{3}{4}$ mile downhill from the salvage units (see Project Area Map).

Best management practices will be applied as required by the Clean Water Act to prevent non-point source pollution (including sediment) of

the waters of the United States. Helicopter logging will be used on areas where average slopes exceed 35 percent. Other than the cutting of hazard trees, no salvage activities will occur within riparian buffers. The temporary placement and removal of two culverts over the unnamed tributary to Lake Creek on Forest Road 1600033 will be done during the times that the tributary is dry. This project will not affect water quality or the temperature parameter for which Lake Creek and Big Creek are listed.

Given the restriction of activities in RHCAs, slope restrictions for ground-based logging equipment, no increase in stream sediment is anticipated. Fire already removed any stream shade, so proposed activities will have no further effect on water temperature. Therefore, Clean Water Act standards will be met (Hydrology Report, Analysis File).

Endangered Species Act

The project will have **No Effect** to federally listed threatened or endangered species or designated critical habitat because no federally listed or proposed species or designated habitats exist within the project area (Wildlife, Aquatic, and Botany Biological Evaluations in Analysis File).

National Forest Management Act

All proposed activities will comply with the 1990 Malheur National Forest Land and Resource Management Plan, as amended, and the National Forest Management Act.

National Historic Preservation Act

The project was reviewed for heritage resources under the terms of the June 2004 Programmatic Agreement among the USFS R6, ACHP (Advisory Council for Historic Preservation) and the SHPO (State Historic Preservation Office). The project meets the criteria in the Programmatic Agreement for a Historic Properties avoided determination (District Archaeologist's Report in Analysis File).

Pursuant to 36 CFR 800 and Section 106 of the National Historic Preservation Act (1966, as amended) (NHPA), a cultural resource inventory was conducted in the proposed High Roberts project.

There are six archaeological sites that have been identified within a 643-acre area of potential effect (a single area that includes all of the proposed harvest units). No sites were found within the harvest units, themselves. In accordance with NHPA, all sites eligible or potentially eligible for the National Register will be protected throughout the life of the project. All activities, including infrastructure development associated with the project (i.e., construction of the temporary road and landings, road closures) will avoid significant historic properties identified within the planning area.

In the event that previously undiscovered cultural resources are encountered during the course of this project, the Forest Service will comply with the C6.24 clause of timber sale contracts, which halts ground-disturbing activities until the cultural resource property is evaluated by a qualified archaeologist. If necessary, the project may be modified in order to protect significant properties before work continues.

Executive Orders

E.O. 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. Conservation Planning allows the analysis of proposed projects on neotropical migratory birds through the use of guidelines for priority habitats and bird species of concern for each planning unit. The conservation planning for the Blue Mountains, Ochoco Mountains, and Wallowa Mountains sub-provinces is addressed in the *Conservation Strategy for Landbirds in the Northern Rocky Mountains of Eastern Oregon and Washington* (Altman 2000), referred to in this section as the Strategy.

The project area is comprised of the dry forest habitat type. This project may affect individual

neotropical migratory birds. However, the effects would be negligible given the number of acres of habitat that would be affected (209 acres).

Neotropical birds requiring large snags for foraging and nesting would experience a decrease in the number of snags available in post fire stands following salvage. However, snag densities will meet Forest Plan standards following salvage. Available green tree replacements in salvage units would provide snag habitat in the future. Snag habitat elsewhere in the analysis area would not be treated, and would provide habitat for snag (white-headed woodpecker) and post-fire dependent (Lewis' woodpecker) neotropical migratory birds.

Ground nesting birds would be minimally affected by salvage activities. Timing of these activities would avoid the breeding season for these species. Vegetation disturbance would generally be light, especially in helicopter salvage units. Understory vegetation would recover in the next growing season prior to spring nesting.

Salvage activities would contribute to recovery of dry forest habitat in the analysis area, and would improve habitat quality for neotropical migratory birds dependent on this habitat type in the future. No other habitat types identified in the strategy would be affected by salvage activities because they are not found within or adjacent to salvage units. This would include Montane Meadow and Steppe Shrubland habitats in the analysis area that occur south of the project area. No treatments would occur in or near these habitat types, so there would be no effect on the quality of habitat in these areas or on the neotropical migratory bird species that are associated with these habitat types.

E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. The project is not expected to have any disproportional effects on consumers, civil

rights, minority groups, women, or low income people because there would be no permanent change in the availability of the project area for use by these populations.

Short term road restrictions would restrict access to the public during salvage operations. Because there are other areas next to the project area where road access is not changed, and estimated use by these populations is low, the anticipated effects are not disproportionately high or adverse.

E.O. 11990, Protection of Wetlands. The project would have no effect on wetlands. No wetlands exist within the harvest units and wetlands in the project area (Ferguson Spruce Grove) will be protected by a 150-foot buffer zone.

E.O. 11988, Floodplain Management. No floodplains exist within the harvest units. Floodplains of fish-bearing streams in the project area will be protected by 300-foot buffer zones on each side of the stream. Floodplains of perennial non-fish bearing streams will be protected by 150-foot buffer zones on each side of the stream. Floodplains of non-fish-bearing intermittent streams will be protected by 100-foot buffer zones on each side of the stream. Road culvert installation and removal on the tributary to Lake Creek will be done only when the stream is dry.

Prime Farmland, Rangeland, or Forestland

There is no prime farmland, rangeland, or forestland within the project area.

Issues Relating to the Beschta Report (1995)

Scientific literature exists that could lead one to conclude either active or passive management may be the best post-wildfire strategy, depending upon circumstances. The Beschta Report (Analysis File) suggested that "there is no ecological need for intervention on the post-fire landscape," and that post-fire logging, reseeding, and replanting should be conducted only under limited conditions. The Beschta Report also

states that there is a lack of knowledge pointing to detrimental ecological effects of salvage harvest measured in association with any particular wildfire.

Everett (Analysis File), in his response to the Beschta Report, comments on the lack of good information but states that the “custodial” approach advocated by the report may, in many cases, be less desirable than more active management because of the possible soil degradation in the absence of seeding, and because of possible fuel buildup in the absence of timber harvest.

The Beschta Report recommended that fire salvage only be permitted where impacts to the environment can be mitigated. Effects have been mitigated by careful project design. Beschta recommends low impact logging systems. The planned logging will be accomplished with ground-based tractors on low-grade slopes and helicopters on steeper slopes. Beschta recommends that fire-burned areas be allowed to naturally regenerate. Within areas less than two acres in size where live trees remain, natural regeneration will be relied upon to restock stands. However, most of the units would not be able to provide adequate seed source from remaining live trees to adequately stock units and will be planted.

Beschta recommends that no new roads be constructed and this project constructs no new permanent roads. This project will not affect any “sensitive” areas identified by Beschta and protects riparian and wetland areas with “no harvest” buffers.

Beschta recommends that 50 percent of snags be retained, as planned in this project across the landscape. Less than 1.5 percent of the 13,535-acre burned area will be salvaged, and snags will be left in accordance with forest plan standards in each salvage unit. All existing snags in the remaining 98.5 percent of the burned area will be left. Beschta recommends livestock grazing be withheld; the grazing unit has been at rest for the two years since the fire and will only be opened to grazing when forage has sufficiently recovered.

IMPLEMENTATION DATE

Implementation of this decision is under authority of the Malheur National Forest Land and Resource Management Plan and may begin immediately. Salvage operations are expected to occur in the fall of 2004.

APPEAL RIGHTS

This decision is not subject to appeal pursuant to Forest Service regulations at 36 CFR 215.4.

CONTACT PERSON

This decision memo and associated analysis file may be reviewed at the Prairie City Ranger District in Prairie City, Oregon. For further information contact

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BROOKS SMITH, District Ranger
Prairie City Ranger District

September 30, 2004

Date



