



United States
Department of
Agriculture

Forest
Service

Washington Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20090-6090

File Code: 1950/2400
Route To: (1950/2400)

Date: OCT 18 2001


Subject: Field Monitoring Data Needed for Creating a New Limited Tree Removal
Categorical Exclusion (CE)

To: Regional Foresters

Since moving to the position of Deputy Chief I have received questions from you, Forest Service personnel in the field, the Department, and from members of Congress about our efforts to create a categorical exclusion for limited tree removal in accordance with the Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA). I would like to take this opportunity to reaffirm my commitment to this effort. I appreciate the input we received from the regions on potential scope and limits for this new category. We will use this information to develop the proposed Categorical Exclusion (CE) we anticipate will be published in the Federal Register this winter.

In addition to your input on scope and limits, we also need your monitoring information on the environmental effects of past timber harvest. This monitoring information is critical to showing our public what type of environmental effects our past small timber sales have had as well as helping us to understand what scope and limits would be appropriate for a new limited tree removal category. Please take a moment to re-read the letter that was sent by Sally Collins on August 3, 2001 (attached) regarding the monitoring information we need by November 1, 2001. Since that letter was sent, the monitoring form has been modified in response to field input. Please encourage your staff and forests to take a look at the new form and embedded instructions located on the web at <http://fsweb.rsac.fs.fed.us/timber/>.

The Chief has listed the limited tree removal CE as one of his top priorities because he has heard it is one of your greatest needs for ensuring timely public service. The success of creating this new CE depends largely on the monitoring data we receive from you. If you believe that your Region will have difficulty in submitting the requested monitoring information by November 1, 2001 please contact Fred Norbury, Director of Ecosystem Management Coordination (EMC) at (202) 205-1025. If you have any questions about the monitoring or the effort in general to create a new category, please contact Julia Riber of EMC at (406) 329-3678 (jriber@fs.fed.us) or Rod Sallee of FM at (202) 205-1766 (rsallee@fs.fed.us).

for 
TOM L. THOMPSON
Deputy Chief, National Forest System

Enclosure



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File Code: 1950/2400

Date: August 3, 2001

Route To:

Subject: Information Needed for Creating a New Limited Tree Removal Categorical Exclusion (CE) to Replace Timber Harvest Category Number

To: Regional Foresters

REPLY DUE AUGUST 22, 2001

REPLY DUE: MONITORING DATA: NOVEMBER 1, 2001

As you know, in September of 1999 we lost our ability to categorically exclude some small timber-harvesting projects through a nationwide court injunction. In fiscal year 1998, the agency categorically excluded over 300 timber-harvesting projects under Forest Service Handbook (FSH) 1909.15, chapter 30, section 31.2, category number 4. Since the injunction, the Forest Service has prepared environmental assessments for most of the projects that previously would have been prepared under CE number 4. The loss of CE number 4 has resulted in unnecessary delays for some projects. I am concerned that these projects are important to the livelihood of many small operators, contractors the Forest Service depends on to accomplish restoration, fuel treatments, and thinning work. Therefore, I have asked Ann Bartuska, Director of Forest and Rangeland Management (FM), and Fred Norbury, Director of Ecosystem Management Coordination (EMC), to work together to propose a new CE to address some of the types of projects lost under category number 4.

First I would like to hear from you. I would like to know what you think would be the appropriate scope and limits for this new limited tree removal CE. My objective is to create a CE that allows us to work with our local small operators to accomplish small restoration, fuel treatment, and improvement projects in a timely manner and where we have the data to know we do not need more analysis. Another objective is to create a CE that is easy to understand and implement. One approach could be an acreage limit, which would be more consistent with other existing categories. Or should we define the CE by the number of trees cut and removed from the site, or the number of residual trees left on site? Should we include both green and salvage timber under this category? Should temporary road construction be allowed, and if so, how much? I encourage you to think outside of the box; however, keep in mind that whatever scope and limits we propose, we must have data to support the statement that the category does "not individually or cumulatively have a significant effect on the human environment" (40 CFR 1508.4). I ask that regions send one set of reviewed, approved, and consolidated responses via email to Julia Riber (jriber@fs.fed.us) by Wednesday, August 15, 2001. Your response to this portion of the request is optional; however if you are going to respond please do so by August 15, 2001. We will use your input to draft a proposed CE for internal review and comment. This will be followed by publishing a proposed CE in the *Federal Register* for public comment.



Second, an essential component of this effort is to collect monitoring data on the effects from past timber harvest. Therefore, I would like you to send the Washington Office any results from past monitoring efforts on the effects of: 1) projects that were performed under category number 4, or 2) projects that were done with an environmental assessment (EA) or environmental impact statement (EIS) but fit the requirements of CE number 4, or are small in scope. If past monitoring data does not exist, then I am requesting that each forest that has historically used timber harvest CE's, or projects that are similar in size and scope to CE number 4, to monitor at least two randomly selected CE's or projects as defined above. All monitoring results must be submitted using the web-based form that was designed specifically for this monitoring effort. The form is located on the Forest Service intranet at [HTTP://FSWEB.RSAC.FS.FED.US/TIMBER/](http://FSWEB.RSAC.FS.FED.US/TIMBER/). Further monitoring instructions and a copy of the web-based form is enclosed. The objective of this monitoring is to determine if our category met the Council on Environmental Quality (CEQ) requirements as a project that did "not individually or cumulatively have a significant effect on the human environment" (40 CFR 1508.4). At a minimum, I am requesting the monitoring results of two projects from each forest that has historically implemented this type of project. The monitoring information is due November 1, 2001.

To facilitate this effort, I am requesting that each region forward a list of all the forests that have historically used timber harvest CE's or projects that are similar in size and scope to CE number 4. I also ask that each region identify one regional contact who will be available to answer questions on both the scope and limitations as well as the monitoring component. Please submit the lists of forests and the regional contact information via email to Julia Riber (jriber@fs.fed.us) by August 15.

Julia Riber and Darci Birmingham will lead a conference call with regional NEPA and Forest Management representatives to clarify any questions on this request, the enclosed instructions and the web monitoring form. It is possible that the enclosed monitoring instructions and web-based form will be modified as a result of that call. My objective is to get this monitoring request out to all of you as soon as possible so you may incorporate it into your field season program of work, while at the same time insuring we have a feasible and effective monitoring project. Julia and Darci will be contacting all the Regional Planning and Forest Management Directors with the details for the upcoming call.

I am also asking that each unit maintain any records on the monitoring effort in accordance with the Federal Records Act. One of the most damaging issues during the Heartwood case was our lack of historical records on the generation of category 4. Further instructions will be forthcoming on how the records should be filed and forwarded to the Washington Office.

The Chief has listed restoration of a limited tree removal CE as one of his top priorities because he has heard it is one of your greatest needs for ensuring timely public service. The success of creating this new CE depends largely on the input and monitoring data we receive from you. If you have any questions, please contact Julia Riber of EMC at (406) 329-3678 (jriber@fs.fed.us) or Darci Birmingham of FM at (202) 205-1759 (dbirmingham@fs.fed.us).

/s/Sally Collins

SALLY D. COLLINS

Associate Deputy Chief for National Forest System

Enclosures