



United States
Department of
Agriculture

Forest
Service

Lewis and Clark
National Forest
Musselshell Ranger District

809 2nd Street NW
P.O. Box 1906
Harlowton, MT 59036
406 632-4391
FAX 406 632-5643

File Code: 1950

Date: March 18, 2008

Dear Forest User:

Enclosed you will find a copy of the Decision Memo for the Whitetail Salvage project on the Musselshell Ranger District of the Lewis and Clark National Forest. This project will harvest on approximately 65 acres of National Forest System lands not currently in a condition to meet the goals and objectives of Management Area B of the Lewis and Clark Forest Plan because 10-40% of the Douglas-fir have been killed and some remaining trees are at an elevated risk for insect related mortality. This project will construct less than .5 mile of temporary road. The proposed treatment area lies in Sections 30-32, T11N, R10E and sections 5-6, T10N, R10E.

My determination is that this proposal falls within a category of actions listed in the Forest Service NEPA Handbook (FSH) that are excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) and that no extraordinary circumstances exist that would preclude use of the category (FSH 1909.15, Chapter 31.2 (12 & 13) – (category 12) *Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction*” and (category 13) which includes, “*Salvage of dead and or dying trees not to exceed 250 acres, requiring no more than ½ mile of temporary road construction.*”

This decision is subject to appeal pursuant to 36 CFR 215, as clarified in the court order dated October 19, 2005 by the U.S. District Court for the Eastern District of California in Case No. CIV F-03-6386JKS. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the Great Falls Tribune. It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the *exclusive* means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Paper appeals must be submitted to:

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
P.O. Box 7669
Missoula, MT 59807

Or

USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
200 East Broadway
Missoula, MT 59802
Office hours: 7:30 a.m. to 4:00 p.m.

Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us

In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF).

It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

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

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for

postings about current appeals in the Northern Region of the Forest Service:
http://www.fs.fed.us/r1/projects/appeal_index.shtml.”

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.

The responsible official is Douglas Dodge, Musselshell District Ranger, Box 1906, Harlowton, MT 59036, phone at 406-632-4391.

If you need additional information regarding this proposal, please contact Steven J. Martin, PO Box 1906, Harlowton, MT 59036, 406-632-4391.

Sincerely,

/s/ *Douglas Dodge*

DOUGLAS DODGE
District Ranger

Enclosures – Decision Memo and Project Map