



File Code: 1950/2400

Date: July 22, 2009

Enclosed is the Decision Notice and Finding of No Significant Impact for the Rat Creek Salvage Project on the Wisdom Ranger District of the Beaverhead-Deerlodge National Forest.

I have decided to implement Alternative 2, the Proposed Action because it meets the project purpose and need. The proposed action includes the salvage harvest of approximately 1,652 acres of dead and dying trees within the Rat Creek Wildfire, reforestation of the harvest units through natural regeneration, supplemental planting to maintain the pre-fire mix of tree species, and sanitation of dwarf mistletoe infected trees to reduce disease infection in the new forest stands. The Proposed Action will supply an estimated 27,000 CCF of sawtimber and non-sawtimber products to area mills.

Salvage harvest will occur on 35 units ranging in size from 3 to 320 acres and total approximately 1,652 acres. Trees from 4.0 inches in diameter at breast height (dbh) up to 15.0 inches dbh that have died or are likely to die as a direct result of fire and trees that would die due to insect attack will be harvested. Trees with no live foliage (red-topped) and trees with defined levels of fire damage in these diameter classes will be included for salvage harvest. Live trees expected to survive will not be cut. Trees larger than 15.0 inches dbh, live and dead, will not be cut unless they are a defined safety hazard and identified as included timber by USDA Forest Service timber sale administration staff. Timber included for salvage harvest will be designated in the timber sale contract through provision C2.38#, Species Designation; all other timber designated for harvest in the Rat Creek Salvage Environmental Assessment will be marked by the Forest Service through the use of tracer paint and Forest Service Handbook direction.

This decision includes approximately 7 miles of temporary road construction and 3 miles of system roads will be reconditioned for log hauling and harvest operations. Temporary roads will be obliterated and existing roads will remain in their current travel management status after harvest operations. Temporary road obliteration and system road closure will employ methods the Forest has found successful.

The project and associated environmental consequences are described in detail in the Rat Creek Salvage Environmental Assessment.

Expected Implementation Date

On July 1, 2009, Abigail R. Kimbell, Chief of the Forest Service, made the determination that an emergency situation exists with the Rat Creek Salvage project consistent with 36 CFR 215.10 (b), and therefore this decision is not subject to stay during appeal. Based on this determination implementation may start immediately upon publication of the legal notice of this decision in the Montana Standard, Butte, Montana.

Administrative Review and Appeal Opportunity



My decision is subject to appeal pursuant to 36 CFR 215. Individuals or organizations appealing this decision must meet the requirements of 36 CFR 215.13. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the Montana Standard, Butte, Montana. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

The appeal must be filed with the Appeal Deciding Officer in writing. It is the appellants responsibility to provide sufficient project or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. At a minimum, the appeal must meet the content requirements of 36 CFR 215.12, and include the following information:

- The appellant’s name and address, with a telephone number if available;
- A signature or other verification of authorship upon request. A scanned signature for electronic mail may be filed with the appeal;
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- 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;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C.
- Any specific change(s) in the decision that the appellant seeks and rational for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official’s decision failed to consider the comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.
- Written appeals must be submitted to:

For Postal Delivery:	For Hand Delivery:
USDA Forest Service, Northern Region ATTN: Appeals Deciding Officer P.O. Box 7669 Missoula, MT 59807	Northern Regional Headquarters Federal Building, 200 East Broadway Missoula, Montana Business Hours: 8:00 AM to 4:30 PM

Appeals may be FAXed to (406) 329-3411

For electronic appeals, the e-mail subject line should contain the name of the project being appealed. An automated response should confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF). Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us.

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant(s). These discussions would

take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service:
http://www.fs.fed.us/r1/projects/appeal_index.shtml.

Supporting documentation for this decision is available for public review at the Beaverhead-Deerlodge National Forest, 420 Barrett Street, Dillon, Montana, 59725.

Contact Person

For further information on this project, please contact Alex Dunn, Environmental Coordinator, Beaverhead Deerlodge National Forest, 420 Barrett Street, Dillon, Montana 59725, phone (406) 683-3864.

Sincerely,

/s/ Earl Stewart

EARL STEWART
Acting Forest Supervisor, Beaverhead-Deerlodge National Forest