DECISION MEMO

Wildfire Tree Planting – Lochsa 2 Project

USDA Forest Service, Northern Region
Nez Perce – Clearwater National Forest
Lochsa – Powell Ranger District
Idaho County, Idaho

I. Background

After having reviewed relevant data, analyses, and public comments relating to this proposal, I have decided to authorize the Wildfire Tree Planting – Lochsa 2 project located in the Lochsa - Powell Ranger District at the following legal coordinates: Township 33 North, Range 6 East, Sections 30 and 31 (Boise Meridian). See attached maps.

This project is a continuation of the Wildfire Tree Planting project on the Lochsa Ranger District scoped in December, 2015 (see scoping letter of 12/17/2015 for details).

The project is located in the Woodrat Wildfire area of 2015 on the Lochsa-Powell Ranger District. Along with other post-fire recovery and restoration efforts, the Nez Perce-Clearwater National Forests looked for opportunities to recover the economic value, where appropriate, to offset the costs of restoration in fire-affected areas. A rapid assessment process used a coarse filter / fine filter approach to eliminate burned areas from consideration for salvage. 'Coarse filters' included designated Wilderness, Idaho Roadless Rule areas, Wild and Scenic River areas, Research Natural Areas, Riparian Habitat Conservation Areas, landslide-prone areas, etc. The 'Fine filter' approach then evaluated the remaining burned areas using a restoration-based framework. Among other criteria, areas of 50% or greater mortality that would not be economically feasible, due to timber not meeting merchantability standards, accessibility, etc., were dropped for proposed salvage, and would be restored through natural regeneration and planting native tree species where planting is needed. The Wildfire Tree Planting-Lochsa 2 project area met this criteria.

II. Purpose and Need

Relying on natural regeneration in the proposed project area would result in stands dominated primarily by grand fir and Douglas fir, species susceptible to root disease and stem decay, and likely to have low survival rates. Western white pine, western larch and ponderosa pine are more resistant to root disease and stem decay and being shade intolerant species tend to be more fire resistant and longer lived than shade tolerant species. By planting these species, the project would help reestablish and promote the diversity of the forested component in the burned area. In turn, this would improve the overall health, structure and vigor of the stands within the larger wildfire-impacted landscape over the long term.

The project is needed to meet the requirements of the National Forest Management Act which states that "*All forested lands in the National Forest System shall be maintained in appropriate forest cover with species of trees, degree of stocking, rate of growth, and conditions of stand designed to secure maximum benefits of multiple use sustained yield management in accordance with land management plans.*"

Project Design / Equipment: The Lochsa Ranger District is proposing to plant seedlings of western white pine, western larch and ponderosa pine in stands burned during the summer of 2015. Tree planting would occur in stands without timber salvage operations.

The project will plant trees on approximately 320 acres within seven stands (see Table below). The seedlings would be one year-old container stock and would be planted on an 11 x 11 foot spacing. Planting will be done using a contract crew with oversight by Forest Service personnel.

Wildfire Tree Planting – Lochsa 2: Stands for Tree Planting after the 2015 Woodrat Wildfire

Stand No.	Acres	Township	Range	Section	County	Watershed – Subwatershed
0105052202057	49	33N	6E	30	Idaho	Lochsa - Swan Creek
0105052203023	73	33N	6E	30	Idaho	Lochsa - Little Smith Creek
0105052203024	45	33N	6E	30	Idaho	Lochsa - Little Smith Creek
0105052203057	67	33N	6E	31	Idaho	Lochsa - Little Smith Creek
0105052203058	74	33N	6E	31	Idaho	Lochsa - Swan Creek
0105052203072	3	33N	6E	31	Idaho	Lochsa - Swan Creek
0105052203079	9	33N	6E	31	Idaho	Lochsa - Swan Creek
Total acres	**320**					

All planting will be done using hand tools; no mechanical equipment will be used. There would be no other ground disturbing activities associated with the proposed action. Access to the sites will only be by existing roads. The project will not change access restrictions. During wet conditions driving full size vehicles on roads will be limited and ATVs or walking will be used to access the stands instead to minimize damage to roads.

Surveys will be conducted after the first and third growing seasons to monitor the survival and condition of the planted trees.

Project Implementation: The work will occur in the fall of 2016 or the spring and fall of 2017. Fall planting would be done in late September to early October, spring planting in late April to mid-May. The project will take approximately two weeks to complete, depending on weather.

Design Criteria include:

- No roads or landings will be constructed.
- No mechanical equipment will be used for planting activities.
- Use of motorized equipment (such as All Terrain Vehicles), other than hand held equipment such as power saws, will not be permitted off designated roads in the project areas.
- Experienced Silviculture personnel will be involved in designing vegetation treatments.

III. Rationale for Decision and Reasons for Categorically Excluding the Decision

Based on information in this document and the project record, I have determined this project is not significant in either context or intensity (40 CFR 1508.27), that no extraordinary circumstances affecting resource conditions exist (36 CFR 220.6), that this project may be categorically excluded from documentation in an EA or EIS, and that it meets all the criteria outlined in 36 CFR 220.6(d)(11): *Post-*

fire rehabilitation activities, not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration...), to repair or improve lands unlikely to recover to a management approved condition from wildland fire damage, or to repair or replace minor facilities damaged by fire.

The rationale for my decision is based on: (1) the proposed action fully meeting the criteria for Categorical Exclusions, (2) the proposed action meeting the purpose and need, (3) the findings related to extraordinary circumstances, discussed below, (4) the project's consistency with laws and regulations, (5) the on-the-ground review and discussion with District resource specialists, and (6) my review of the Biological Assessments (BA), Biological Evaluations (BE), and specialists' reports.

Finding of the Absence of Extraordinary Circumstances to Resource Conditions

Based on the findings for resource conditions described below, I have determined that no extraordinary circumstances are associated with my decision. Forest Service direction at 36 CFR 220.6(b) describes the resource conditions that should be considered in determining whether extraordinary circumstance related to the proposed action warrant further analysis and documentation in an EIS or EA.

Additionally, 36 CFR 220.6(b) states, "*The mere presence of one of more of these resource conditions does not preclude use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.*"

1. **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat or Forest Service sensitive species.**

   The Interdisciplinary Team (IDT) Botanist has determined the proposed action will have "no effect" to species listed as federally threatened or endangered or their habitats, and "no impact" to R1 Sensitive species or habitats except for the following: A "may adversely impact individuals or habitat" determination was made for Constance's bittercress and Pacific dogwood. Both species are known to respond favorably to fire or other ground clearing processes, and it is likely that some species release in open units proposed for planting has occurred or could in the future. Although tree planting may mechanically impact such occurrences, overall viability would increase for these species over time.

   The IDT Wildlife Biologist determined the proposed action will have "no effect" to Canada lynx or its habitat. A "may adversely impact individuals or habitat" determination was made for black-backed woodpecker, flammulated owl, fisher, fringed, long-eared and long-legged myotis, gray wolf, Townsend's big-eared bat, and Western (boreal) toad. Overall, the effects would be minor and of short duration and would not result in a loss of viability, nor cause a trend towards federal listing or a loss of species viability range wide.

   The IDT Fish Biologist determined the proposed action would have "no effect" on bull trout, steelhead trout, and fall chinook salmon, federally threatened species, because the species and designated critical habitat do no occur within the project area. The biologist also determined the proposed action would have "no impact" on R1 Sensitive species or their habitats since the species do not occur within the project area.

Based on the above assessment, no effects exist that will cause an incremental cumulative effect and no extraordinary circumstances were identified for these resources. For the complete analyses, see the Fishery, Wildlife and Botany Biological Assessments and Evaluations and specialists' reports in the project record.

2. **Floodplains, wetlands or municipal watersheds.**

   The proposed project is not located within a floodplain, wetland or municipal watershed and therefore the proposed activities would have no effects to to these resources.

   The proposed project is consistent with all applicable State and Federal water quality laws because project design criteria and best management practices (BMPs) have been included to protect water resources. The activities are also consistent with soil and water standards in the Nez Perce National Forest Plan, including the PACFISH amendment.

   Based on this analysis, no extraordinary circumstances were identified regarding the effects to water quality of streams within the area; downstream waters; or resources in floodplains, wetlands, and municipal watersheds; thereby complying with EO 11988, EO 11990, and FSH 1909.15 Chapter 31.2.2.

3. **Congressionally designated areas, such as Wilderness, Wilderness Study Areas or National Recreation Areas.**

   The project area is not located in any congressionally designated area, and therefore, no extraordinary circumstances were identified to these resources.

4. **Inventoried Roadless areas or potential wilderness areas.**

   The project is not located in a potential wilderness area; therefore, the proposed action will have no effect on Roadless characteristics as identified in 36 CFR 294. Based on the above assessment, no extraordinary circumstances were identified for these resources.

5. **Research Natural Areas.**

   The proposed activities are not within or adjacent to any Research Natural Areas.

6. **American Indians and Alaska native religious or cultural sites.**

   The Forest Cultural Resource Specialist has determined the above project has little likelihood to adversely affect cultural properties. As a result, a *No Inventory Decision* has been made. Therefore, no extraordinary circumstances were identified to native religious or cultural sites.

7. **Archaeological sites or historical properties or areas.**

   The proposed project is located in the greater confines of the 60,000-acre Lolo Trail National Historic Landmark. The Idaho State Historic Preservation Officer, and the Forest Archaeologist, have determined that the project will have *no adverse effect* to significant qualities of Lolo Trail National Historic Landmark because: (a) Previously disturbed landform, and (b) Minimal ground disturbance. Therefore, no extraordinary circumstances were identified to these resources.

IV. Interested and Affected Agencies, Organizations, and Persons Contacted

On May 27, 2016, a letter providing information and seeking public comment was mailed to individuals, organizations, a variety of state and local agencies, and the Nez Perce and Coeur d'Alene Tribes. The letter was also made available at http://www.fs.usda.gov/nezperceclearwater under NEPA projects. A legal notice appeared in the *Lewiston Tribune* on May 28, 2016, inviting comments for 30 days from publication. Three letters regarding this project were received during the public comment period and are addressed in Appendix A. The letters are contained in the project record.

V. Findings Required by other Laws

Based on my review of the actions associated with this project, I find that the Wildfire Tree Planting – Lochsa 2 Project is consistent with applicable Federal laws and regulations, including the standards and guidelines contained in the 1987 Clearwater National Forest Plan, as amended, as required by the National Forest Management Act of 1976. My decision also complies with all Federal, state and local laws or requirements for the protection of the environment and cultural resources, as follows:

National Forest Management Act and Clearwater National Forest Plan: The actions are consistent with the Clearwater National Forest Plan (USDA Forest Service 1987, as amended), as required by the National Forest Management Act of 1976. In addition, design features and mitigation measures ensure compliance with the act.

PACFISH Riparian Habitat Conservation Areas (RHCAs): All activities associated with the proposed action comply with direction regarding PACFISH (refer to the project record).

Endangered Species Act: A Forest Service Fish Biologist, Wildlife Biologist, and Botanist evaluated the proposed action with regard to the Endangered Species Act, as documented in the Biological Assessments, Biological Evaluations, and specialist's reports, and determined this project is consistent with the Endangered Species Act.

Clean Water Act and State Water Quality Laws: The ID Team Hydrologist has determined that this project complies with the Clean Water Act and state water quality laws, and will protect beneficial uses.

Clean Air Act: This project will comply with the provisions of the Clean Air Act, and the rules, regulations, and permit procedures of the Environmental Protection Agency (EPA) and the Idaho Department of Environmental Quality (IDEQ). No prescribed burning or other activity with the potential to significantly affect air quality is proposed.

Migratory Bird Treaty Act: This project complies with the Migratory Bird Treaty Act since it will result in no substantial loss of migratory bird habitat, nor will there be any measurable impact(s) on Neotropical migratory bird populations as a whole.

The project complies with the U.S. Fish and Wildlife Service Director's Order #131 related to the applicability of the Migratory Bird Treaty Act to federal agencies and requirements for permits for "take." In addition, the project complies with Executive Order 13186 because the analysis meets agency obligations as defined under the January 16, 2001 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service designed to complement Executive Order 13186.

National Historic Preservation Act: The proposed project is located in the greater confines of the 60,000-acre Lolo Trail National Historic Landmark. The Idaho State Historic Preservation Officer, and the Forest Archaeologist, have determined that the project will have *no adverse effect* to significant qualities of Lolo Trail National Historic Landmark.

This project meets the agency's responsibilities under the National Historic Preservation Act and is consistent with the *Programmatic Agreement between the Idaho State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Region 1 National Forests in Northern Idaho Regarding the Management of Cultural Resources*.

American Indian Treaty Rights: The Nez Perce and Coeur d'Alene Tribal staffs have had the opportunity to review the project for impacts to Nez Perce and Coeur d'Alene Tribes' Treaty rights or Nez Perce and Coeur d'Alene Tribal members' abilities to exercise those rights. The Nez Perce and Coeur d'Alene Tribes did not identify any concerns.

Environmental Justice: I assessed the proposed action and determined it will not disproportionately impact consumers, Native American Indians, women, low-income populations, other minorities or the civil rights of any American Citizen, in accordance with Executive Order 12898. No disproportionate impacts to minority or low-income populations were identified during scoping or the effects analysis.

Prime Farm Land, Range Land, and Forest Land: The proposed action complies with the Federal Regulations for prime land. The definition of "prime" forest land does not apply to lands within the National Forest System. The project area does not contain any prime range land or farm land. Federal lands will be managed with appropriate sensitivity to the effects on adjacent lands.

Other Laws or Requirements: The proposed action is consistent with all other Federal, state and local laws or requirements for the protection of the environment and cultural resources.

VI. Contact Person

Questions regarding this decision should be sent to Jeff Chynoweth, Small NEPA Team Planner, c/o Nez Perce – Clearwater Supervisor's Office, 903 Third Street, Kamiah, Idaho 83536 or by telephone to (208) 935-4260 or FAX at (208) 935-4275 during business hours (M-F, excluding Federal holidays, 7:30 a.m. to 4:30 p.m., PST).

VII. Signature of Deciding Officer

BRANDON KNAPTON
District Ranger

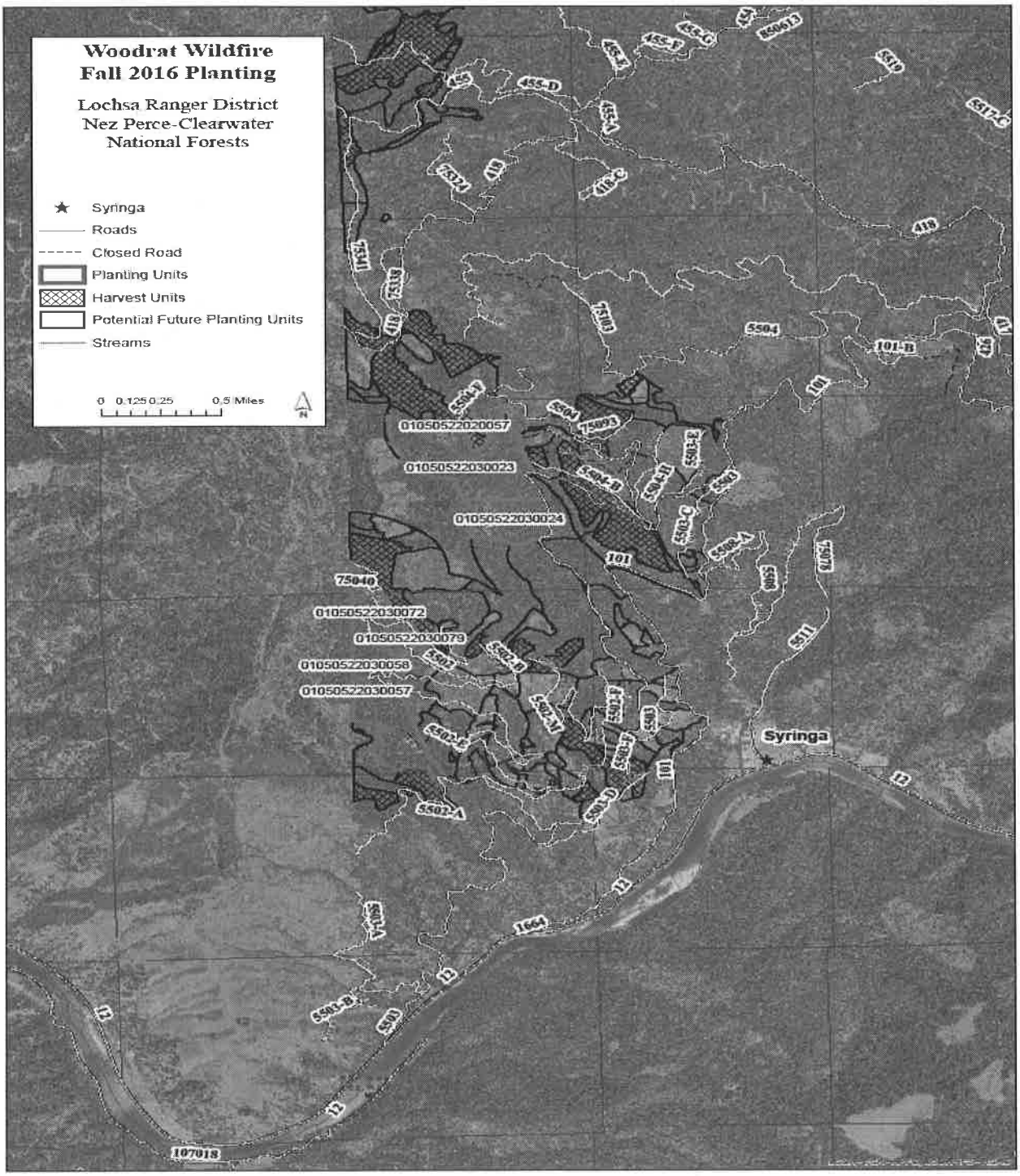
9/23/2016
Date

cc: Clare Brick

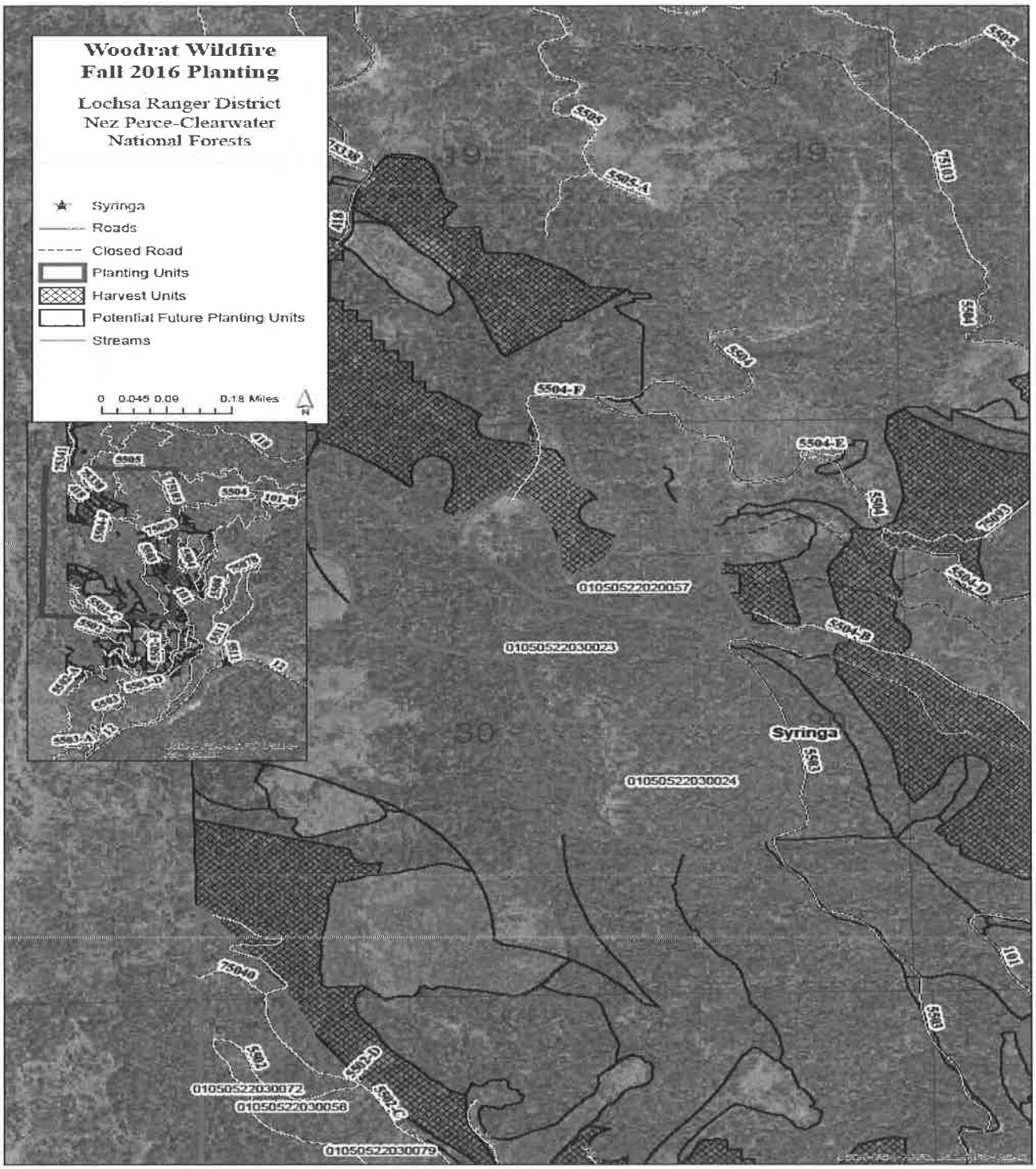
Enclosures (3): Maps

Project Site Maps

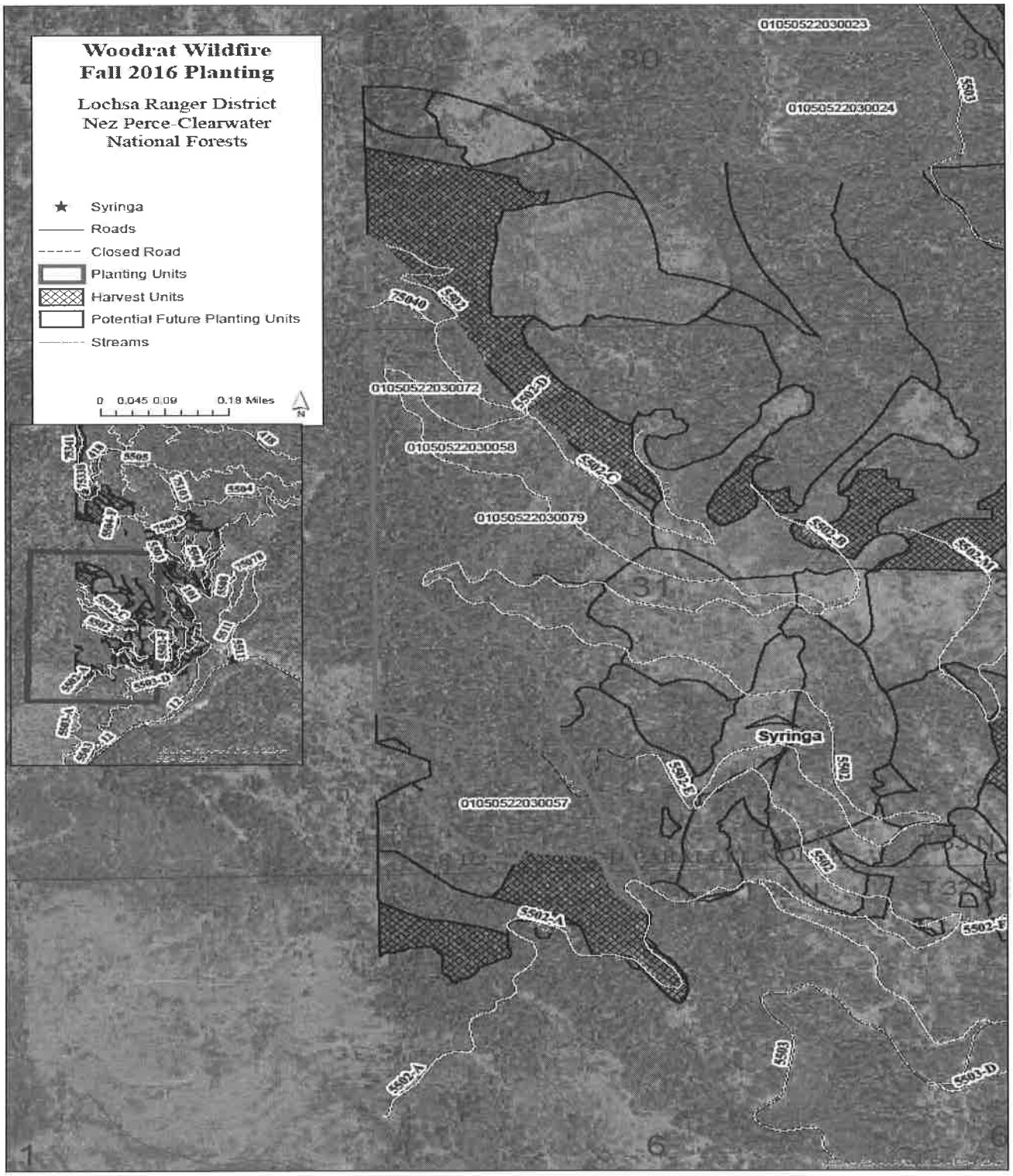
Map 1: Wildfire Tree Planting – Lochsa 2 Project (project area in green)



Map 2: Wildfire Tree Planting – Lochsa 2 Project (project area in green)



Map 3: Wildfire Tree Planting – Lochsa 2 Project (project area in green)



Appendix A

Analysis of Scoping Comments

Wildfire Tree Planting – Lochsa 2 Project

Three letters specific to the project were received during the scoping period of May 27, 2016 to June 27, 2016. The three letters were analyzed and an analysis code assigned to the comments (see Table 1).

Comment Analysis Codes

1: Outside the scope of the proposed action.
2: Already decided by law, regulation, Forest Plan, or other higher level of decision.
3: Irrelevant to the decision to be made.
4: Conjectural and not supported by scientific evidence.
5: General comment, suggestion, opinion, or position statement.
6: Other agency or partner's consultation, review, advice, recommendation(s), etc.
7: Already considered in the proposed action or is standard procedure.
8: Will be included in an analysis of effects to the environment.

Codes 1 – 6 are standard codes. Comments assigned to these codes are considered to be non-significant issues. Code 7 was added as a category for those suggestions that are already proposed or for procedures that are routinely done. Code 8 was added as a category for suggestions that will be analyzed for effects to the environment.

Table 1: Comment Analysis

Commenter	Comment	Disposition
Gary Macfarlane Friends of the Clearwater	While [the] proposal seems to fit within a categorical exclusion, we do question the need of the project.	5
	These forests evolved with stand-replacing fire. There is nothing unnatural or even problematic about allowing natural regeneration.	5
	Justifying replanting white pine based upon resistance to disease is odd since it is susceptible to blister rust. Simply put, Douglas fir and even grand fir are more fit.	5
	If you choose to replant, we suggest you use local stock.	5
Mackenzie Case and Jonathan Oppenheimer, Idaho Conservation League	With regards to the...Wildfire Tree Planting-Lochsa 2 project we do not have any major concerns.	Thank you for your comment.
	[A]nalyses for each individual project should consider how the project is consistent with various management directions, including but not limited to the Endangered Species Act, Nez Perce and Clearwater National Forest Plans, Clean Water Act and any other relevant laws and agency direction.	7

Commenter	Comment	Disposition
Daniel Stewart Idaho Dept. of Env. Quality	Project activities may affect the NP-CW NF's ability to achieve flow based on pollutant allocation reduction associated with Forest land or management activities.	3
	Projects initiated after the establishment of TMDL pollutant load allocations can adversely affect water quality through a reduction in load capacity.	3