

# DECISION MEMO

## Mt Leona Fuels Reduction and Timber Stand Improvement Project

USDA Forest Service  
Colville National Forest  
Republic Ranger District  
Ferry County, Washington

This decision is for the improvement of timber stands by removing dead trees that resulted from the Mt. Leona Fire of 2001. This decision is made under the Forest Service Chief's Categorical Exclusion 31.2 (6), "Timber stand and/or wildlife habitat improvement activities." The Chief, in FSH 1905.15, established that projects proposed under the authority of Section 31.2 require documentation in a project file and a Decision Memo.

This project will improve timber stands by reducing fuels on National Forest System lands. No new road construction will occur. It does not have extraordinary circumstances that, individually or cumulatively, would have significant effects on the quality of the human environment. Therefore, I have determined this categorical exclusion is appropriate for our decision.

### **Purpose and Need**

The purpose of the project is to reduce fuels (woody material) that will accumulate as dead trees fall down following the 2001 Mt. Leona fire. This action will improve the conditions of the selected timber stands by removing fuels to reduce future fire severity and impacts on new stands created through natural regeneration or through planting. The stands selected for treatment are within Forest Plan Management Area 7, which has a goal of producing wood products. Establishing, improving and protecting these stands over time are important to meeting the goals of the Colville National Forest Land and Resource Management Plan, as amended. Implementation of the proposed action will make wood products available for removal. This action will reduce the total volume of fuels and alter future fire severity. Altering fire behavior by reducing fuel volume will provide greater opportunity for safer and more effective fire suppression and fire management efforts.

### **Decision**

The Mt. Leona fire burned approximately 6,000 acres in the North and South Forks of St. Peters Creek drainages in August and September, 2001. Most of the area did not burn severely and there is a mosaic of burned and unburned stands in the project area. During the winter of 2001, the Forest identified preliminary long-term restoration needs in the burn area. This included reforestation and removal of fuels to avoid heavy fuel accumulation.

The initial project proposal for the area included 22 units covering 520 acres. Based on field reviews and public comment, a number of units were dropped. All of the units, the size, and the current status are listed in Appendix A.

It is my decision to treat dead trees within the fire area. This is located in Sections 10, 11, 12, and 22 of T38N, R34E and is approximately 7 miles southeast of Curlew, Washington. The entire fire area was analyzed and approximately 336 acres, or 5.5% of the entire area, would undergo treatment at this time. 115 acres would be treated using a timber sale. These are areas that are completely burned (only dead trees will be removed), can be reached from the existing road system, and are outside riparian habitat conservation areas and the inventoried roadless area.

The units not included in this decision may be included in future analyses of additional projects in the Mt. Leona fire area. However, these future proposed actions are not considered to be connected because they are not dependent on the current proposal.

The units included in this decision but not included in the timber sale will be treated using service contracts, Forest Service crews, or other methods (depending upon availability of funds). See the attached map for locations of the units. All activities (both within the timber sale and completed using other methods) will occur on 12" of snow or greater or in combination with frozen ground sufficient to protect the soils from detrimental compaction or displacement. No activities will occur within riparian zones.

## **Rationale**

Not all of the area within the fire perimeter burned completely. There are numerous stands that burned partially or not at all. There are green trees remaining in some of the included areas. There are numerous plantations in the project area that only burned partially or not at all. Within the next 5 to 20 years, most of the dead trees will fall down. Coupled with the regrowth of live vegetation, a significant fuel loading will result, exposing the remaining stands to a greater hazard than existed prior to the Mt. Leona fire. Removal of the dead trees will reduce the buildup of fuels that contribute to catastrophic fires. Reducing the potential of severe fires in the area, along with reforestation and other actions that may be proposed in the future, will improve the new stands' resistance and resilience to fire.

Rationale for excluding this project from documentation in an environmental assessment or environmental impact statement is that there are no extraordinary circumstances related to the proposed action (see Extraordinary Circumstances Review, below), and the proposed action is within one of the categories listed in section 31.2 of Forest Service Handbook 1909.15 (see paragraphs 1-3 above).

Rationale for including or not including individual units for fuel reduction treatment at this time is displayed in Appendix A. Reasons for not including units for fuel reduction treatment at this time were:

- Field review determined that the adjacent stream was perennial, not intermittent as originally thought. Most of the proposed unit is within the riparian habitat conservation area. (Unit 8)
- Access would require cutting green trees and reconstructing a road. (Unit 9)
- The portion of the unit west of the switchback in the road is on steep ground and requires more analysis to determine the impacts of treatment. (Unit 17)
- Public concern based on the values placed on the unroaded character of the area. (Unit 19, lower portion of Unit 20)
- There is scattered, low value material in this unit. Further analysis is needed to determine the needed treatment for this area. (Unit 21)

The Rationale for not treating some units with a commercial timber sale is that they are not economical to log due to small diameter material or the high cost of cable yarding. (Units 1, 2, 4, 10, 15, 16, and 22)

## **Public Involvement**

A notice requesting comments or concerns was placed in the Republic News-Miner newspaper on January 30, 2003. A scoping letter was sent to 26 interested groups and individuals on January 23, 2003. Over 630 responses were received, both in support of and expressing concern over the project. The main concerns raised were the way we were conducting the NEPA analysis (31 responses) and impacts on roadless areas and roadless values outside of Inventoried Roadless Areas (19 responses). The concerns with the NEPA process were that we are misusing the categorical exclusion authority and limiting public comment. I have determined that the project meets the requirements of a categorical exclusion and falls within the category used (see the Rationale section above). While the scoping period was time-limited, it did not limit public comment. The proposal was published in the local paper and parties notified by mail. We received approximately 630 comment letters, including 50 letters that were sent individually and 580 form letters. The other main concern is that we would be treating areas within an Inventoried Roadless Area (IRA) or would diminish the roadless character of other areas. There are no treatment units within the IRA. The units that were a concern for their unroaded character, but outside the IRA, are not included in this decision. Other concerns raised were downed woody debris and snags, soils and riparian areas, scenic quality, harvest methods and the viability of the project due to winter logging requirements. Approximately 580 of the letters received were written in support of the project. A complete listing of comments and the District's response to the comments is in Appendix B.

## **Extraordinary Circumstances Review**

Site-specific conditions were reviewed on the ground to determine if extraordinary circumstances were affected:

- 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 Forest Service prepared a Wildlife, Fisheries, and Rare Plants Report and Biological Evaluation for this project that addressed these species. This report is

available on request from the Republic Ranger District. Regarding Threatened and Endangered species, there was a finding of no effect for woodland caribou, grizzly bear, bald eagle, or bull trout, and a finding of “may affect, not likely to adversely affect” for gray wolf and Canada lynx. Regarding sensitive animal species, there was a finding of no impact to peregrine falcon, California wolverine, common loon, and Pacific western big-eared bat, possible beneficial impacts to Pacific fisher, and possible adverse impact to individual great gray owls, but not expected to lead to a trend toward federal listing. Sensitive plant species will not be affected by the project as the proposed activities will take place over snow, or because proposed units are outside riparian conservation areas. The proposed project may negatively affect individual plants, but is not expected to produce negative long-term effects (Wildlife, Fish, and Rare Plants Report and Biological Evaluation, James McGowan, January 2003, project file). Concurrence for the finding on gray wolf and a Biological Opinion covering the Canada Lynx was received from U.S. Fish and Wildlife Service on February 14, 2003 (Biological Opinion for Mt. Leona Hazardous Fuels Reduction Project, USFWS, February 14, 2003, project file).

- Flood plains, wetlands, or municipal watersheds: There are no FEMA identified floodplains or municipal watersheds within the project area. No wetlands would be adversely affected since there is no treatment within the Riparian Habitat Conservation Areas or any other identified wet area.
- Congressionally designated wilderness, wilderness study areas or national recreation areas: There are no congressionally designated areas within the project area.
- Inventoried roadless areas: The project area is adjacent to the Profanity Roadless Area but there are no treatment areas within the Roadless Area boundary. A map of the proposed and final units and the Roadless Area boundary is in the project file.
- Research Natural Areas: There are no RNAs within or adjacent to the project area.
- American Indian and Alaska Native religious or cultural sites: There are no known American Indian or Alaska Native religious or cultural sites in the project area.
- Archeological sites, or historic properties or areas: The Forest Archaeologist reviewed the project and determined there would be no impacts to significant heritage values (Section 106 Compliance Report, Steve Kramer, February 7, 2003, project file). An archaeologist will be on site the first day of implementation and will monitor the operations at least once a week.

Based on the above discussion and our experience with this type of project, no extraordinary circumstances exist that might cause the action to have significant effects; therefore, the action is categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA).

### **Other findings**

The project is within Forest Plan Management Area 7 which has a wood and forage emphasis. Consideration was given to Forest Plan standards and guidelines, especially for retention of snags and down logs in areas to be treated by this project. Based on my review of the project record and the Forest Plan (as amended), Forest Plan standards and guidelines will be met in this project.

No Conflicts have been identified regarding Federal, State, or Local laws.

This proposed action is consistent with FSH 1909.15, 31.2, Category 6 (timber stand and wildlife habitat improvement activities). While it is not one of the examples given, these examples are not meant to be all-inclusive of the projects that might fall within a given category.

### **Additional information**

For further information, contact Kelvin Davis, Republic Ranger District, 180 North Jefferson, Republic, WA, 99166, (509) 775-7400.

### **Implementation**

This decision is not subject to appeal pursuant to 36 CFR 215.8 (a)(4) and may be implemented immediately.

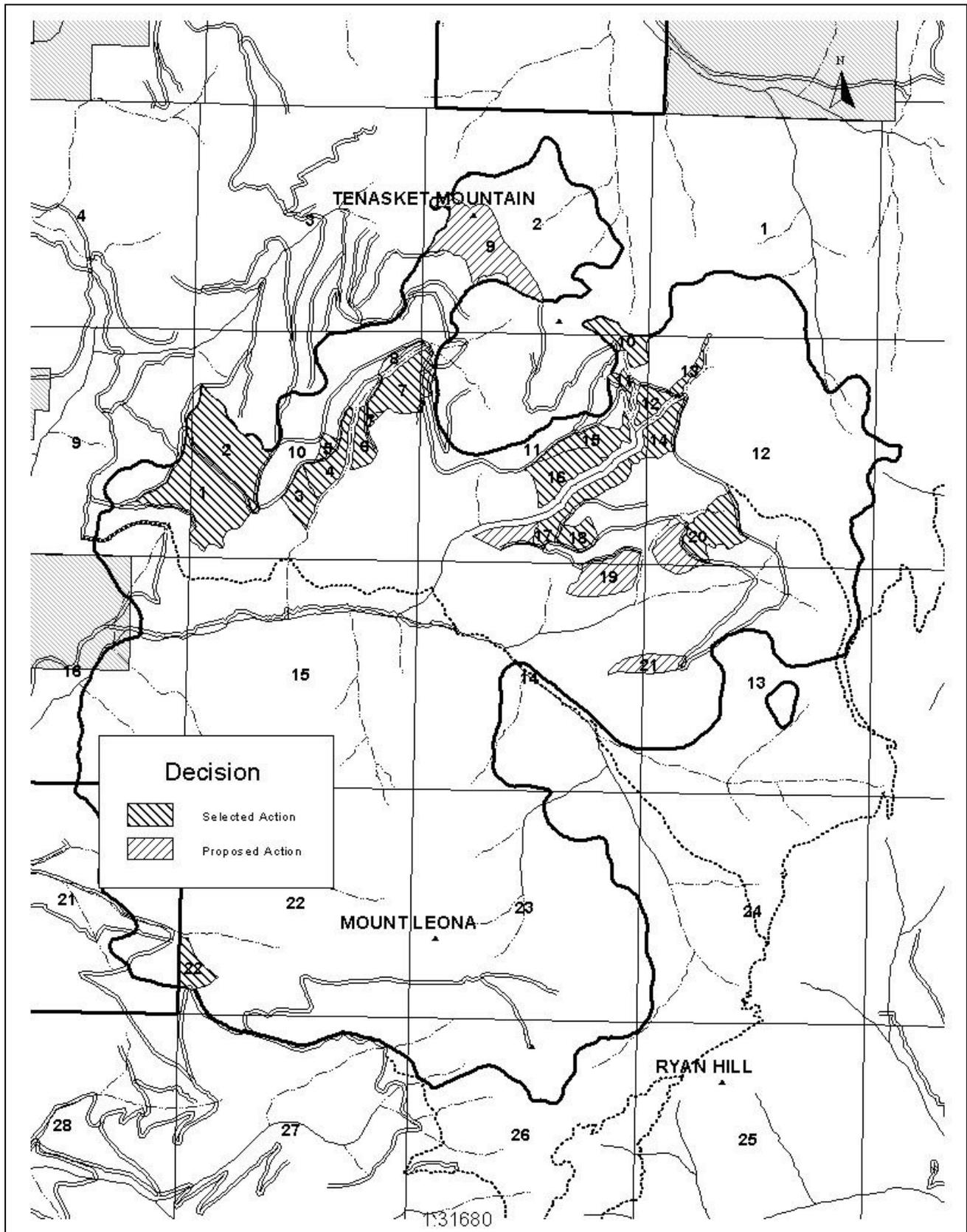
*/s/ Carol Boyd*

*February 18, 2003*

CAROL BOYD  
District Ranger

Date

Map of units



Appendix A: List of Units

Unit No.	Estimated Acres	Description	Included in the Decision?	Included in the timber sale contract?
1	68	This unit is within a plantation with small diameter material.	Yes	No – not economical
2	54	The dead trees cannot be reached without cutting green trees.	Yes	No – not economical
3		This unit is combined with unit 4.	N/A	N/A
4	25	Requires cable yarding.	Yes	No – not economical
5	5		Yes	Yes
6	6		Yes	Yes
7	28		Yes	Yes
8	4	Field review determined that the adjacent stream was perennial, not intermittent as originally thought. Most of the proposed unit is within the riparian habitat conservation area.	No	N/A
9	60	Access would require cutting green trees and reconstructing a road.	No	N/A
10	17	Small diameter material	Yes	No – not economical
11	2		Yes	Yes
12	7	Unit 14 on the timber sale map	Yes	Yes
13	4		Yes	Yes
14	12	Unit 12 on the timber sale map	Yes	Yes
15	21	The portion of the unit next to the road is steep and may require cable yarding.	Yes	No – not economical
16	26	Requires cable yarding	Yes	No – not economical
17	35	The portion of the unit west of the switchback in the road is on steep ground and requires more analysis to determine the impacts of treatment.	East of the switchback: yes (22 ac)	Yes (east of the switchback)
18	2		Yes	Yes
19	28	Public concern based on the values they place on the unroaded character of the area.	No	N/A
20	48	The lower portion of this unit will be dropped for the same reason as unit 19.	Upper portion: yes (27 ac) Lower portion: no (21 ac)	Yes (upper portion)
21	15	There is scattered, low value material in this unit. Further analysis is needed to determine the needed treatment for this area.	No	N/A
22	10	This unit is located on the south side of the fire area.	Yes	No – not economical due to hauling distance

## Appendix B – Response to public comments

*This project would violate federal laws that provide for environmental analysis and public involvement. You apparently intend to expedite this approval of this project through a categorical exclusion from NEPA. Specifically, you intend to invoke the “timber stand improvement” (TSI) category. FS is urged to define the project as a commercial timber sale.*

Mike Anderson, The Wilderness Society  
Timothy J. Coleman, Kettle Range Conservation Group  
Mike Petersen, The Lands Council  
Bryan Bird, Forest Conservation Council  
27 others

There are several issues contained in this comment.

1. The project incorrectly uses the TSI category: **Response: Any activity that improves a timber stand may be called a Timber Stand Improvement activity. While some people would argue that timber stand improvements are limited to pre-commercial thinning (or similar activities), timber stand improvement activities can include other activities. Forest Service Handbook regulations for implementing the National Environmental Policy Act, at FSH 1909.15, 31.2, 6, states, for Timber stand and/or wildlife habitat improvement activities: “Examples include but are not limited to: a). *girdling trees...*; b) *thinning or brush control...*; c) and d) *prescribed burning...*”** It is clear that the Forest Service Handbook intends that Timber Stand Improvement activities are not limited only to pre-commercial thinning, and that the responsible official is not limited in determining what timber sale improvements activities fall into the TSI category. In this case, the responsible official interprets Timber Stand Improvement activities to include reducing fuels that will accumulate. By reducing fuels, the timber stand will be improved in its ability to meet the objectives of the Forest Plan.
2. The project should be defined as a timber sale: **Response: The project does include a timber sale; however, the timber sale is only one tool being used to meet the overall objective of reducing fuels. The project was designed to take advantage of the opportunity to use a timber sale to achieve the objective of the project.**
3. Use of this category is being done to limit public involvement: **Response: While the scoping period was time-limited, it did not limit public involvement. We received approximately 630 comment letters, including 50 letters that were sent separately from the 580 form-letters that were received. Further, the project was modified from its original proposal in response to public comments. Specifically, several units were dropped or modified in response to public concerns for roadless values, and others (cable units) were dropped in response to concerns that the purchaser would not be able to complete the logging operation before snow melted or the ground thawed.**
4. The project limited environmental analysis, or is being categorically excluded in order to circumvent environmental requirements. **Response: The project is being carefully planned so that there are not effects to extraordinary circumstances. Specifically, “extraordinary circumstances” listed in FSH 1909.15 chapter 30 were examined. These include:**
  - **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 Forest Service prepared a Wildlife, Fisheries, and Rare Plants Report and

Biological Evaluation for this project that addressed these species. This report is available on request from the Republic Ranger District. Regarding Threatened and Endangered species, there was a finding of no effect for woodland caribou, grizzly bear, bald eagle, or bull trout, and a finding of “may affect, not likely to adversely affect” for gray wolf and Canada lynx. Regarding sensitive animal species, there was a finding of no impact to peregrine falcon, California wolverine, common loon, and Pacific western big-eared bat, possible beneficial impacts to Pacific fisher, and possible adverse impact to individual great gray owls, but not expected to lead to a trend toward federal listing. Sensitive plant species will not be affected by the project as the proposed activities will take place over snow, or because proposed units are outside riparian conservation areas. The proposed project may negatively affect individual plants, but is not expected to produce negative long-term effects (Wildlife, Fish, and Rare Plants Report and Biological Evaluation, James McGowan, January 2003, project file). Concurrence for the finding on gray wolf and a Biological Opinion covering the Canada Lynx was received from U.S. Fish and Wildlife Service on February 14, 2003 (Biological Opinion for Mt. Leona Hazardous Fuels Reduction Project, USFWS, February 14, 2003, project file).

- **Flood plains, wetlands, or municipal watersheds:** There are no FEMA identified floodplains or municipal watersheds within the project area. No wetlands would be adversely affected since there is no treatment within the Riparian Habitat Conservation Areas or any other identified wet area.
- **Congressionally designated wilderness, wilderness study areas or national recreation areas:** There are no congressionally designated areas within the project area.
- **Inventoried roadless areas:** The project area is adjacent to the Profanity Roadless Area but there are no treatment areas within the Roadless Area boundary. A map of the proposed and final units and the Roadless Area boundary is in the project file.
- **Research natural areas:** There are no RNAs within or adjacent to the project area.
- **American Indian and Alaska Native religious or cultural sites:** There are no known American Indian or Alaska Native religious or cultural sites in the project area.
- **Archeological sites, or historic properties or areas:** The Forest Archaeologist reviewed the project and determined there would be no impacts to significant heritage values (Section 106 Compliance Report, Steve Kramer, February 7, 2003, project file). An archaeologist will be on site the first day of implementation and will monitor the operations at least once a week.

*KRCG supports restoration and fuels reduction activities along existing roads, provided that soils are protected and all live trees, excepting hazard trees, are not removed. No new roads should be constructed. All activities should occur on at least 12” of snow over frozen ground to protect soils.*

Timothy J. Coleman, Kettle Range Conservation Group

**Response: These suggestions were incorporated into the Proposed Action, as described in the January 23, 2003 scoping letter.**

*Concern about roadless or potential wilderness values. Specifically, units 17, 19, 21, and the lower portion of 20 are of concern.*

Timothy J. Coleman, Kettle Range Conservation Group

Mike Anderson, The Wilderness Society

Mike Petersen, The Lands Council

Bryan Bird, Forest Conservation Council

14 others

**Response: Other than the Profanity Inventoried Roadless Area, which has a recognized boundary line (see Forest Plan Appendix C, page 40), the boundaries of uninventoried, unroaded areas are neither defined nor agreed upon. However, in this case we will drop Unit 19 and the portion of Unit 20 below Road 2160-800 because of this concern. (Note: Unit 21 and the west end of Unit 17 will also be dropped due to marginal economics associated with low timber value and relatively high logging costs.)**

*Parts of this timber sale are in an inventoried roadless area.*  
Richard Artley, Grangeville, ID

**Response: None of the areas proposed for treatment are within the inventoried roadless area (Profanity Roadless Area; see Forest Plan Appendix C, page 40).**

*Retention of down woody debris and large snags for cavity-dependent species is essential.*  
Timothy J. Coleman, Kettle Range Conservation Group  
Mike Anderson, The Wilderness Society  
Mike Petersen, The Lands Council  
Bryan Bird, Forest Conservation Council

**Response: Fifteen to twenty pieces of material at least 12 inches in diameter and six feet in length will be left per acre. This material may be standing or down, and logs may contain more than one piece. Additionally, cull trees greater than 10 inches in diameter and safe to work around will be left. These provisions, along with the abundant snags surrounding the logging units will adequately meet Forest Plan standards for downed wood and snag retention.**

*Portions of the proposed salvage area have experienced post-harvest soil slumping. We are most concerned with the possibility that the proposed logging operations can exacerbate an already stressed environment.*  
Timothy J. Coleman, Kettle Range Conservation Group

**Response: We are requiring that all logging be conducted with a combination of snow and frozen ground so as to protect soils from adverse impacts. Additionally, the Forest's Soil Scientist reviewed the proposal and evaluated the risk of mass soil movements. She concluded that removal of dead trees over snow is not likely to increase the number or size of slope failures.**

*The project must protect streams. INFISH buffers should be 150'. Unit 12 was specifically mentioned as a concern.*  
Mike Anderson, The Wilderness Society  
Timothy J. Coleman, Kettle Range Conservation Group  
Russell Anthes  
Mike Petersen, The Lands Council  
Bryan Bird, Forest Conservation Council

**Response: Wetlands and flood plains have been avoided by adherence to INFISH standards. Where there is question about whether a stream is perennial or intermittent, the perennial stream standard of 150' was used. Wet areas associated with Unit 12 have been avoided and given the appropriate INFISH buffer.**

*It seems disingenuous that the Forest Service would label this a “fuel reduction project” when this area was intensively burned in 2001. A review of scientific studies and data demonstrates post fire logging did not reduce fire severity in stands that burned again.*

Mike Petersen, The Lands Council

**Response: The burned areas are not a significant fire hazard now, but as dead trees fall, fuel will accumulate to high levels and in the future will be a substantial fire hazard.**

*The fact that the FS intends to leave the smallest diameter trees indicates that re-burn or fire hazard is not an issue in this project. Requests that the FS remove fire-prone saplings smaller than 5” in diameter in the proposed units.*

Mike Petersen, The Lands Council

**Response: It is the Forest Service’s intent to reduce future fire hazard by removing a large percentage of the material that will contribute to the future fuel load. While removal of trees larger than 5” in diameter will not clean up 100% of the fuel, and fire hazard may be elevated slightly by logging debris and remaining small trees, the longer-term fuel load will be substantially reduced by the proposed actions.**

*Concern about scenic quality*

Bryan Bird, Forest Conservation Council

Timothy J. Coleman, Kettle Range Conservation Group

**Response: All of the logging areas are in Forest Plan Management Area 7, which has a visual quality objective of modification and maximum modification. The project area contains roads, burned areas, numerous past logging entries, and natural openings, thus the visual absorption capability is high. While the proposed fuel reduction units will be visible, they will blend in with, or be absorbed by, the surrounding visual landscape to a sufficient degree to meet the Forest Plan standard.**

*We have been informed that the contract for the sale would include a CT2.11 provision, which allows an un-estimated amount of “product” to be harvested, again raising concerns about the total volume of the timber sale.*

Bryan Bird, Forest Conservation Council

**Response: Timber Sale Contract provision C-211 (for scaled timber sales, or CT-211 for tree measurement sales) will not be used for this project.**

*Will the buyer be allowed to high-grade the units, taking only the large trees and leaving the smaller trees (fuels) behind?*

Bryan Bird, Forest Conservation Council

**Response: The project will require that all trees within designated areas (units) larger than 5” DBH (diameter at breast height), except those trees required to be left, will be removed to the roadside. Products specified in the Timber Sale Contract (sawtimber and other products) will then be removed. The remaining material will be left in decks or piles at the roadside. It will not be left in the fuel reduction units.**

*The 12-inch or frozen ground requirement on this project could very well prevent it from being operated this season. Given the nature of the timber, time is of the essence if the removed dead timber is to*

*retain its economic value. If you lose this window of opportunity to expedite the harvest, to a large extent, you will potentially fail in your efforts to “address local economic issues.*

Robert D. Heater, Vaagen Bros. Lumber  
Josh M. Anderson, CF, Vaagen Bros. Lumber, Inc.

**Response: We expect that the purchaser will act quickly to remove material to the roadside before the specified snow or frozen ground conditions are lost. In the event that conditions change before project completion, the contract would allow a second winter season to remove material. Hauling, if not completed before spring break-up, can take place later, after roads dry out.**

*Suggests that the FS relax the requirement that logging take place on 12” of snow and/or frozen ground.*

Robert D. Heater, Vaagen Bros. Lumber  
Josh M. Anderson, CF, Vaagen Bros. Lumber, Inc.  
Daryl Rave, Rave Logging Company  
Candace Parr, Boise Cascade Corporation

**Response: The only way the Forest Service can conclude the environmental analysis process within the desired timeframe is to categorically exclude the project from documentation in an EA (Environmental Assessment) or EIS (Environmental Impact Statement). The project can only be categorically excluded when there is no potential for significant environmental effects. If logging on unfrozen soil is considered, the responsible official cannot conclude that there is no potential for significant environmental effects, and would have to conduct a more rigorous and time-consuming EA or EIS.**

*Opening closed roads could access many more units.*  
Sharon Shumate

**Response: We are not sure which roads are being referred to in this comment. Regardless, if closed roads require reconstruction, the project could not be done without extending the planning and operational timelines. If there are roads that could be opened and used to access additional timber, this would be considered in future planning efforts.**

*What is to be done with the removed trees that are to be decked or piled along roadsides?*  
Sharon Shumate

**Response: We will make every reasonable effort to utilize the material that is removed. Firewood (commercial and personal), miscellaneous small products (posts, poles, fence rails, etc), and fuel for power production are all possible uses, depending on demand and funding available. Material that cannot be utilized will eventually be burned.**

*I urge you to expedite the Mt. Leona Fire Salvage Project.*  
Cathy McMorris, State Representative  
Bob Sump, State Representative

**Response: We are doing everything reasonably possible to complete the necessary planning and contracting processes in a timely manner.**

*Please clarify the meaning of “expedited process.”*  
Mike Petersen, The Lands Council

Bryan Bird, Forest Conservation Council

**Response: By an “expedited process” we mean that we have made a concerted effort to speed up the process of planning and implementing the project.**

*Expressed support for the project, and stated that it would be better if more timber could be taken.  
580 people (form letter).*

**Response: The quantity of timber offered at this time is the product of many factors, including the need to meet Forest Plan management direction and to ensure that there is no potential for significant environmental effects, the realities of how much material can physically be removed before weather and snow conditions change, logging costs relative to value of material to be removed, the availability and proximity of dead timber to roads and logging systems, and the desire to move the project along quickly without entering into time-consuming modifications and legal discussions.**