UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Klamath Falls Resource Area

DECISION RECORD FOR WILD GAL SALVAGE PROJECT CATEGORICAL EXCLUSION #DOI-BLM-OR-L040-2014-29-CX

DECISION AND RATIONALE

It is my decision to implement the proposed action as described in the Categorical Exclusion (CX) for the Wild Gal Salvage Project. The treatments proposed are categorically excluded from further NEPA analysis as detailed in the CX document #DOI-BLM-OR-L040-2014-29-CX. This Decision will authorize the post-fire salvage of up to 250 acres under the existing contract within the boundaries of the 546-acre Wild Gal Timber Sale which burned at high intensity during the Oregon Gulch Fire.

This project's Categorical Exclusion Authority allows for the economic recovery of dead and dying trees not to exceed 250 acres. The project's Purpose and Need is to recover the economic value of fire-killed trees on an active timber sale that was being harvested at the time of the fire, while balancing the need to minimize environmental effects to resources from project implementation. The 250 acres chosen for harvest in this CX exclude Riparian Reserves and Late Successional Reserves (LSRs). The project includes only Matrix lands, and is outside of any active northern spotted owl (NSO) territories, and outside of any NSO Designated Critical Habitat. Because the Wild Gal Timber Sale was already sold and was being harvested before the fire, timing is critical to resume harvest before the value of the burned timber is lost.

CONSULTATION AND COORDINATION

Public Scoping and Review

The BLM, Klamath Falls Resource Area (KFRA), requested public input on the Wild Gal Salvage CX during a 15-day comment period that began on August 20, 2014. A total of 97 letters were mailed to affected parties, individuals, organizations, and agencies that had requested to be involved in the environmental planning process for activities in the KFRA. Three letters of comment were received and were considered in making the final decision. A summary of comments and BLM responses are attached in Appendix A. The Wild Gal Salvage Project CX and Decision Record are available on our web site: http://www.blm.gov/or/districts/lakeview/plans/index.php beneath the heading of "Documents Currently Under Public Review." A notice of this Decision will be published in the Klamath Falls *Herald and News* on September 4, 2014 and a letter of notification will be mailed to commenters and affected parties.

Endangered Species Act Consultation

No threatened or endangered species listed under the Endangered Species Act of 1973, as amended, occur within the project area or would be affected from the proposed salvage. There is

no designated critical habitat within the project area or that would be affected from the proposed action. Therefore, the BLM has made a "No Effect" determination for all threatened and endangered species and designated critical habitat. Due to this determination, Section 7 consultation with the U.S. Fish and Wildlife Service is not required.

Cultural Resources Consultation

Tribal consultation was previously conducted under the Wildgal-Dixie Forest Heath Treatments Environmental Assessment (EA) and has been determined to be adequate.

ADMINISTRATIVE REMEDIES

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with KFRA Field Manager, by the close of business (4:30 p.m.) not more than fifteen (15) days after publication of this Notice of Decision in the Klamath Falls *Herald and News*. As outlined in 43 CFR § 5003, subsection (b), "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail or facsimile protests. Only written and signed hard copies of protests that are delivered to the KFRA office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Protests should be sent to:

Field Manager
Klamath Falls Resource Area
2795 Anderson Avenue, Building 25
Klamath Falls, Oregon 97603-7891

As stated in 43 CFR § 5003.3 subsection (c): "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to them. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 43CFR § 5003.3(f).

/s/ Richard White *9/4/2014*
Richard White, Field Manager Date
Klamath Falls Resource Area
Lakeview District, Bureau of Land Management

APPENDIX A: Wild Gal Salvage Project CX Comment Summary

The Klamath Falls Resource Area (KFRA) BLM received three letters from interested parties, agencies, and individuals (see Table 1) as a result of requesting review of the Wild Gal Salvage Categorical Exclusion (CX). The substantive comments were grouped into three categories: Snag Retention, Winter Logging, and Salvage Harvest in general. KFRA BLM Responses are included below.

Table 1. Respondent Correspondence

Letter Number	Date	Name of Respondent and Organization Affiliation (if Given)
1	8/21/2014	George Sexton, Conservation Director Klamath Siskiyou WildlandsCenter (KS Wild) Ashland, OR
2	8/26/2014	Andy Geissler, Western Oregon Field Forester; AFRC (American Forest Resource Council), Eugene, OR
3	9/2/2014	Doug Heiken, Oregon Wild, Eugene, OR

SNAG RETENTION

Letter-1 Comment: *"The proposal to retain as few as 4 wildlife snags per acre greatly concerns us. It is our understanding that the project area is in deficit for coarse woody debris and that large snag retention is needed to address this deficit. It is also our understanding that retention of 4 snags per acre will only allow for 60% population potential of sensitive cavity nesting species including candidate species for listing under the ESA."*

Letter-3 Comment: "*BLM needs to ensure that there are adequate numbers of snags to meet snag habitat objectives over time. There may be appear to be an abundance of snags today, but that is a very short-term phenomena, and it hides a much more significant long-term shortage of large snags caused by the fire, and exacerbated by salvage logging that removes the large trees that are likely to persist into the snag gap that results after most of the snags have fallen."*

Response to Letter 1 and 3 Comments: The project area is in deficit of coarse wood based on the management direction in the KFRA RMP (pg. 23) where it states "leave 120 linear feet of logs greater than 16 inches in diameter and 16 feet long on matrix lands." The management direction (pg. 23) also states to retain snags within timber harvest units at levels sufficient to support species at 60% of potential levels, which equates to 1.9 snags per acre (RMP pg. 33). An additional 0.7 snags per acre are retained to meet the standard and guidelines in the 2001 Record of Decision (2001 ROD) for the white-headed and black-backed woodpeckers, pygmy nuthatch and flammulated owl (pg. 33-34). So the minimum number of snags mandated by the RMP and 2001 ROD is 2.6 snags per acre.

In the Wild Gal Salvage CX, the retention of at least four snags (two greater than 16" DBH and two greater than 20" DBH where available) will be implemented to meet the snag requirements as well as retain standing dead wood that will provide a source for future coarse woody debris (CWD) to meet the RMP guidelines. As stated in the CX, the four large snags would be the minimum retained; however the snag retention project design features provide guidelines to leave snags in well-distributed patches that include the retention of additional smaller snags in

those patches. Also, snags in decay class 3, 4 and 5 may be retained to avoid fragmenting the snag patch. The green tree retention guidelines as described in Appendix A of the CX will provide a source of future snags. As stated in the CX, all live hardwoods and hardwood snags will be retained unless required to be removed as hazard trees by OSHA standards.

Finally, Additional large snags will be reserved in other adjacent areas excluded from salvage including riparian reserves (approximately 36 acres), meadow buffers (approximately 15 acres), and other reserve areas within the proposed project.

Letter-2 Comment: "*We encourage the BLM to recognize the importance of safe salvage yarding operations when layout of the salvage harvest units is occurring. While certain designs that focus on retention of key structural components (such as snags) may be positive from an ecological standpoint, they can be problematic from a logging standpoint if not implemented carefully. Poorly placed snag or green tree retention can make yarding difficult or dangerous. We would like the BLM to develop a logging plan early in the planning process so that the retention tree layout can be designed with it in mind in order to balance the need for economical timber sales with the need for retention of key structural elements in salvage harvests."*

Response: Safety is one of the primary concerns in the development of plans for salvage logging of the Wild Gal Timber Sale area. Individual snags and snag patches will be located where they do not create dangerous conditions for loggers but still serve the intended ecological purposes (such as wildlife snags, down wood, etc.). In some areas, the timber sale contract will allow the purchaser to follow a prescription and designate the snags and snag patches to be reserved.

Letter-3 Comments: *"…Wildgal-Dixie EA page 39 says "The proposed action would maintain current nesting structure and foraging habitat by maintaining the available snags (PDFs – Appendix B) and providing green tree retention for future snags." Also, Page 38 of the Wildgal-Dixie EA says " ...since snags are limited in the area, loss of large snags may be detrimental to those species that rely on them for nesting." This indicates that snags were already limited before the fire. Now the green tree recruitment pool is greatly depleted. Within the stand replacing fire areas, the only large snags we have for the next 80+ years are those that currently exist and are retained. Salvage logging will make the snag shortage worse and will almost certainly lead to violations of RMP standards for snag habitat."*

Response: The Wild Gal-Dixie EA is no longer relevant. The vast majority (95% +) of green trees existing in the Wild Gal-Dixie EA area before the Oregon Gulch Fire are now dead. Current snag levels are far in excess of those required in the RMP. The Wild Gal Salvage Project will reserve more snags than required in the RMP (see above "**Response to Letter 1 and 3 Comments"**).

WINTER LOGGING

Letter-1 Comment: "*The fire impacts to soils in proposed CX logging units appear severe with many sites lacking any vegetative cover and lacking resiliency to yarding activities. There are a large number of peer-reviewed studies that establish the significant impacts associated with ground-based post-fire yarding on moderately and severely burned soils. Please note that the volume to be yarded (by tractor) per acre has increased greatly since the initial Wild Gal timber sale proposal. Please consider requiring (rather than allowing) ground-based yarding to occur*

over snow. Implementation of this proposed mitigation measure would greatly decrease the yarding impacts while allowing significant ground based yarding throughout the CX units."

Response: The KFRA specialists would support allowing snow logging for the salvage harvest, but we rarely require snow logging because sufficient snow depth to permit winter logging is not dependable. Higher and more northern areas of KFRA BLM lands normally have enough snow to winter log. The Wild Gal area in particular does not usually get enough snow (20 inches) to allow winter logging. In the last 24 years, there has only been one year where there may have been enough snow to winter log in the Wild Gal area.

While KFRA generally supports logging on snow as a means to mitigate soil impacts, some issues do exist with road conditions during snow logging periods. Often the roads are wet and some groups have requested that winter logging be curtailed or not allowed for that reason.

While the volume to be yarded in the salvage sale has increased over the original sale, the volume will still be yarded over the same skid trails and taken to the same landings. The primary difference will be that more trips over the same skid trails will be required to remove the additional volume.

Soil project design features (PDFs) other than snow logging that will be implemented include the standard designation of skid trails and landings, and leaving additional woody debris in the salvage units and on the skid trails (see soils PDFs in Appendix B of the CX, page 8).

In addition, extra snags will be retained to contribute to future down wood and cull logs/slash will be yarded back into the units from the landings or left in the units.

Letter-2 Comment: "*Timely removal of these damaged timber products is important today for our members who depend on the products the BLM supplies to keep their mills running in the communities they operate in, and we are glad the BLM moved forward with this CX in a timely manner to accommodate economic recovery as quickly as possible. It appears from language in the CX that the BLM is also striving to accommodate timely operations on the ground to ensure this recovery. Operations that extend into the winter months may be crucial to capturing the value of the standing dead timber and we thank the Lakeview BLM for considering this and permitting it in the CX."*

Response: KFRA BLM supports winter logging when conditions are suitable. Those conditions include either dry soil conditions (less than 20% soil moisture), logging on snow (usually 20 inches or more), or logging over frozen ground. Logging would not be allowed when soil conditions exceed 20% moisture content. Most years, dry soil conditions in the Wild Gal project area persist until approximately the end of October. Winter logging conditions are not dependable in the Wild Gal project area and conditions vary year to year.

SALVAGE HARVEST

Letter-3 Comment: **"***There is no sound basis for the categorical exclusion for salvage logging. Salvage logging is likely to have significant adverse effects on to soil quality, water quality,*

carbon storage, and salvage logging has long-term adverse effects on high-quality complex early seral habitat, and the complex mid- and late-seral habitat over time…The agency must prepare a new programmatic EIS to consider the effect of salvage logging on young complex forests and the development of complex older forest. The agencies should not conduct any more salvage logging until they have fully disclosed and considered current scientific understandings about the role of fire and other disturbances in forest development."

Response: The Council of Environmental Quality (CEQ) regulations for the National Environmental Policy Act (NEPA) at 40 CFR § 1508.4 state that:
" 'Categorical exclusion' means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effects in procedures adopted by a Federal agency in implementation of these regulations (Sec. 1507.3) and for which, therefore, neither an EA or an EIS is required…Any procedures under this section shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect."

In August of 2007, the BLM Washington Office published four new forestry CXs in the Federal Register, including the salvage CX for 250 acres used for this project. As stated, "In implementation of the NEPA regulations, the BLM has developed categorical exclusions for certain silvicultural activities such as reforestation, pre-commercial treatments, brush control, sample tree falling, and **salvage**, commercial thinning, and hazardous fuels reduction of limited acres. In developing categorical exclusions, the BLM demonstrated through rulemaking procedures how these actions do not typically result in significant environmental effects and set forth the methodology and criteria used to define the categories of actions. These rulemaking procedures involved extensive public involvement and input, and CEQ review, regarding appropriate limits on the use of the categorical exclusion to assure that any categorically excluded action would remain within the effects of actions covered in the analysis for rulemaking." The BLM is within our legal designation for salvage operations associated with our CX authority listed in the NEPA handbook at 516 DM 11.9 (8). This project's Categorical Exclusion Authority allows for the economic recovery of dead and dying trees not to exceed 250 acres.

Letter-3 Comment: "*Salvage is not Restoration."*

Response: The BLM agrees that salvage harvest is not restoration. The Purpose and Need and need of this project is to recover the economic value of fire-killed trees on an active timber sale that was being harvested at the time of the fire, while balancing the need to minimize environmental effects to resources from project implementation. The Categorical Exclusion Authority allows for the salvage harvest not to exceed 250 acres. The 250 acres chosen for harvest in this CX excludes Riparian Reserves and Late Successional Reserves (LSRs). The project includes only Matrix lands, and is outside of any active northern spotted owl (NSO) territories, and outside of any NSO Designated Critical Habitat.

Because the Wild Gal Timber Sale was already sold and was being harvested before the fire, timing is critical to resume harvest before the value of the burned timber is lost. The remaining 4,600+ acres of KFRA BLM Lands burned in the Oregon Gulch fire will be analyzed for salvage and emergency stabilization and rehabilitation actions in a future EA.