

Decision Notice and Finding of No Significant Impact

Dry Burton Thin

USDA Forest Service
Cowlitz Valley Ranger District, Gifford Pinchot National Forest
Lewis County, Washington

T 12 N, R 9 E Sections 15, 21, 22, 27 and 28; Willamette Meridian

Decision and Reasons for the Decision

Background. The Cowlitz Valley Ranger District of the Gifford Pinchot National Forest proposes the Dry Burton Thin for sale during fiscal year 2006. The purposes of the project are to increase the health and vigor of managed stands while promoting the structural elements of late successional forest land, to provide forest products consistent with the Northwest Forest Plan, and to enhance riparian reserves. Actions associated with this project include harvesting of timber, the creation of two helicopter landing sites, and the rehabilitation of the landing sites following project activities.

The environmental analysis (EA) for this project (June 2006) identified resource needs (EA page 3), and management objectives (EA, page 4) that are intended to move the area closer toward the desired future condition of the landscape, as identified in the *Gifford Pinchot National Forest Land and Resource Management Plan* (Forest Plan), as amended, and as recommended by Cispus Adaptive Management Area Guide). Other recommendations in the Cispus Adaptive Management Area (AMA) Guide are followed to the extent they are compatible with the current management directions. The recommendations of the *Upper Cowlitz Watershed Analysis* are actions identified as necessary to attain the Aquatic Conservation Strategy objectives at the watershed (fifth-field) scale.

The Dry Burton planning area is located approximately 6 miles south of Packwood in T 12 N, R 9 E, Sections 15, 21, 22, 27 and 28, Willamette Meridian. The planning area is within the Cispus AMA, one of ten such areas identified in the Northwest Forest Plan for the purpose of encouraging the development and testing of technical and social approaches to achieve desired economic, ecological and other social objectives. The Dry Burton planning area is located entirely within 10,347 acre Smith Creek drainage, which is a sub-watershed of the Upper Cowlitz River Watershed (Figure 1).

The environmental assessment documents the analysis of four alternatives to meet the project need, in addition to the no action alternative.

Decision. Based upon my review of all alternatives, I have decided to implement Alternative 4.1. This decision includes all of the required mitigation as listed in the EA. The alternative will treat approximately 212 of 253 acres, using only helicopter logging systems. The resulting timber harvest will be *approximately* 4.2 million board feet. Temporary road construction and skid trails will not be required, and all volume will be yarded using helicopters. There will be two helicopter landings, one in unit 6 and one in unit 8. After completion of project activities, landings will be rehabilitated and replanted with trees. *Table 1* summarizes the project activities for Alternative 4.1 of the Dry Burton Thin.

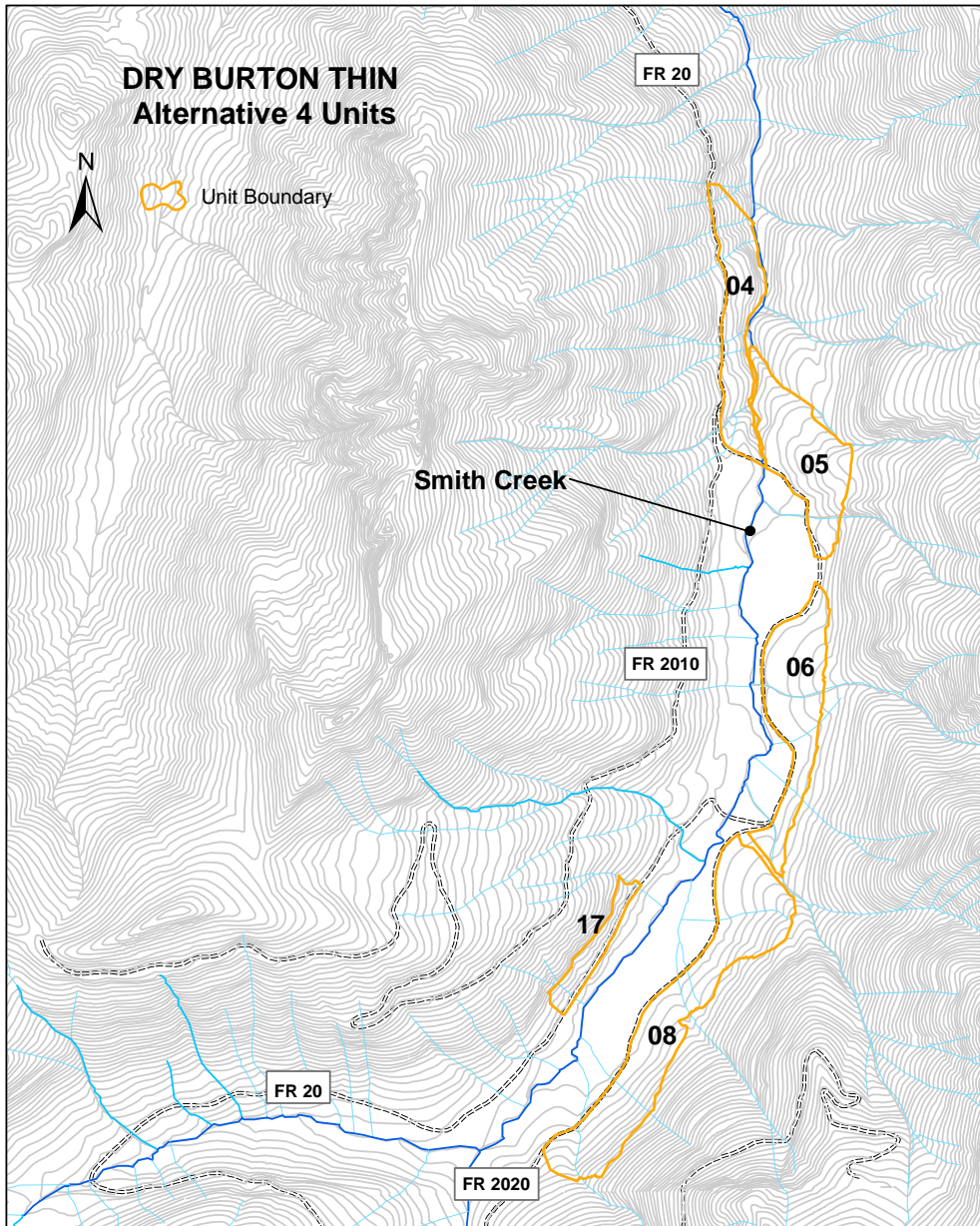


Figure 1. Alternative 4.1 units.

Table 1. Dry Burton Thin , Alternative 4.1 details.

Unit #	total unit acres	total acres thinned	riparian acres thinned	volume (mbf)	landings	slash disposal method
4	43	28	23	448	0	LS
5	48	40	14	600	0	LS
6	52	45	19	765	1 acre	LS
8	96	86	24	2,107	1 acre	LS
17	14	13	4	309	0	LS
Total	253	212	79	4,229	2	

When compared to the other alternatives this alternative better responds to the issues and management objectives used to formulate alternatives and develop site-specific activities. This alternative meets requirements under the *Gifford Pinchot National Forest Land and Resource Management Plan* as amended and recommendations found in the *Cispus AMA Guide, Upper Cowlitz Watershed Analysis* and the *Gifford Pinchot National Forest Roads Analysis*.

In addition to the stand treatment and harvest activities described above, the following opportunities would be implemented with KV or other sources of funding under this decision.

1. Snag creation (mitigation measure 35): Create an average of 2.8 snags per acre in each sale unit following harvest with post-sale funding, to meet AMA/Matrix and Riparian Reserve (i.e. LSR) goals. Created snags should be greater than 17 inches in diameter, unless this results in the largest trees in the unit being selected for snag creation. In that case, the average size trees in a unit will be selected for snag creation, however all created snags will exceed 15 inches in diameter.

2. Down-wood creation (mitigation measure 36): Fall 10 trees per acre in units 5, 6, 8, and 17 for down wood with post-sale funding following sale completion, unless contract provisions allow for it to occur in association with the sale. As with snag creation, the size of the felled down wood trees will reflect the average sized tree in each unit; the largest trees will not be preferentially selected for down wood creation. All down wood trees will exceed 15 inches in diameter, however. Due to the large amount of down wood already existing in unit 4, no down wood creation will occur in this unit, unless post-sale surveys indicate a need for it due to the disturbance of significant quantities of existing down wood.

3. Noxious weed treatment (mitigation measure 27): In order to prevent the spread of weeds that currently exist on Forest Roads into newly disturbed sale activity areas Class B and C noxious weeds are to be removed, through hand pulling and/or weed wrenching (or other appropriate means) along roadsides adjacent to harvest units, and extending 200 feet along the road beyond the unit boundary. If funding or personnel time is available to treatment will occur prior to project activities. KV funds will be sought to revisit weedy sites in the sale area to control ensuing infestations.

4. Rehabilitate old and existing logging spurs and landings in Units 5, 6 and 8. This project is proposed to treat areas that are not utilized by the timber sale purchasers. This project is

addressed in this analysis through the mitigation measure that requires rehabilitation of skid trails that utilize remnant spurs.

5. Stabilize-close the 2010 Road. This road is currently “stabilized-closed”, and the last one mile was decommissioned in 1993. The proposal would remove existing culverts at mileposts 0.6 and 1.4. The road would be re-closed with an effective closure berm at the junction with Forest Road 20. While the road is currently “closed”, it is being used by all terrain vehicles (ATV’s). Illegal ATV activity has reduced effectiveness of the closure and cause road surface erosion.

6. Stabilize (open) the 2020 Road. The first approximately 1.2 miles would be stabilized by the purchaser (improve drainage, stabilize by placing cross drains, etc.) and addressed in this analysis.

Rationale for the Decision

While all alternatives except the No Action alternative met the three purpose and need statements listed in the EA to some degree, Alternative 4.1 maximizes all objectives through the treatment of 212 acres of overstocked, historically managed stands (see EA page 31).

Alternative 4.1, like most of the alternatives, consists of design features that are intended to increase stand diversity and retain late-successional characteristics that are lacking in previously managed stands (consistent with AMA objectives). Implementation of Alternative 4.1 would result in healthy productive forests, and would provide forest products in a way that is sustainable, and preserves options for the future. The treatment of two-thirds of Riparian Reserves is expected to accelerate the development of mature and late-successional stand conditions (see EA pages 15-27, 31).

Alternative 4.1 units and treatments are identical to Alternative 4, except that all units would be helicopter logged. Temporary road construction or skid trails would not be required, and all volume would be yarded using helicopters. The number of landings would be reduced to two, and located in units 6 and 8. Landings would be rehabilitated, and replanted with trees. As with Alternative 4, under the selected alternative, helicopter logging would be restricted to certain time periods as specified in the Wildlife Mitigation Measures and biological assessment. Snags and down-wood would be created, trees would be set aside for in-stream projects, and minor species such as western red cedar, red alder, black cottonwood, big leaf maple would be favored and retained to promote and increase species diversity.

Alternative 4.1 also minimizes ground disturbance through helicopter logging all units, meeting and exceeding objectives related to soil productivity, water quality and riparian habitat. It addresses concerns identified through our own surveys and public comment regarding the disturbance of legacy features, and in particular the direct impacts of mechanical logging operations to existing down wood.

Finally Alternative 4.1 allows more volume to be harvested via helicopter logging methods. While not the most economical method per volume unit, the design improves the incentive for potential buyers by increasing the volume available to harvest. This approach is consistent with AMA objectives that promote learning and management on an ecosystem basis while attempting to address both technical and social challenges. Specifically, Alternative 4.1 provides a less

common way to thin young stands that is consistent with objectives that intend to speed the development of late-successional characteristics, while providing a sustainable source of wood products to the area economy.

Unconnected actions including restoration project proposals within the project action area would be similar under all alternatives, and implemented as funding becomes available.

Other Alternatives Considered

In addition to the selected alternative, I considered four other alternatives. A comparison of these alternatives can be found in the EA on pages 8 to 29.

Under Alternative 1 (the No Action alternative), current management plans would continue to guide management of the project area, and there would be no thinning of the Dry Burton planning area at this time. Alternative 1 was not selected because the units would continue to be overstocked, which delays the growth and development of larger trees and structural development of late successional features. There would also be no opportunities to practice and observe the results of various methods of thinning and related vegetation management activities to determine how best to manage stands to meet the desired future condition for the planning area. Alternative 1 also fails to accelerate the development of mature and late-successional stand conditions in the riparian reserves. Finally, Alternative 1 would not meet the Northwest Forest Plan goal of providing a sustainable and reliable supply of forest products.

Alternative 2 would have treated only those units which are accessible with ground-based harvest systems. This alternative was driven by concerns related to the issue of downhill yarding, and is conservative in its treatment of Riparian Reserves. Ground-based systems would potentially have disrupted more down wood legacy features. Ground disturbance related to temporary road, skid trail and landing construction would have been higher under this alternative, and more road and skid trail related sediment delivered to road surfaces, providing a pathway for sedimentation to aquatic and riparian features. Alternative 2 would have provided the least amount of forest products to the local economy, and would have treated fewer acres of managed stands that are overstocked.

Similarly to Alternative 2, Alternative 3 would have treated fewer acres, and created more ground disturbance than the selected alternative. While it would have treated more overstocked stands within and outside of riparian reserves than Alternative 2, cable logging systems would have disrupted more legacy features compared to all alternatives. The additional landings and ground disturbance would have created more opportunities for the delivery of sediment to road surfaces.

Alternative 4, which would have utilized a combination of ground-based and helicopter logging systems, was similar to Alternative 4.1 in that the same area would have been treated, including upland and riparian managed stands. However, disadvantages of Alternative 4 included greater ground disturbance, thus higher potential for sediment delivery, more potential for the disturbance of down legacy features (within ground-based units), and finally, less volume available to helicopter logging systems (a disadvantage for reasons discussed above).

Public Involvement

As described in the EA, the need for this action was originally identified in 1997. The project was revisited in 2005, and a commercial thinning project was proposed. The Dry Burton Thin was listed in the Schedule of Proposed Actions in 2005. The proposal was provided to the public and other agencies for comment during scoping, initiated May 6, 2005. In addition, as part of the public involvement process, the agency sent letters to the Cowlitz Valley Ranger District mailing list, including 47 individuals, non-profit organizations, agencies and tribes. Two comment letters were received. On May 22, 2006 members of the GP Task Force and Conservation Northwest participated in a field trip to Dry Burton.

Using the comments from the public, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included (see EA pages 6 and 7): disturbance to legacy features, Northern spotted owls and disturbance to suitable habitat; and potential effects to water quality and riparian-dependent species as a result of riparian thinning. To address these concerns, the Forest Service created the alternatives described above.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effects on public health and safety. Trail number 123 will be temporarily closed to the public during active logging operations in Unit 5. Travel to and from harvest sites along Forest Roads 2000 and 2020 may be affected by log truck traffic. Signage and posting signs communicating location and time periods of harvest and haul would mitigate this potential effect. (EA page 86).
3. There will be no significant effects on unique characteristics of the area, including unique or ecologically critical areas such as historic or cultural resources, park lands, prime farmlands, wetlands, or wild and scenic rivers. There are no park lands, farmlands, or rangelands within the Dry Burton Thin planning area. There are a few historical sites in the project area; however the analysis determined there are no significant sites and that there would be no effect on cultural and heritage resources (see EA page 80). There would be no adverse effects to wetlands or floodplains due to the implementation of project design criteria and mitigation measures. Forest Road 20 passes through a moist riparian reserve. Drainage in this area would be repaired to standard pre-haul, and the site would be stabilized post-haul using timber sale contract provisions (see EA pages 27, 86).
4. The effects on the quality of the human environment are not likely to be highly controversial. There is no known scientific controversy over the impacts of the project (see EA pages 84-86). The comments to the EA indicate that this project is not considered to be controversial (Analysis File, Comments to the EA).

5. The Gifford Pinchot National Forest has considerable experience with the types of activities to be implemented. I have determined that the effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA, Chapter 3).
6. I find that this action is one of several similar actions undertaken on National Forest System lands, and is not likely to establish a precedent for future actions with significant effects, or represent a decision in principle.
7. The cumulative impacts are not significant (see EA Chapter 4, response to comments Appendix B).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because there are no such structures or objects in the area. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because these resources are not only documented, but avoided (see EA page 80).
9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973. All construction activities will follow conservation measures to avoid, minimize, or otherwise offset effects to aquatic resources described in the *Endangered Species Act Section 7 Informal Consultations and Manguuson-Stevens Fishery Conservation Management Act Essential Fish Habitat Consultations for the Dry Burton Thin Timber Sale, Cowlitz Valley Ranger District*, June 29, 2006). The National Marine Fisheries Service concurred with the determination that the project *may affect, but is not likely to adversely affect* listed salmonids or their habitat (NOAA Fisheries Letter of Concurrence, *Endangered Species Act Section 7 Informal Consultations and Magnuson-Stevens Fishery Conservation Management Act Essential Fish Habitat Consultations for the ... Dry Burton Thin Timber Sale, Cowlitz Valley Ranger District (HUC 170800040301 Smith Creek), Gifford Pinchot National Forest*, June 29, 2006).

The U.S. Fish and Wildlife Service concurred with the determination that the Dry Burton Thin project *may affect, but is not likely to adversely affect* the threatened northern spotted owl, designated spotted owl critical habitat unit WA-37, and the threatened gray wolf. There would be *no effect* to the marbled murrelet, designated marbled murrelet critical habitat, the grizzly bear, or the northern bald eagle due to the absence, or very low likelihood of occurrence, of these species or critical habitats in the project area.

10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see pages 4, 85). The action is consistent with the *Gifford Pinchot National Forest Land and Resource Management Plan* as amended.

Findings Required by Other Laws and Regulations

As required by the national Forest Management Act, this decision is tiered to the *Gifford Pinchot National Forest Land and Resource Management Plan (LRMP, USDA 1990)*, as amended by the *Record of Decision for Amendments to Forest Service and Bureau of Land Management*

Planning Documents Within the Range of the Northern Spotted Owl (Northwest Forest Plan, USDA and USDI 1994), Amendments to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001), Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forest Within the Range of the Northern Spotted Owl – Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy (2004), and To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (2004).

I find that the only irreversible or irretrievable commitment of resources will be the limited use of rock for existing road surfacing and the potential and relatively small loss of soil productivity on landings (EA page 84). All landings are considered temporary, and will be subsoiled and revegetated following completion of the project.

This decision is based on the following additional factors to assure consistency with the National Forest Management Act of 1976:

This action is best suited to the goals in the Gifford Pinchot National Forest LRMP. The Gifford Pinchot National Forest LRMP as amended provides management direction through the designation of specific management areas, and standards and guidelines specific to these designations. The EA discusses these goals on pages 4 and 5 of the EA. This decision is responsive to those goals, and is best suited to meet those goals.

Lands can be adequately restocked within five years after final harvest when trees are cut to achieve timber production. Restocking is not applicable; the area treated will remain fully stocked after treatment as described in the silvicultural prescription. All treatments are commercial thinning. Landings will be replanted with shrubs and trees appropriate to the site conditions.

This decision is not based on the greatest dollar return or the greatest output of timber (although these factors shall be considered). This decision was based on several reasons, one of which was economic benefit. The most economical alternative was not selected however; this decision is based on factors most responsive to the purpose and need for the action and the stated goals and objects in the LRMP as amended and the Cispus AMA.

Potential effects on residual trees and adjacent stands have been considered. The effects on residual trees and adjacent stands were considered in development of the LRMP, and this decision is consistent with the LRMP. The analysis considered effects to residual trees through the application and design of alternatives that minimize those potential effects (EA pages 7-15).

This action was selected to avoid permanent impairment of site productivity and to ensure conservation of soil and water resources. This decision avoids impairment of site productivity. The nature of the decision and use of Best Management Practices, Project Design Criteria, and the Mitigation Measures will protect soil and water resources.

This action was selected to provide the desired effects on water quality and quantity, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation users, aesthetic values, and other resource yields. The nature of the decision and use of Best Management

Practices, Project Design Criteria, and the Mitigation Measures will protect soil and water resources. This decision is consistent with the LRMP and provides the desired effect on the above resources.

This action is practical in terms of transportation and harvesting requirements and total costs of preparation, logging and administration. The project area has adequate access, no new permanent roads are necessary to implement this decision. The benefit to cost ratio is positive (EA page 83).

I find that this action is consistent with the *Record of Decision for the Final Environmental Impact Statement for Management Competing and Unwanted Vegetation* (USDA, 1988b) as amended by the *Amendment to the 1988 Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation* (USDA, 1992), further supplemented by the Mediated Agreement. Specific mitigation is included by this decision to prevent or control the spread of noxious weeds within the project area and along roads.

I find that this action is in compliance with the 2001 Survey and Manage Record of Decision as it existed on March 21, 2004, and no further surveys or documentation is necessary for animal species.

The Dry Burton Thin project was surveyed for Threatened, Endangered, Proposed and Sensitive botanical species during summer of 2005. On January 9, 2006, U. S. District Court (WA) Judge Pechman, in resolution of the Survey and Manage lawsuit: Northwest Ecosystem Alliance et al. v. Mark E. Rey et al., ordered that the 2004 Survey and Manage Record of Decision be set aside, and the 2001 Decision be re-instated, as it existed on March 21, 2004. As a result, the Forest Service and Bureau of Land Management within the area of the Northwest Forest Plan must comply with the direction set forth within the 2001 Survey and Manage Record of Decision (ROD), with amendments incorporated based on the 2001, 2002 and 2003 Annual Species Reviews. I determined that additional surveys were necessary to comply with the 2001 ROD. Additional Survey and Manage vascular plants, lichens, bryophytes and fungi were surveyed for during June of 2006. Surveys were conducted to protocol using the *Northwest Forest Plan Standards and Guidelines for Survey and Manage species* (USDA & USDI 2001). None were found. As a result, this project is in compliance with the 2001 Survey and Manage Record of Decision as it existed on March 21, 2004, and no further surveys or documentation is necessary.

I find that this action is consistent with the Sustainable Fisheries Act of 1996 (Public Law 104-267), which amended the Magnuson-Stevens Fishery Conservation and Management Act). Because Essential Fish Habitat will not be adversely affected for any of these species, no consultation is necessary.

I find that all applicable state and federal requirements associated with the Clean Water Act (CWA) will be met through planning, application, and monitoring of Best Management Practices in conformance with the CWA and Federal guidance and management direction.

I find that this action does not violate other Federal, State or local laws designed for the protection of the environment.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215 (revised, June 2004). The written appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at

Gifford Pinchot National Forest
Claire Lavendel, Appeal Deciding Officer,
10600 NE 51st Circle, Vancouver, WA 98682

FAX (360) 891-5045
email: appeals-pacificnorthwest-giffordpinchot@fs.fed.us.

The office business hours for those submitting hand-delivered appeals are 8:00 AM to 4:30 PM Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Word (.doc) or portable document format (.pdf). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification. E-mails submitted to email addresses other than the one listed above, or in formats other than those listed or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in *The Chronicle*, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in *The Chronicle*, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Implementation Date

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. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Karen Thompson, North Zone Planning Team Leader during normal office hours at the Cowlitz Valley Ranger District office (10024 Hwy 12, Randle, WA 98377; (360) 497-1136 (voice); (360) 497-1101 (TDD); Fax (360) 497-1102; email: karenmthompson@fs.fed.us.

Kristie L Miller

KRISTIE L. MILLER
District Ranger
Cowlitz Valley Ranger District

July 31, 2006

Date