

School Fire Salvage Recovery Project

Record of Decision and Finding of Non-Significant Forest Plan Amendment

Umatilla National Forest, Pomeroy Ranger District,
Columbia and Garfield Counties, Washington



United States
Department of
Agriculture



Forest
Service

August 2006



RECORD OF DECISION

and

FINDING OF NON-SIGNIFICANT AMENDMENT

for the

SCHOOL FIRE SALVAGE RECOVERY PROJECT

USDA Forest Service
Umatilla National Forest
Pomeroy Ranger District
Columbia and Garfield Counties, Washington

Sections 13, 24 and 25 T. 9N., R. 40E.; Sections 1-4, and 8-36 T. 9N., R. 41E.; and
Sections 1-12, 14-23, and 29-32 T. 9N., R. 42 E., Willamette Meridian.

INTRODUCTION

School Fire was reported on August 5, 2005, in School Canyon approximately 17 miles southwest of Pomeroy, Washington. On August 6th School Fire grew from 170 acres to nearly 30,000 acres. The fire was declared 100 percent contained on August 19th with approximately 51,000 acres burned; over half of which was on Umatilla National Forest (28,000 acres), approximately 25 percent on Washington Department of Fish and Wildlife (WDFW) land, and the remaining portion on private and county lands (Columbia and Garfield Counties, WA). On private land School Fire destroyed 109 residences and 106 other out-buildings.

Immediately following the fire a Burned Area Emergency Rehabilitation (BAER) team met to evaluate threats to human life, property, and resources. Treatments were targeted at Pataha Creek, Upper Tumalum, Cummings Creek, and east of Camp Wooten. Other teams identified dead, dying, and unsound green trees. An assessment of threats to public safety from danger trees along roads and facilities was conducted.

On September 28, 2005 the Forest Supervisor of the Umatilla National Forest decided to initiate a project to recover some of the value of dead and dying trees killed by the fire and improve public safety by removing danger trees on National Forest System (NFS) land (approximately 28,000 acres). Public input for the School Fire Salvage Recovery Project began on October 26, 2005. The notice of availability for the final environmental impact statement was issued in the Federal Register July 14, 2006. This record of decision documents the Forest Supervisor's decision for the School Fire Salvage Recovery Project.

DECISION

After careful review and consideration of the public comments and analyses disclosed in the School Fire Salvage Recovery Project Final Environmental Impact Statement (FEIS) and project file I have decided to select Alternative B as described in the FEIS, Chapter 2, pp. 2-10 to 2-22.

As part of my decision, I will implement the project-specific design features including best management practices listed in the FEIS, Appendix G because they are expected to minimize the effects of management activities. I will also implement monitoring measures (FEIS pp. 2-21 to 2-22) to assure those aspects of my decision are carefully tracked during implementation. My decision amends the Forest Plan to incorporate management direction for Canada lynx and re-allocates Management Area C1 for Dedicated Old Growth (FEIS, Appendix A and J). The following table summarizes some outcomes of my decision.

Total salvage harvest	9,430 acres*
Harvest: Forwarder	2,620 acres
Harvest: Skyline	4,140 acres
Harvest: Helicopter	2,670 acres
Estimated volume	85 million board feet
Fuels: Lop and scatter	7,580 acres
Fuels: Tops yarded	1,850 acres
Fuels: Jackpot burn	3,130 acres
Reforestation planting	9,430 acres
New temporary road construction	6 miles
Other temporary roads used	15 miles
Open roads used for haul	45 miles
Closed roads used for haul	25 miles
Danger trees removed along roads	70 miles
Danger trees removed in administrative sites	Yes
Forest Plan Amendment: Lynx	Yes, for duration of project
Forest Plan Amendment: C1 Old Growth	Yes, until plan is amended or revised

*Acres, Miles, and Volume are approximate.

REASONS FOR THE DECISION

I carefully considered the issues and concerns raised by those who participated and commented in this analysis to help make my decision. I considered fifteen alternatives, three were analyzed in detail and twelve were considered but eliminated from detailed study for the reasons stated in the FEIS, Chapter 2, pp. 2-25 to 2-28. The following narrative presents why I did not select Alternative A (no action) and Alternative C. I also discuss how my decision responds to the purpose and need and how I considered the issues most relevant to me in making my decision.

Reasons for Not Selecting Alternative A (No Action)

I considered, but did not select Alternative A (No Action) because, with no sale and salvage harvest, there would be virtually no economic benefits. As such, this alternative does not address the need to salvage harvest as rapidly as practicable before decay and other wood deterioration occurs to maximize potential economic benefits. Inaction would leave about 70 miles of road and all affected recreation and administrative sites with trees that threaten public safety. Leaving these danger trees unattended would be irresponsible and place my employees and forest visitors at risk. Additional NEPA analysis would be required to temporarily close the roads and authorize removal of danger trees. I see no reason to spend additional time and money to reach a similar result. Lastly, I did not select Alternative A because it would not be responsive to Forest Plan management direction regarding the catastrophic loss and replacement of existing designated old growth areas.

Reasons for Not Selecting Alternative C

I considered, but did not select Alternative C because it is not as responsive to the need to maximize potential economic benefits compared to my decision (Alternative B). I noted that Alternatives B and C are both fully consistent with applicable laws, regulations, and the Forest Plan. Both alternatives considered and applied current science in developing design features for each alternative with the intent to lessen negative effects to the environment. Current science was also used to help predict the effects to the environment and the final EIS clearly discloses the positive and negative effects of all alternatives. Based on this, I believe Alternatives B and C would provide sufficient safeguards to protect the environment from unnecessary degradation. I recognize Alternative C does provide economic benefits but Alternative B best balances the purpose and need and protects the environment.

Purpose and Need

Many people agreed with our intentions to salvage harvest within the School Fire area to provide economic benefits for the community and remove potential hazards. Others equally and strongly believe that the Forest Service should not salvage harvest trees in favor of other potential ecological benefits. I have heard and considered both of these strongly held view points. I believe that we have chosen the best course of action to meet the needs we've identified for land management. Based on the considerations discussed below, I believe my decision affirmatively addresses and fulfills the purpose and need for action.

Salvage harvest as rapidly as practicable before decay and other wood deterioration occurs to maximize potential economic benefits.

This decision authorizes the harvest of about 9,430 acres of dead and dying trees killed by the fire or about 85 million board feet. The expected potential economic benefit of selling the timber is estimated to be about 11.6 million dollars revenue to the federal government and about 3.5 million dollars in secondary revenue to local businesses and communities. In addition, Knutson-Vandenberg trust funds collected from the timber purchase could be available to help finance post-fire restoration activities.

My decision affirmatively addresses the need to salvage harvest as rapidly as possible as demonstrated by the completion of the FEIS and release of this record of decision less than one year following the containment of School Fire. Inaction or delaying the sale and harvesting of dead and dying trees increases the amount of decay and other wood deterioration, which in turn reduces the potential economic value of the product. I intend to sell and harvest the trees as soon as practicable to maximize potential economic benefits to the federal government, local businesses, and communities.

Within the burned vicinity improve public safety by removing danger trees along open forest travel routes, haul routes used for timber sale activity, developed recreation sites, and administrative sites.

The safety of the public will be improved by the removal of danger trees in recreation and administrative sites as well as along about 70 miles of open forest travel routes and all haul routes.

Amend the Forest Plan to incorporated management direction (objectives, standards, and guidelines) specific to Canada lynx.

The amendment adds management direction (objectives, standards, and guidelines) specific to Canada lynx that will be applied to timber, road, and fire management activities for this project. As a result, habitat in this area is expected to contribute to the conservation of Canada lynx.

Amend the Forest Plan to allocate new C1-Dedicated Old Growth management areas to replace those changed by the fire.

The amendment replaces four C1 dedicated old growth units that no longer function as old growth habitat after a catastrophic loss by fire (Forest Plan, p. 4-145). The new C1 management areas were selected in the most advanced successional stage available in close proximity to the original locations.

Issues

Both individuals and groups raised issues and concerns during the development of this project and I considered them to help make my decision. Two significant issues were used to develop alternatives to the proposed action. More detailed information concerning issues considered can be found in Chapter 2, pp. 2-4 to 2-9, and in Chapter 3 of the FEIS.

I observed that the environmental effects disclosed in Chapter 3 for many resource topics did not vary by alternative or only in minor ways and that the intensity of the predicted effects may be limited in time or extent or minimal altogether. Because of this, those resource issues influenced my decision in minor ways and are not discussed in detail. The issues most relevant to me in making my decision are discussed below.

Soil Productivity

Concern was expressed that ground disturbing activities would damage soil productivity. I share that concern, and have decided to implement fully the design features and management requirements that were recommended by the Forest Soil Scientist and other interdisciplinary (ID) team members. I looked at the effects of implementing the logging systems (which includes mandatory forwarder harvest ground based systems FEIS p. 2-10), tailored fuel treatments, and applicable best management practices in these recommendations and am confident that they will address and lessen impacts to soil productivity.

Past monitoring of harvest activities on our forest indicate these features will effectively limit ground disturbing activities on sensitive soils (FEIS, Chapter 3, pp. 3-14 and 3-21). The FEIS, indicated no harvest units would exceed detrimental soil condition standards in the Forest Plan. The effects are also fully consistent with Forest Service policy and Pacific Northwest Region 6 Supplement 2500.98-1 (FEIS, Chapter 2 and 3, and Appendices B, D, E, G, H, I, K and M). Based on this information, I accept the trade-off of salvage harvesting more acres to better meet the purpose and need, knowing that adequate soil protection measures are in place to meet the Forest Plan standards and address this issue.

Hydrology/Water Quality

Some people said they were concerned that salvage harvest, temporary road construction, road use, and prescribed burning would degrade water quality. Hydrologic processes and effects to water quality were considered and disclosed in the FEIS (Chapter 3, pp. 3-21 to 3-47). As with soils; both action alternatives were developed with design features, such as applicable best management practices, to lessen impacts to water quality. I specifically approved an additional 25-foot buffer on ephemeral draws which significantly exceeds PACFISH requirements (FEIS p. 2-16) to lessen impacts to water quality. Past monitoring demonstrates the forest has been successful implementing best management practices, PACFISH standards, and skidding guidelines for disturbed soils and that these measures effectively limit unwanted effects to water quality (FEIS pp. 3-45 to 3-47).

The Water Erosion Prediction Project (WEPP) model was used to estimate sediment erosion for each alternative. I understand that post-fire erosion will generate the majority of hillside sedimentation; however, it was interesting to me that for all three alternatives the relative difference in predicted hillside erosion as a result of road use and salvage harvest varied by only 0.7 percent in year two, 4.2 percent in year three, and by year five there was “no measurable difference” (FEIS p. 3-34). I believe road decommissioning and design features built into the alternative contributed to achieving “no measurable difference”. The FEIS, Chapter 3 disclosed Alternative B will not have measurable effects on stream temperatures (FEIS p. 3-42) and water yield (FEIS p. 3-42). Cumulative effects disclosed in the FEIS indicate Alternative B is fully consistent with all applicable State and federal water quality standards (FEIS pp. 3-44 to 3-47).

After analyzing risks associated with all alternatives regarding potential sediment increases (FEIS p. 3-34) and effects analysis in Chapter 3, I believe the extent of increase from Alternative B is negligible. Any potential risk of erosion and sedimentation from Alternative B will be reduced due to implementation of resource protection measures. Alternative B is consistent with the Safe Drinking Water Act and Clean Water Act. Therefore, additional economic recovery and improvements in public safety realized through my decision outweigh the minimal potential risks to water quality.

Fish Habitat

A concern was raised that salvage and associated activities may have the potential to affect fish habitat for Threatened, Endangered and Sensitive (TES) and Management Indicator Species (MIS). The School Fire did have a marked negative effect on fish and fish habitat. Sections of smaller fish bearing tributaries experienced significant heat damage and literally destroyed all fish and plant vegetations in certain parts of the stream (i.e. Cummings Creek).

BAER restoration activities related to water quality and fish habitat included aerial seeding of native grasses, shrub propagation and planting, felling snags into streams to accelerate woody debris recruitment, and extending PACFISH buffers to provide some shading cover and trap overland flow (FEIS pp. 2-14 to 2-16). To further reduce potential effects on TES and MIS fish habitat, design features and management requirements were developed (FEIS pp. 2-14 to 2-16) and included in both action alternatives. Summary of biological evaluation findings for listed species, essential fish habitat under Magnuson-Stevens Act, and findings for sensitive species can be found in the FEIS pp. 3-100 to 3-103. Letters of concurrence without terms and conditions by United States Fish and Wildlife Service and National Marine Fisheries Service were received and are in the project file. My decision is in compliance with the Endangered Species Act and the Magnuson-Stevens Act. Based on this information, I accept the trade-off of salvage harvesting more acres to better meet the purpose and need knowing that fish and their habitat are protected.

Forest Vegetation

School Fire killed many trees and there is a concern to re-establish forest vegetation as soon as practicable. Compared to no action, Alternative B will, in ten years, result in a lower percentage of non-stocked acres. In addition, in the long-term (50 years), Alternative B or C would have substantially fewer acres of low density tree classes compared to the no action alternative. Together, these two criteria demonstrate that Alternative B will result in more reforested acres (fully stocked and less acres of low tree density) thus enhancing structure and density (FEIS pp. 3-120 to 3-121; Appendix F, K, and M). All action alternatives are consistent with Forest Plan standards and guidelines and National Forest Management Act of 1976 (P.L.94-588) including its amendments to the Forest and Rangeland Renewable Resources Planning Act of 1974 (P.L.93-387) FEIS p. 3-121. I selected Alternative B because it will provide the best opportunity to generate economic benefits that could support reforestation efforts.

Fuels

Some individuals expressed concerns that any type of salvage harvest might increase short-term fuels danger by increasing small woody debris (3 inch and less diameter) above Forest Plan standards. Converse to that some were concerned that in the long-term, removal of larger coarse woody debris (3 inch and greater diameter) may result in negative biological effects. I recognize small and large wood debris are created as part of salvage harvest and my decision will result in a short-term increase in fuel loading, especially where harvest coincides with areas that were burned with high severity by School Fire.

Initially, during harvest activities, I view this as a positive management strategy in terms of protecting soils and reducing overland flow and sediment movement. Following harvest, removal of some of the remaining wood debris may be needed to bring small wood conditions toward desired levels; those that are sufficient for soil productivity, fuel loading, and wildlife habitat. Within 5 years, small woody fuel loading in salvage harvest units overall are expected to be less than similar unharvested sites (FEIS 3-148). I noted about 40 percent of the forested stands in my decision are expected to be above the historical acceptable range but this is a lower percentage compared to Alternatives A and C. A similar result occurs relative to future resistance to control. Both Alternatives B and C are expected to be consistent with the Forest Plan. Based on this information, I accept the trade-off of salvage harvesting more acres to better meet the purpose and need, knowing that small and large wood will be present to support soil productivity and fuel levels will afford acceptable resistance to control in the future.

Dedicated Old Growth

School Fire burned approximately 1,600 acres of old growth within four designated C1 management areas. The burned-over C1 management areas no longer possess physical attributes that allow them to function as old growth. Consistent with Forest Plan direction (Chapter 4, 4-144) both action alternatives included Forest Plan amendments to allocate four new replacement C1 management areas (FEIS, Chapter 2, Appendix A and J). My decision makes the necessary changes to maintain the forest-wide network of dedicated old growth for dependent species.

Dead, down wood and snags

In selecting Alternative B, I carefully reviewed all analysis and information discussed relative to deadwood and snags. I considered the effects analysis completed by our wildlife biologist of snags on the landscape. The analysis was accomplished using a tool called the Decay Wood Advisor (DecAID, Mellen et al. 2006), which I believe is the best available science. I intentionally chose to not salvage harvest in the Willow Springs Inventoried Roadless Area to contribute to snag and down wood densities across the landscape. My decision is consistent with Forest Plan standards and guidelines for snags and down wood.

Table 3-81 on page 3-197 of the FEIS displays three different working groups and the associated snags per acre by various “diameter at breast height” (DBH) groupings. Down wood pieces per acre by specified small end diameters and lengths are also presented. School Fire (post-fire) shows a tremendous increase in the number of snags, but a significant decrease in down material. This will remedy itself as dead trees fall and become down wood.

Cavity Excavators and Nesters

The Forest Plan identifies primary cavity excavators as management indicator species (Forest Plan, p. 2-9). To address and protect primary cavity excavators and provide other ecological benefits I considered and purposefully decided to not harvest all of the 28,000 acres of National Forest System lands burned by School Fire. My decision will harvest about 9,430 acres or about one third of the total. This choice leaves two thirds (about 18,500 acres) in its current condition to support dependent wildlife species and provide other ecological benefits. About 11,000 of the 18,500 acres are composed of forested habitat useful to primary cavity excavators. The 18,500 acres include an inventoried roadless area (about 11,000 acres) and several thousands acres of leave tree blocks and riparian buffers.

The FEIS discloses that even with reductions in habitat, anticipated primary cavity excavator populations will be maintained at their current level (FEIS p. 3-221) or perhaps even increase for a short period of time (approximately 5 years) in unharvested areas (FEIS p. 3-215). In addition, all three alternatives would provide habitat for primary cavity excavators and are consistent with Umatilla National Forest Plan Amendment #11 (Eastside Screens, USDA, 1995). I do recognize there is a degree of scientific uncertainty regarding the role large fire events play in snag creation and potential population increases to snag dependent species like primary cavity excavators. I am confident I have considered and relied upon the best available scientific information relevant to this site-specific analysis. Should new scientific information become available related to this issue there are provisions under NEPA to address possible changes. Based on this information, I accept the trade-off of salvage harvesting about 9,430 acres to better meet the purpose and need, knowing that adequate primary cavity excavator habitat will remain to address this issue.

Canada lynx

My decision amends the Forest Plan to incorporate objectives, standards, and guidelines (FEIS, Appendix J) for Canada lynx. Mortality of individual lynx is not expected because there are no resident lynx populations and mortality risk factors such as trapping, shooting, predator control, and highways are not proposed (FEIS p. 3-190). The cumulative effect of maintaining 78% suitable habitat (of which 39% is denning) provides conditions likely to continue productive, connective lynx habitat. As a result, habitat within the Asotin lynx analysis unit is expected to contribute to the conservation of Canada lynx (FEIS pp. 3-190 to 3-191).

Economic and Social Analysis

A number of groups and individuals believe recovering economic value from dead trees is inappropriate on National Forest Land. Others ask that our economic analysis evaluate returns from the proposed project and the positive effect they would have on local and regional economies. In addition they asked that our analysis include an evaluation of economic benefits and financial efficiency derived from the Proposed Action.

Alternative B provides maximum potential revenues, which will in part be utilized to reforest and rehabilitate burned areas (FEIS p. 2-39). Chapter 3 analyzed the relative differences among alternatives and FEIS p. 2-39 disclosed the potential revenue for Alternative B would be approximately \$11,597,000 as compared to \$5,223,000 for Alternative C, and \$0.0 for Alternative A. This also results in Alternative B possessing about 200% more predicted gross spending for Garfield and Columbia County, 200% more vicinity direct income increase, and 200% more anticipated jobs than Alternative C.

Salvage of Danger Trees

Although trees that posed an imminent danger were removed as part of the suppression effort, additional standing dead, dying, and unsound green trees that represent a threat and danger to public safety were observed. Responding to this condition, the purpose and need for the project included the need to improve public safety by removing danger trees along open forest travel routes, haul routes used for timber sale activity, developed recreation sites, and administrative sites. Concern was raised about the proposal to fall danger trees and in some cases salvage them. It appeared to some this was another way to increase saleable volume.

Public safety is a major concern to me and I am committed to removing all trees that pose a threat. Implementation of either Alternative B or C will allow me to meet this objective. There is specific Region 6 policy concerning how to identify and treat danger trees along roadways, recreation and administrative sites, and these guidelines will be used to identify all danger trees. To assure they are applied correctly, all timber markers have been trained and certified in the use of the guidelines. To provide additional coarse woody debris danger trees would be cut and left within defined RHCAs. If danger trees were not removed (as would occur under Alternative A) it would be necessary to temporarily close the affected Forest Service roads within the burn area. I do not consider this socially acceptable or fiscally responsible as we have already assessed the effects and relative miles (approximately 70 for Alternative B) needing treatment with this FEIS.

Undeveloped Character

There was a concern that salvage harvest and associated road building may affect potential wilderness characteristics within areas some public respondents consider to be “areas of undeveloped character.” My decision will not enter inventoried roadless areas and there are no blocks of undeveloped lands that are 5,000 acres or larger affected by this decision.

Salvage harvest will reduce natural integrity in areas with undeveloped character in the short-term but by itself would not preclude those lands from consideration as areas with wilderness potential. Temporary roads authorized in my decision will be decommissioned and/or obliterated upon completion of use. I recognize natural integrity and opportunities for solitude and primitive experiences will be compromised in the short-term by temporary road construction, but will have no long-term effects and would not preclude those lands from consideration as areas with wilderness potential. Alternative B is consistent with the Forest Plan and, based on this information, I accept the trade off of salvage harvesting in these areas to better meet the purpose and need.

No Harvest/Natural Reforestation (Significant Issue)

A number of groups and individuals commented about our Proposed Action to salvage harvest in portions of the burned area. While some supported the proposal, others thought that recovering economic value from dead trees was an inappropriate objective on National Forest lands. They contended that values associated with dead trees were more important than potential revenues derived from selling the salvaged timber. In addition, they suggested there was no need for active reforestation and the best approach would be to allow disturbance and successional processes to proceed unimpeded.

The No Action Alternative provided a clear contrast between effects of passive management and the management activities planned in Alternatives B and C. Scientific literature exists that could lead the reviewer to conclude either active (which includes reforestation after harvest) or passive management may be best. I directed the interdisciplinary team to carefully review all applicable literature and incorporate their findings in the analysis. A portion of this review is summarized in Appendix K in the FEIS. I considered this review carefully before making my decision.

Clearly, when I selected Alternative B, the revenues generated by salvage harvest was one of the factors I considered in making my decision. However, the decision to implement Alternative B was not entirely based on revenue generated from stumpage values. Appendix F in the FEIS includes a regeneration analysis which predicts forest recovery will be slow in many portions of the fire, particularly for areas with moderate or high fire severity. Depending on forest type, predictions for these areas to naturally regenerate ranges from 40 to 60 years. In my selected Alternative B, reforestation will be accomplished on 9,430 acres after harvest. Planting trees now will greatly accelerate development of new stands which will provide future habitat for animal species that depend on larger diameter green timber stands. Large diameter snags left after salvage harvest will provide habitat for species such as pileated woodpeckers.

Harvesting Dying Trees (Significant Issue)

The Proposed Action included harvest of fire damaged trees expected to die, even if still showing green needles. A number of respondents expressed concern about this portion of the proposal. The controversy centered on what constituted a dead tree in a postfire context and how that determination is made. Some of the commentors did not believe there is a definitive method to determine if a tree might live or die after a fire. Others felt all trees with any green needles should be left, since there was always a chance they might live. Alternative C was specifically developed to respond to this issue. This alternative focuses on harvest of dead trees where fire effects were obviously severe enough to kill at least 90% of the trees.

In choosing Alternative B, which includes the use of the “Scott Guidelines,” I selected what I believe to be the best scientific process and procedure for our local geographic area, timber types, fire types, and associated insects and diseases to determine dead and/or dying trees. There have been numerous articles, studies, reports, and opinions relative to identifying dead or dying trees following wildfire. I asked the Silviculturists on the team to review and summarize the applicable research related to post-fire mortality and prepare a summary. This summary is located in Appendix K of the FEIS. The information in this summary was pivotal in my decision to use the “Scott Guidelines.” My decision was based on the fact that the “Scott Guidelines” are geographically based in our Blue Mountains. In addition, they assess local tree species, are tailored toward our wildfire effects, utilize manageable and appropriate prediction factors, base prediction factors on natural and visible tree physiological systems, and take into consideration effects of insects and other disease agents.

Some of the public who disagreed with our use of the “Scott Guidelines” also expressed concern that our employees would not be able to properly implement the guidelines. To assure our employees were properly trained; Don Scott presented two, day-long training sessions with our timber marking crews. Don was assisted by three other certified silviculturists who are part of the interdisciplinary and implementation team. In addition to formal training, monitoring of past marking and hands-on training has been ongoing.

PUBLIC INVOLVEMENT

Management of the post-fire environment within the area burned by School Fire became known as a concern even before the fires were extinguished. I was aware of the strongly held beliefs and opinions of various individuals and groups regarding post-fire management. In response to this interest, the Pomeroy Ranger District offered numerous site visits and tours to Tribes, interested individuals, groups, and legislative representatives as well as many meetings to coordinate and consult with Tribes and federal, state, and local government agencies. A detailed list of contacts, contact dates, and actions taken to involve and make information known to interested parties is disclosed in the FEIS, Chapter 2, pp. 2-1 to 2-4. Meeting notes are in the project file.

The Notice of Intent for this project was published in the Federal Register on October 25, 2005 followed by a scoping letter and maps mailed to approximately 230 interested and affected parties on October 27, 2005. Twenty-four responses were received during public scoping. The Forest's *Schedule of Proposed Activities* (SOPA) was updated quarterly to inform the public of changes in project status starting with the fall 2005 SOPA.

On April 20, 2006 letters (297) were mailed to Tribes, federal and state agencies, elected officials, and interested publics informing them of the availability of the Draft EIS and 45-day comment period. On April 28, 2006 the Environmental Protection Agency (EPA) published a Notice of Availability in Federal Register beginning the 45-day comment period. The legal notice requesting comments on the Draft EIS was published in newspaper of record (East Oregonian) on April 29, 2006. Twenty-two responses were received from the 45-day comment period on the Draft EIS. Public comments and Forest Service responses are located in Appendix M of the FEIS.

On July 10, 2006 letters (297) were mailed to Tribes, federal and state agencies, elected officials, and interested publics informing them of the availability of the Final EIS. EPA's Notice of Availability for the Final EIS appeared in the Federal Register on July 14, 2006.

ALTERNATIVES CONSIDERED

The FEIS considered fifteen alternatives, three were analyzed in detail and twelve were considered but eliminated from detailed study for the reasons stated in the FEIS, Chapter 2, pp. 2-25 to 2-28. A detailed description of the three alternatives analyzed in detail can be found in the FEIS, Chapter 2, pp. 2-9 to 2-25. A comparison of these alternatives by activity, issue, and purpose and need can be found in the FEIS, Chapter 2, pp. 2-29 to 2-41.

Alternative A – No Action

The theme of the No Action alternative was to allow current biological and ecosystem processes to continue with the associated risks and benefits, and to provide a baseline for comparison with other alternatives. A No Action alternative is required by NEPA. Previously approved (ongoing) activities such as fire protection, monitoring, road maintenance, and recommended BAER projects would continue as authorized and would proceed. Tree planting to reforest the area, and removal of danger trees along open forest travel routes, developed recreation sites, and administrative sites would be analyzed in a separate NEPA document.

Alternative B – Proposed Action and Selected Alternative

Salvage Harvest – An estimated 9,430 acres would be commercially harvested. Only dead and dying trees would be removed. Mortality determination would be based on the Scott Guidelines to evaluate fire-injured trees when determining the probability of their survival for up to one year after a fire (up to five years for mature, large-diameter ponderosa pine) would be used (see FEIS, Appendix B – Implementation/Marking Guide for additional information). No commercial treatments are planned within any PACFISH riparian habitat conservation areas (RHCAs), inventoried roadless areas, or research natural areas. Harvest of dead trees over 21 inches in diameter would occur where consistent with the Forest Plan (FEIS, Appendix C for Consistency with Eastside Screens). Salvage harvest would begin in 2006. An estimated 85 million board feet (MMBF) of wood fiber would be recovered.

Danger Tree Removal - Danger trees would be felled along all haul routes used for timber sale activity (regardless of Class), other designated Class 3, 4, and 5 Forest roads, in developed recreation sites (Boundary, Alder Thicket, Pataha, and Tucannon campgrounds; Rose Spring Sno Park; and Rose Spring and Stentz recreational residence areas), and in administrative sites (Tucannon Guard Station). Danger trees would be felled along an estimated 70 miles of road. Danger trees located within defined RHCAs would be cut and left to provide additional coarse woody debris. All other danger trees would be removed and sold as part of a salvage sale, if economically feasible.

Forest Plan Amendments – Alternative B includes two Forest Plan amendments that are described in detail in the FEIS, Chapter 2, p. 2-14 and Appendix J. The first would incorporate objectives, standards, and guidelines for Canada lynx. This amendment would apply only for the duration of, and to those actions proposed in lynx habitat for the site-specific project called School Fire Salvage Recovery. The second amendment would reallocate four C1- Dedicated Old Growth management areas to new locations. Appendix A of the FEIS contains a map displaying the changes in land allocation. Tables J-1 and J-2 in Appendix J of the FEIS display the changes by acres and land allocations. The change in management areas would remain in effect until the Forest Plan is amended further or revised.

Alternative C

Salvage Harvest – An estimated 4,190 acres would be commercially harvested. Obviously dead trees (100 percent crown consumption or scorch) would be removed. Trees with visible green needles would comprise 10 percent or less within a given unit. Scott Guidelines would be used to determine mortality on incidental trees with green needles within these units. There would be no salvage harvest in any of the four former C1-Dedicated Old Growth management areas reallocated to new management area designations. There would be no harvest of trees over 21 inches in diameter. No commercial treatments are planned within any PACFISH riparian habitat conservation areas (RHCAs), inventoried roadless areas, or research natural areas. Salvage harvest would begin in 2006. This alternative would recover an estimated 39 MMBF of wood fiber.

Danger Tree Removal – Same as Alternative B except danger trees would be removed from an estimated 63 miles of road.

Forest Plan Amendments – Same as Alternative B.

FINDINGS REQUIRED BY OTHER LAWS

After consideration of the discussion of environmental consequences (FEIS, Chapter 3), I have determined that Alternative B is consistent with other laws and regulations, as outlined in the FEIS. Detailed discussions of laws and regulations are provided in the FEIS, Chapter 3, pp. 3-272 to 3-276 and within the Appendices.

Consistency with Forest Plan Direction

The selected alternative is consistent with the Umatilla National Forest Land and Resource Management Plan Final Environmental Impact Statement, Record of Decision, the accompanying Land and Resource Management Plan, as amended, (USDA Forest Service 1990), dated June 11, 1990 (FEIS Chapter 3, pp. 3-21, 3-45, 3-46, 3-47, 3-100, 3-101, 3-102, 3-121, 3-150, 3-165, 3-171, 3-221, 3-222, 3-230, 3-244, 3-249, 3-253, 2-269, and 3-272).

Consistency with National Forest Management Act

As discussed in the FEIS, Chapter 3, pages 3-121 to 3-122, all action alternatives would provide timber to help meet the demand for wood products and provide socioeconomic benefits to the American people. The action alternatives would recover timber volume and economic value from dead and dying trees, thereby contributing to a portion of the Forest Plan's allowable sale quantity (Forest Plan, Chapter 4).

The salvage timber harvest silvicultural activity is authorized by the National Forest Management Act of 1976 (P.L. 94-588), including its amendments to the Forest and Rangeland Renewable Resources Planning Act of 1974 (P.L. 93-378), as one permitted response to "natural uncharacteristic conditions such as fire, insect and disease attack, or windstorm" (Sec. 6, (g), (3), (F), (iv)). The Umatilla National Forest Land and Resource Management Plan permits salvage timber harvest for nine of the ten management allocations occurring in the School Fire Salvage Recovery area. The Forest Plan does not permit salvage timber harvest for the D2-Reasearch Natural Area management allocation and no salvage harvest activity is proposed for lands allocated to that management area.

All of the proposed salvage timber harvest areas are also proposed for tree planting to ensure that they would be adequately restocked within 5 years after harvest (P.L. 93-378, Sec. 6, (g), (3), (E), (ii)). The Forest Plan also includes this standard (Forest Plan, p. 4-70). Reforestation (tree planting) proposals would be consistent with National Forest Management Act requirements to maintain forested lands in appropriate forest cover, and with related Forest Plan goals, objectives, standards and guidelines (Forest Plan, pp. 4-70 to 4-74). Implementation specifications for the tree planting activity would ensure that Forest Plan minimum stocking level standards (FEIS, Chapter 2, Table 2-1) are met. Reforestation activities are needed to help meet desired future condition goals from the Forest Plan (Forest Plan, Chapter 4).

Finding of Non-Significant Amendment

Consistent with 36 CFR 219.14 these amendments used the provisions of the planning regulation in effect before November 9, 2000. The Forest Service Land and Resource Management Planning Handbook (Forest Service Handbook 1909.12) lists four factors to be used when determining whether a proposed change to a Forest Plan is significant or not significant: timing; location and size; goals, objectives and outputs; and management prescriptions.

Timing: The timing factor examines at what point over the course of the Forest Plan period the plan is amended. Both the age of the underlying document and the duration of the amendment are relevant considerations. The handbook indicates that the later in the time period, the less significant the change is likely to be. As noted in the FEIS (Chapter 1 p. 1-7, Chapter 2 p. 2-14, and Appendix J), the action is limited in time in that the amendment to incorporate objectives, standards and guidelines would only apply for the duration of the School Fire Salvage Recovery Project. The amendment to reallocate four C1-Dedicated Old Growth management areas would remain in effect until the Forest Plan is amended or revised. The revised Forest Plan is scheduled to be approved the fall of 2007; about 1.5 years.

Location and Size: The key to location and size is context, or the relationship of the affected area to the overall planning area. “[T]he smaller the area affected, the less likely the change is to be a significant change in the Forest Plan.” The planning area for the Umatilla National Forest is about 1.4 million acres (Forest Plan, p. 1-4).

The School Fire Salvage Recovery Project is partially within the Asotin lynx analysis unit (LAU). The Asotin LAU contains about 50,620 acres of potential lynx habitat entirely within the Umatilla National Forest administration boundary. Of that about 2,000 acres of the project analysis area is considered potential lynx habitat; which is less than 4 percent of the total lynx habitat within the LAU.

The change in land allocation to dedicate four new old growth (C1) areas involves an exchange of just over 2,000 acres of new C1. All four new old growth areas are consistent with the Forest Plan requirements for habitat quality, size and location. Both amendments each affect less than half of one percent of the Forest Planning area (1.4 million acres).

Goals, Objectives, and Outputs: The goals, objectives, and outputs factor involves the determination of "whether the change alters the long-term relationship between the level of goods and services in the overall planning area" (Forest Service Handbook 1909.12, section 5.32(c)). This criterion concerns analysis of the overall Forest Plan and the various multiple-use resources that may be affected. In this criterion, time remaining in the 15-year planning period to move toward goals and achieve objectives and outputs are relevant considerations.

Objectives, standards, and guidelines of the amendment are specific to Canada lynx habitat for the duration of the School Fire Salvage Recovery Project. The amendment does not change the goals and objectives for other resources in the Forest Plan. The amendment does place limitations on timber management, wildland fire management, and road management within affected portions of the project area. The amendment is not expected to preclude or require other actions across the forest in lynx habitat and incorporation of this management direction will not change the amount of timber made available for public use outside this project area; will not require changes in grazing permits; plans of operation for mining; or the access and travel management plan (FEIS pp. 3-186 to 3-191). Therefore, anticipated changes brought about by this amendment in the levels of resource activities and outputs (Forest Plan, page 4-16) projected for this planning period are not expected to be measurable.

The Forest Plan amendment to reallocate management area C1, C3, C4, C5, C8, and E2 in response to the catastrophic loss of four C1 dedicated old growth areas burned by School Fire is described in detail in the FEIS, Appendix J, Table J-1 and J-2 and Appendix A. Compared to the current Forest Plan land allocation mix in this area, the amendment increases management emphasis of:

- dedicated old growth (C1) by about 400 acres;
- grass-tree big game (C8) by about 330 acres;
- timber/big game (E2) by about 210 acres;
- riparian (C5) by about 90 acres; and
- big game winter range (C3) by about 40 acres.

These increases came from a decrease (about 1,080 acres) in big game/wildlife habitat emphasis (C4). The amendment changes management areas and their associated desired conditions and standards and guidelines for those locations and these changes will remain in effect until further amended or the plan is revised. Forest Plan revision is expected to be completed in late 2007 (about one and a half years). This amendment would not preclude or require other amendments specific to dedicated old growth and this amendment would not preclude or require other actions across the forest in old growth habitat.

An overall increase of 400 acres of dedicated old growth (C1) compared to the current plan is not expected to result in noticeable changes in old growth dependent species in this part of the forest because the 400 acres contain some inclusions of grasslands and young forest (non-contributing habitat components) (FEIS, Chapter 3, p. 3-174). All of the affected management areas (C1, C3, C4, C5, C8, and E2) have desired conditions and standards and guidelines that address and provide for wildlife and elk habitat therefore these changes in management emphasis are not expected to result in noticeable changes in the management of elk and its habitat in this part of the forest.

This amendment increases the acres of land not scheduled for timber harvest by about 390 acres compared to the current Forest Plan. A reduction of 390 acres out of the approximately 618,000 acres that were scheduled for harvest is well less than one percent and will not result in a measurable decrease in the amount of wood products offered to communities across the forest in the foreseeable future. In addition, the changes in land allocation (management emphasis) would not change or require future changes to livestock grazing permits, mining plans of operations, and the access and travel management plan for the Pomeroy Ranger District. As such, the anticipated changes brought about by this amendment in the levels of resource activities and outputs (Forest Plan, page 4-16) projected for this planning period are not expected to be measurable.

Management Prescriptions: The management prescriptions factor involves the determination of (1), "whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area"; and (2), "whether or not the change alters the desired future condition of the land and resources or the anticipated goods and services to be produced" (Forest Service Handbook 1909.12, section 5.32(d)). In this criterion, time remaining in the 15-year planning period and changes in desired future conditions or the anticipated goods and services to be produced are relevant considerations.

The lynx amendment is specific to and for the duration of the School Fire Salvage Recovery Project and will not apply to future decisions throughout the planning area (FEIS, Chapters 1, 2, and 3). The desired future condition and land allocations are not changed by this decision (FEIS Chapters 1, 2, and 3). As discussed above in "goals, objectives, and outputs," the long-term levels of goods and services projected in the current plan for the 15 year planning period are not measurably changed by the lynx management direction.

The dedicated old growth amendment does change the location of four C1 management areas and their associated desired conditions and standards and guidelines for those locations. The change will remain in effect until further amended or the plan is revised. Forest Plan revision is expected to be completed in late 2007 (about one and a half years). This amendment would not preclude or require other amendments specific to dedicated old growth and this amendment would not preclude or require other actions across the forest in old growth habitat. As discussed above in "goals, objectives, and outputs," the long-term levels of goods and services projected in the current plan for the 15 year planning period are not measurably changed by the changes in management area prescriptions.

Finding: On the basis of information and analysis contained in the FEIS, and all other information available as summarized above, it is my determination that adoption of the management direction reflected in my decision does not result in significant amendments to the Forest Plan.

Consistency with Other Laws and Regulations

The National Historic Preservation Act: State Historic Preservation Office consultation has been conducted under the Programmatic Agreement among the United States Department of Agriculture, Forest Service, Pacific Northwest Region (Region 6), the Advisory Council on Historic Preservation, and Washington State Historic Preservation Officer regarding Cultural Resource Management on National Forests dated April 1997. Identified sites and any newly recorded sites will be protected from all project activities associated with School Fire Salvage Recovery project. Because heritage resources would not be affected by proposed activities under any action alternative, there would be no effect to any historic property listed in or eligible to the National Register of Historic Places.

Clean Air Act Amendments, 1977: Alternative B is designed to meet the National Ambient Air Quality standards through avoidance of practices that degrade air quality below health and visibility standards. The Washington State Smoke Management Plan will be followed to maintain air quality. The number of acres and fuel type burned will be dependent on meeting air quality standards. The Washington Department of Natural Resources (WSDNR) is the governing agency for air quality in Washington. The Pomeroy Ranger District is in constant contact with their meteorologist who determines if prescribed burning projects will meet Washington State smoke management guidelines using current and predicted air quality conditions and current forecasted weather conditions. The WSDNR has the authority to stop any and all burning activities if conditions are not appropriate.

The Clean Water Act, 1982: Alternative B will meet and conform to the Clean Water Act as amended in 1982 (FEIS, Chapter 3 pp. 3-45 to 3-47). This act establishes a non-degradation policy for all federally proposed projects. The Selected Alternative meets anti-degradation standards agreed to by the state of Washington and the Forest Service, Region 6, in a Memorandum of Understanding (Forest Service Manual 1561.5). This will be accomplished through planning, application, and monitoring of Best Management Practices (BMPs). Site-specific BMPs have been designed to protect beneficial uses (FEIS, Appendix G).

The Endangered Species Act of 1973, as amended and Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 2000: Details regarding actual species found with the School Fire Salvage Recovery Project area and potential effects of proposed activities on those species and their habitat are discussed in the Fisheries, Wildlife, and Threatened and Endangered Plant sections in Chapter 3 of the FEIS. All alternatives are consistent with the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, and the requirements of the Regional Forester's Sensitive Species list.

Consultation with U.S. Department of the Interior (USDI), Fish and Wildlife Service, and U.S. Department of Commerce (USDC), National Marine Fisheries Service has been completed (Biological Assessment and letters of concurrence are located in the project file). USDI, Fish and Wildlife Service concurred with the Forest Service determination that the project *may affect, but is not likely to adversely affect* bald eagle, Canada lynx, and bull trout. USDC, National Marine Fisheries concurred with the Forest Service determination that the project is *not likely to adversely affect* Snake River Basin steelhead and its critical habitat, and Snake River spring/summer run Chinook salmon and its critical habitat.

The letter of concurrence from USDC, National Marine Fisheries Service also included the results of their analysis of the effects of project activities on Essential Fish Habitat (EFH) pursuant to section 305 (b) of the Magnuson Steven Act, implementing regulations at 50 CFR 600.920, and concludes that the action, is not likely to adversely affect EFH designated for Chinook salmon and coho salmon.

Executive Orders 11988 and 11990: Flood Plains and Wetlands: These orders were applicable to riparian areas found in the project area. Through recognition of Riparian Habitat Conservation Areas and implementation of Alternative B, including design features there will be no impacts to floodplains and wetlands (FEIS, Chapter 3 p. 3-275).

Executive Order 12898: Environmental Justice: This order requires that federal agencies adopt strategies to address environmental justice concerns within the context of agency operations. With implementation of any of these alternatives, there will be no disproportionately high and adverse human health or environmental effects on minority or low-income populations (FEIS, Chapter 3 p.3-276). Proposed actions will occur in a remote area and nearby communities will mainly be affected by economic impacts as related to timber harvest.

Secretary of Agriculture Memorandum, 1827: Alternative B is in conformance for prime farmland, rangeland, and forest land.

Energy: Alternative B will not have unusual energy requirements.

Public Health and Safety: Alternative B will improve public health and safety by removing danger trees along open forest routes, haul routes, developed recreation sites and administrative sites within the School Fire Salvage Recovery project area.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

In this Record of Decision I have described the selected alternative (Alternative B) and given rationale for its selection. Based upon the description of alternatives and associated analysis detailed in the FEIS, I believe Alternative B is the environmentally preferable alternative. My rationale is as follows:

- It allows for reforestation of the burned areas to provide timber and forested landscapes for future generations,
- it complies with the goals and objectives of the Umatilla National Forest Plan,
- it allows recovery of forest products for community economic well-being while protecting inventoried roadless areas and sensitive areas, and
- the decision reflects consideration of the viewpoints expressed by the public and professional land managers.

EMERGENCY SITUATION DETERMINATION

On July 31, 2006 Chief Dale Bosworth found that an emergency situation existed. An emergency situation is defined in 36 CFR 215.2 as “A situation on National Forest System (NFS) lands for which immediate implementation of all or part of a decision is necessary for relief from hazards threatening human health and safety or natural resources on NFS or adjacent lands; or that would result in substantial loss of economic value to the federal government if implementation of the decision were delayed.” The determination that an emergency situation exists does not exempt an activity from appeal. The determination only eliminates the automatic stays built into the appeal review process.

Pursuant to 36 CFR 215.10 (b) he granted an emergency exemption from stay for a portion of the School Fire Salvage Recovery Project. Specifically for the Milly, Oli, and Sun salvage timber sales (approximately 3,675 acres). The Chief has determined that failure to act quickly will result in substantial economic loss to the Federal Government. Implementation for this portion of School Fire Salvage Recovery Project determined to be an emergency may proceed immediately.

IMPLEMENTATION

Except as disclosed above, if no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is filed, implementation will not occur for 15 days after the appeal decision.

APPEAL PROCESS AND RIGHTS

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR Part 215. Only individuals or organizations who submitted comments or expressed an interest in the project during the comment period may appeal. Any appeal of this decision must be in writing and fully consistent with the content requirements described in 36 CFR 215.14. A written appeal must be postmarked or received by the Appeal Reviewing Officer (the Regional Forester) within 45 days of the date of publication of the legal notice regarding this decision in the *East Oregonian* newspaper.

Send appeals to:

Linda Goodman, Regional Forester
USDA Forest Service
ATTN: 1570 Appeals
PO Box 3623
Portland, Oregon 97208-3623

Street location for hand delivery is 333 SW First Ave., Portland, OR (office hours: 8-4:30 M-F). Send faxes to (503) 808-2255. Appeals may be e-mailed to: appeals-pacificnorthwest-regional-office@fs.fed.us. Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word, rich text format or portable document format only. E-mails submitted to e-mail addresses other than the one listed above or in other formats that those listed or containing viruses will be rejected. Any written appeal, including attachments must be postmarked or received (via regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) within 45 days of the date of publication of the legal notice. The publication date of the legal notice in the *East Oregonian* newspaper is the exclusive means for calculating the time to file an appeal (§215.5 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source. If there are no appeals, the portion of the project not included in the emergency exemption may be implemented 50 days after the legal notice is published. If an appeal is received, the portions of the project not included in the emergency exemption may not be implemented for 15 days after the appeal decision.

For further information regarding these appeal procedures, contact the Forest Environmental Coordinator Dave Herr at (541) 278-3869.

CONTACT PERSON

For further information about this project, contact Monte Fujishin, District Ranger or Dean R. Millett, Project Leader, Pomeroy Ranger District, 71 W. Main Street, Pomeroy, WA 99347 (509) 843-1891.

/s/ Kevin Martin

August 14, 2006

KEVIN D. MARTIN
Forest Supervisor
Umatilla National Forest

Date

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