

# Final Decision Memo

## 1610 Roadside Treatment

USDA Forest Service  
Tiller Ranger District, Umpqua National Forest  
Douglas County, Oregon  
T. 30S, R. 1W, Sec. 35 and 36  
T. 31S, R. 1W, Sec. 1, 2 and 11  
T. 31S, R. 1E, Sec. 6 and 7, Willamette Meridian

### **Background**

Dense stands containing live trees, brush, standing and down dead wood contain too many trees to be considered healthy and are highly susceptible to wildfire. In the event of an escaped human-caused or lightning fire, stand conditions are such that fire suppression efforts could be hampered by the heavy vegetation and undergrowth. These conditions are the result of years of active fire exclusion on National Forest system and private lands where fire was not allowed as a natural disturbance.

The goal of the 1610 Roadside Treatment project is to:

- reduce stand density in order to improve stand health and resiliency and reduce the risk of uncharacteristic wildfire (generally 150 feet each side of the road) along system roads.

The success of the project will require monitoring and maintenance. In implementing this project the Forest Service will cooperate with residents of the Devil's Knob community.

### **Decision to be Made**

I have decided to implement roadside treatments by thinning, pruning, piling or chipping slash along the major roads (Forest Road 1610, 1610-050, 1610-100, 1610-500) within the lower Devil's Knob portion of the Elk Creek watershed. Trees and brush would be removed to bring the resulting condition to a Fuel Model 8 (an open stand with limited ground fuel) with low to moderate fuel loading resulting in healthier growing conditions for the stands. Treatment will occur alongside existing specified roads (generally 150' each side of road). This decision does not include commercial harvest. Silvicultural prescriptions preclude cutting trees greater than 12" diameter. No new road construction is associated with the project. In some areas that are underburned, the treatment area may be widened to make it more effective. Burning slash may require subsequent years to allow for prescriptions to be met. Maintenance of the project may be required in the future. Burning of Himalayan blackberry (an invasive species) will be prescribed in some areas as recommended by the district botanist. Many areas within

the project boundary are natural oak stands, when selecting trees for retention in these areas the oak will be favored over encroaching conifer.

Approximately 466 total acres comprising of USFS administered and private land areas are included in this project. 268 acres are USFS administered, 198 acres are private acres. Where adjacent landowners agree, stand management may be implemented along the roads through private land as specified by agreement with the private landowner. Stand density after treatment will vary but the intent is to create vegetative spacing that will enhance stand conditions and slow burning ground fires and produce low flame lengths.

Slash from the cutting of trees and brush may be chipped, scattered, underburned or hand piled and the piles later burned. Best management practices will be implemented to minimize impact to roadside soils. Potential impacts to improvements authorized under Special Use Permit have been considered and will be avoided or successfully mitigated and public access will not be impacted.

A modified prescription is to be utilized within the Riparian Reserves to maintain existing shade. There will be no reduction to stream channel shade, and water quality will not be affected. Project design features and other mitigation measures have been developed for the project to address potential effects as described in specialist reports prepared for this project. The design features and mitigations identified in the project file are included as part of this decision.

### **Best Management Practices, Management Requirements, Mitigation Measures, and Monitoring**

This decision also includes implementation of Best Management Practices (BMP) as required by the Clean Water Act. A BMP checklist is included as part of the 1610 Roadside Treatment project file.

The Mitigation Measures are:

- ◆ If a suspected Threatened, Endangered, or Sensitive species is found during the operating period, activities will cease until the appropriate species Biologist can identify and evaluate the situation.
- ◆ Seasonal Restrictions:
  - Thinning activities along a ½ mile section of road 1610 in T31S, R1W, sec. 7 should not occur between July 16 and February 28, to accommodate spotted owl seasonal restrictions for activities less than .25 mile from owl cores.
  - Winter range restrictions are from December 1 through April 31 on designated spur roads to protect elk and blacktail deer.
- ◆ Protect snags and down logs during fuel treatments.
- ◆ OSHA requires that hazardous trees/snags be felled to protect workers on the ground during forest operations. Snags that must be felled for safety reasons should be retained on the ground to help attain down wood requirements. Consider topping trees or high-stumping to eliminate the hazard, rather than traditional felling. Even a short stub ( $\geq 4'$  tall) is more beneficial to wildlife than a stump.

- ◆ Avoid damage to and retain hardwood clumps such as chinquapin, chokecherry, manzanita, willow and oaks, especially those with old stems.
- ◆ Retain trees and/or shrubs around rock outcrops for shading.
- ◆ Do not pile slash at base of or near snags, down logs, or rock outcrops.
- ◆ Pull back slash or wet area around standing snags or large ( $\geq 20''$ ) down logs to protect them during underburning.
- ◆ In areas where snags are lacking, it may be beneficial to pile slash at the base of green trees, to use fire to create a snag. This would be coordinated with the wildlife biologist.
- ◆ Contact each landowner and develop a prescription specific to the land and needs if landowner wishes to participate. Follow written prescription agreement closely or do no work at all.
- ◆ A no-cut Riparian Reserve buffer of 50 feet will be protected along perennial streams (Class I, II, or III streams). Trees within this buffer will only be pruned.
- ◆ A no-cut Riparian Reserve buffer of 30 feet will be protected along intermittent (class IV) streams. Trees within this buffer will only be pruned.
- ◆ No hardwood trees will be cut in riparian areas.
- ◆ Very large down wood in riparian reserves will not be cut or burned.
- ◆ Petroleum fuels will be kept 150 feet from stream channels, this includes equipment fueling.
- ◆ No slash will be piled or burned within 50 feet of stream channels.
- ◆ To reduce intensity of fire in riparian areas, underburning will not be ignited within 50 feet of stream channels, but will be allowed to back into riparian areas.
- ◆ Thinning will be reduced to 50 feet on the south side of the 1610 Road between the 200 spur and the Forest Service boundary to the northeast to protect the Joe Hall landslide area. No underburning will be conducted in the vicinity of the Joe Hall landslide.
- ◆ An oil and hazardous substance spill contingency plan and spill control and countermeasure plan should be developed prior to implementation.
- ◆ Pump intakes used in fish bearing streams will be screened following NMFS guidelines.
- ◆ Remove snags along the road that could fall to the road.
- ◆ Require the cleaning of all equipment and vehicles prior to entering National Forest System land for all project roads.
- ◆ Use weed free straw and mulch.
- ◆ In areas at high risk for weed establishment or spread, treat weeds before burning. Fire should be used as a tool to reduce the Himalayan blackberry thickets as designated in Biological Evaluation located in project file.
- ◆ Use appropriate underburning techniques to minimize disturbance to soil and vegetation.
- ◆ Apply native seed mix after burning for competitive ground cover.
- ◆ Monitor and treat weed populations after the project is completed to reduce spread or new infestations.

Project monitoring will be conducted by the Forest Service. If Standards and Guidelines, Best Management Practices (BMPs), Mitigating Measures, the silvicultural

and fuels prescriptions are not being met, additional measures will be prescribed and implemented to insure compliance.

### **Public Involvement**

Internal and external scoping was conducted as part of the analysis process. The project was listed in the Umpqua National Forest Schedule of Proposed Actions (SOPA) beginning in April, 2008. A scoping letter was mailed to 115 interested publics, including civic organizations, clubs, environmental groups and adjacent landowners. Scoping comments were received from Oregon Wild, American Forest Resource Council, two private citizens and two adjacent landowners. In addition, two comments were received during the 30-day notice and comment period, which ran from January 20, 2009 to February 19, 2009. I read and considered the comments that were submitted to me prior to making my final decision and I have responded to those comments in detail (located in Project Record).

### **Finding of Consistency with Applicable Forest Service Management Direction and the National Forest Management Act**

Based on my review of the interdisciplinary analysis for this project, I find that the project is consistent with the standards, guidelines, and amendments of the Umpqua National Forest Land and Resource Management Plan, as amended by the Northwest Forest Plan and is therefore consistent with the National Forest Management Act. This finding includes all of the following determinations documented in the specialists' reports for this project:

This project will not prevent attainment of the goals and objectives of the Aquatic Conservation Strategy, as documented by the project hydrologist.

This project is consistent with the Standards and Guidelines in the 1994 Northwest Forest Plan, as amended and the 1990 Umpqua National Forest Land and Resource Management Plan, as amended and as required by the National Forest Management Act (36 CFR 219.10(a) and (b)).

The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines for Matrix land allocation (Northwest Forest Plan) and Management Area 10 (Umpqua Forest Plan, Prescription E1-II, pages IV-213-214). The outer portions of Riparian Reserves will be thinned; however, no long-term adverse impacts would occur as a result of this proposal.

Therefore, I find that the 1610 Roadside Treatment Project is consistent with all applicable Forest Service management direction.

### **Finding of Consistency with State Historic Preservation Office Policies**

Cultural Resource surveys were conducted in the project area. The project is within the scope of Appendix B as described in the Programmatic Agreement under Standard Case-by-Case Review as agreed upon by the USDA Forest Service Region 6, Oregon SHPO and the Advisory Council of Historic Preservation. Monitoring of this project is required under the Umpqua National Forest Land and Management Plan to assure there is no disturbance to cultural resources.

Based on my review of the heritage resource report, I find that the project is consistent with the National Historic Preservation Act.

### **Finding of Non-Jeopardy to Endangered, Threatened or Sensitive Species and No Adverse Effect to Species Covered Under the Fisheries Conservation and Management Act**

#### **Wildlife:**

- Northern spotted owl disturbance: It is possible that project activities (thinning and burning) could occur at almost any time of year, although usually chainsaw work occurs in the early summer until fall and burning in the late fall through early spring. No chainsaw work will occur March 1 – July 16, therefore a “May Affect Not Likely to Adversely Affect” determination was made for this project. Additionally, the ESA Compliance Statement for Project compliance with the Endangered Species Act Consultation requirements was completed, using the counterpart consultation regulations (dated August 8, 2006) for the project record.
- Threatened northern spotted owl: Removal of understory and burning the slash will not substantially alter habitat for northern spotted owl. Upper level canopy is maintained and important structural components of owl habitat such as snags and down wood will be protected. Impacts to owls will come mainly from disturbance. Indirect affects to owls could be attributed to affects to prey species. Opening up of the understory may reduce the number of prey animals overall. It may also make the prey animals that remain more vulnerable to predation due to the more open character of the habitat. Retention of overstory canopy, snags and down wood will ameliorate some of the effects of reducing the shrub layer. Overall, the size, scope and linear nature of the project (the fact that it follows road corridors) as well as the distance from the owl cores, is a NE (No Effect) to northern spotted owls for habitat reduction.
- For all Sensitive wildlife species the project determination is either “May Impact Individuals or Habitat, but Will Not Likely Contribute Towards Federal Listing or Cause a Loss of Viability to the Population or Species” or “No Impact”.
- No impacts to landbirds including resident songbirds, Neotropical migrants, and gamebirds are expected from this project. Some disturbance is possible from project activities but the scope and duration of the work is not likely to contribute to declines in any population.

## **Fisheries:**

- The Aquatic Biological Evaluation determines that the project will have No Effect on Proposed Oregon Coast Coho Salmon or their critical habitat and Essential Fish Habitat would not be adversely affected by the Proposed Action; therefore no further consultation is required under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

## **Botanical Species:**

- No Threatened or Endangered plant species were found within or adjacent to the boundaries of the project. The project will have No Impact on TES plants or Survey and Manage species or their habitat.
- Ten noxious weeds have been documented in or near the project area: Himalayan blackberry, Scotchbroom, meadow knapweed, tansy ragwort, St. Johnswort, bull thistle, Canada thistle, Medusahead rye, Italian thistle, and Sulfur Cinquefoil. There is a risk that the project will spread noxious weeds where ground disturbance creates bare ground and open canopy. Mitigation measures are in place to limit and treat noxious weed spread.

## **Finding of the Absence of Adverse Effects to Extraordinary Circumstances**

Scoping to determine the presence or absence of potential effects on extraordinary circumstances occurred starting in the April 2008 Umpqua National Forest Schedule of Proposed Actions; six statements of interest were received. Based on my review of the interdisciplinary analysis, I find that this project does not adversely affect any of the extraordinary circumstances listed in 1909.15, 30.3(2). Specifically, I find that this project does not adversely affect: (a) endangered or threatened species or their critical habitats, or any Forest Service sensitive species; (b) floodplains, wetlands or municipal watersheds; (c) Congressionally designated areas such as wilderness or National Recreation Areas; (d) inventoried roadless areas; (e) Research Natural Areas; (f) Native American religious or cultural sites, or archaeological or historic properties and sites.

## **Finding of Consistency with All Applicable Federal Laws and Regulations**

Based on my review of the actions associated with this project and all applicable specialists' reports, I find that the project is consistent with the Clean Air Act, Clean Water Act, Endangered Species Act, National Forest Management Act, and the National Historic Preservation Act. Therefore, I find that the 1610 Roadside Treatment Project is consistent with applicable Federal laws and regulations.

## **Finding of Exclusion from Further National Environmental Policy Act Analysis**

Based on my review of (1) the actions associated with this project; (2) the environmental consequences documented in the interdisciplinary analysis; (3) the consistency of this

project with applicable laws, regulations, and management direction; (4) the non-jeopardy to endangered or threatened species or heritage resources; and (5) the absence of adverse effects to extraordinary circumstances; I find that this project is not significant in either context or intensity (40 CFR 1508.27) and that no extraordinary circumstances are associated with these projects (FSH 1909.15). I also find that this project will produce no adverse environmental effects, individually or cumulatively, on the physical, biological, or social components of the human environment. Therefore, I find that the 1610 Roadside Treatment Project is categorically excluded from analysis in an Environmental Assessment or Environmental Impact Statement (40 CFR 1508.4 and FSH 1909.15, Chapter 30.3, Part 1) and that the category of exclusion is Category 6 as identified in Forest Service Handbook 1909.15, Chapter 31.12.

### **Reasons for Categorically Excluding the Decision**

This proposed action falls under Category 6 for timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Forest Service Handbook 1909.15, Chapter 30, Section 31.2, Subsection 6). The proposed action is required to have a Project File (located at the Tiller Ranger Station) and Decision Memo (Forest Service Handbook 1909.15).

### **Survey and Manage Species**

Pursuant to the January 9, 2006 ruling in NEA et al v. Rey, et al, Civ. No. 04-844P, W.D. Washington, supplemental reports have been written and placed in the project file to document compliance with the Record of Decision dated January 2001, entitled "Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines" (the "2001 ROD") as amended or modified through March 21, 2004. These reports reflect compliance with both wildlife and botanical survey and manage species Standards and Guidelines. For botanical species, further guidance was received from the Regional Office on March 24, 2006 regarding Category B species for which strategic surveys are considered complete. No further botanical surveys are needed. The 1610 Roadside Treatment Project is in full compliance with the 2001 Survey and Manage ROD and is in full compliance with the 2007 Survey and Manage ROD.

### **Administrative Review or Appeal Opportunities**

Pursuant to the Federal District Court for the Eastern District of California September 20, 2005 clarification in Earth Island Institute v. Ruthenbeck, this decision is subject to administrative review (appeal) in accordance with 36 CFR 215. The Appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer:

Appeal Deciding Officer, Clifford J. Dils,  
Forest Supervisor, Umpqua National Forest  
Attn 1570 Appeals

2900 NW Stewart Parkway, Roseburg, OR 97471.  
Business hours: 8:00 a.m. – 4:30 p.m. Monday through Friday, excluding  
holidays  
Phone 541-957-3203; FAX 541-957-3495.

Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to [appeals-pacificnorthwest-umpqua@fs.fed.us](mailto:appeals-pacificnorthwest-umpqua@fs.fed.us). In cases where no identifiable name is attached to an electronic message, verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice of decision in the Roseburg News-Review, newspaper of record, which is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source. It is the responsibility of all individuals and organizations to ensure their appeals are received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender's responsibility to ensure timely receipt by other means. Based on the receipt of comments, the decision is subject to appeal pursuant to 36 CFR Part 215.11(a). The notice of appeal must include (36 CFR 215.14):

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 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. Any specific change(s) in the decision with which the appellant disagrees, and explanation for the disagreement.
6. Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement.
7. Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
8. How the appellant believes the decision specifically violates law, regulation, or policy.

## **Implementation**

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, the 5th business days from the close of the appeal filing period (36 CFR 215.9(a)). When appeals are filed, implementation may occur on, but not before, the 15<sup>th</sup> business day following the date of appeal disposition. In the event of multiple appeals, the implementation date will be established following the last appeal deposition (36 CFR 215.9(b)).

## **Contact Person**

For additional information concerning this decision or the Forest Service appeal process, contact Robert Marshall, Assistant Fire Management Officer, Tiller Ranger District, 27812 Tiller Trail Highway, Tiller, Oregon 97484; phone number 541-825-3122; email address: [rwmarshall@fs.fed.us](mailto:rwmarshall@fs.fed.us).

## **Conclusions**

Two comments were received during the 30-day notice and comment period, which ran from January 21, 2009 to February 19, 2009. I read and considered the comments that were submitted to me prior to making my final decision and I have responded to those comments in detail (located in Project Record). I am certain that I am fully informed of the effects of the proposal and the benefits and consequences of my decision.

## **Signature and Date:**

/s/ Roshanna Stone  
Roshanna Stone  
District Ranger

March 10, 2009  
Date Signed

March 16, 2009  
Date Published

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Public Comments From Draft Decision Memo 30 day comment period, Agency Responses 1  
1610 Roadside Treatment Project

The 30-day Public Comment period for the 1610 Roadside Treatment Project opened on January 21, 2009 and closed on February 19, 2009. The public was asked to give comment on the draft Decision Memo. Two timely comments were received.

Comments were received from the following:

1. Doug Heiken, Oregon Wild
2. Jake Groves, American Forest Resource Council

All comments submitted must be considered and addressed. Examples of comments which are most helpful are those which:

- provide new information pertaining to the preferred alternative or an alternative in the analysis;
- identify a new issue or expand upon an existing issue;
- identify a different (alternative) way to meet the purpose and need of the project;
- provide an opinion regarding one or more alternatives, including the basis or rationale for that opinion;
- point out a specific flaw in the analysis, or;
- identify a different source of credible research, which if used in the analysis could result in different effects.

It should be noted that all comments received are valuable. Alternative preferences, values and feelings also contribute to increased understanding and were carefully read and considered. The following narrative contains the comments, grouped by subject matter and paraphrased where appropriate, followed by the Forest Service's response.

Doug Heiken	Oregon Wild	<p>1. DM has no mention of the 12” diameter limit so little assurance that the right trees will be removed.</p> <p>2. Riparian reserves must be managed for natural levels of large wood recruitment and other terrestrial wildlife features like canopy cover and large snags. Thinning in the riparians must be non-commercial, leave the large wood behind.</p> <p>3. The CE says it will not prevent attainment of ACS objectives, but that is not the standard. It's "retard or prevent attainment" so the FS must avoid removing trees that are needed for recruitment into the under-represented large tree, large snag, and down wood components. Removing such trees will retard attainment of ACS objectives in violation of the forest plan.</p> <p>4. The spotted owl analysis is flawed. It assumes that modification of the understory has little or no effect on spotted owls when it is well established that spotted owls prefer complex multi-layered stands. This is for several reasons: (a) mid-story trees are perches for hunting and escaping thermal extremes, and (b) complex understory and down wood favors small mammals that owls prey upon. and old growth.</p>	<p>1. The majority of trees to be cut are 8” or smaller in diameter. Silvicultural treatment prescribes that trees greater than 12” in diameter will not be cut. Decision memo is updated to clarify this.</p> <p>2. A no-cut Riparian Reserve buffer of 50 feet will be protected along perennial streams (Class I, II, or III streams). A no-cut Riparian Reserve buffer of 30 feet will be protected along intermittent streams (Class IV streams). The proposed action will not remove any large trees, snags or down wood within these buffers.</p> <p>3. A no-cut Riparian Reserve buffer of 50 feet will be protected along perennial streams (Class I, II, or III streams). A no-cut Riparian Reserve buffer of 30 feet will be protected along intermittent streams (Class IV streams). The proposed action will not remove any large trees, snags or down wood within riparian reserves, therefore it will not retard or prevent attainment of ACS objectives.</p> <p>4. Existing Down wood and snags will be retained, which provide habitat for prey species. Reducing light ground fuels contributes to the growth of forbs and low shrubs which benefits prey species, as opposed to heavy accumulations of debris. Thinning accelerates the attainment of larger diameter trees and creates a stand that is more fire resistant, increasing the potential for the stand to achieve old-growth characteristics in the future. Thinning the mid-story will not eliminate owl roosting habitat and in fact will create better foraging habitat, as well as reduce the threat of ground fire reaching the crowns and producing a stand replacing event, which completely destroys owl habitat.</p> <p>Canopy closure will remain at 40% which is considered suitable owl foraging and dispersal habitat.</p>
-------------	-------------	--	---

Doug Heiken	Oregon Wild	<p>4. Spotted owl analysis is flawed. (Continued)</p> <p>5. The draft DM ignores the fundamental conflict between fuel reduction and spotted owl life needs. The conflict stems from the fact that canopy fuels provide owl nesting habitat, ladder fuels provide owl roosting habitat, and surface fuels provide owl foraging habitat.</p> <p>6. Do not thin trees to a wide spacing. Canopy cover provides the best fire protection because it provides a cool, moist, and less windy microclimate and helps suppress the growth of ladder fuels. If you thin too heavy it will make the stand hotter, dryer, and windier and stimulate the growth of future surface and ladder fuels. The stated objective of this project is "low flame lengths" but the effect of thinning is often longer flame lengths (and faster rate of spread) because of the hotter, dryer, windier conditions. To propose an action that has the opposite of intended effects is arbitrary and capricious.</p> <p>7. Commercial logging cannot exploit categorical exclusions other than for limited timber harvest, if this project involves more than 70 acres of commercial removal of logs then it doesn't qualify for a CE.</p>	<p>4. "We support projects intending to reduce the risk of wildfire causing injury, property damage, or loss of listed species". (USFWS comments on 1610 Road Project, 2007).  "Activities with demonstrated long-term benefits for spotted owls (e.g., thinning younger forests and fire-risk reduction) area encouraged even if they cause short-term negative effects." Recovery Plan for the Northern Spotted Owl (USFWS 2008, P.20).</p> <p>5. Please refer to response #4 above.</p> <p>6. Primary prescription is to retain 40-50 dominant and co-dominant trees with crown ratios greater then 40% per acre. Intent of project is to focus on removing the lower understory within older stands so that shading is retained. Younger managed stands may initially be opened up, however an increase in growth can be expected after release. By treating the fuels created by thinning and modifying the fuels profile a slower, easier to control fire could be expected.</p> <p>7. A commercial timber sale is not being proposed with this project. Some by products of thinning may be used for fuelwood, poles or biomass.</p>
-------------	-------------	---	---

Jacob Groves	American Forest Resource Council	1. There is a conflict in Silviculture prescription. Cannot meet sugar pine 20' dripline prescription with a 12" diameter cut limit. About 8-10 trees would have a conflict with larger diameter in growth.	1. We understand the concern raised. However, the overall purpose of the project can still be met while leaving some isolated 12" diameter or greater trees within the dripline of dominant sugar pines. This condition primarily exists in older stands that are more fire resistant, especially following removal of the smaller understory.
--------------	----------------------------------	---	--