

DECISION RECORD

Carlton Complex Aerial Seeding and Hazard Tree Removal

DOI-BLM-OR-134-2015-0002-CX

Bureau of Land Management

Wenatchee Field Office

915 Walla Walla Avenue

Wenatchee, Washington 98801

1. Background

The Carlton Complex fires occurred in the summer of 2014. The complex burned approximately 256,000 acres (approximately 6,300 Bureau of Land Management (BLM)-administered acres) in Okanogan County. Fire severity was moderate to high in some of the burned areas, resulting in increased recovery time of native species, increased run-off and sediment movement, and susceptibility to the expansion of invasive species. High severity burn areas are unlikely to fully recover naturally due to soil erosion, the presence of invasive species in the area, and the slow recovery time for some plant species. Proposed vegetation treatments are designed to target areas where fire severity was high in order to re-establish native vegetation for wildlife habitat, prevent soil erosion, and limit expansion of noxious weeds and other invasive species that occur in the area. The BLM also proposes to remove approximately ten to twenty hazard trees (approximately 8" to 20" DBH) on a BLM parcel along State Highway 153 in Okanogan County. The trees were damaged and killed by the 2014 Carlton Complex fire, and are located within striking distance of Highway 153 and therefore could pose a risk to public safety if left in place. Highway 153 is the major access egress road between the Methow Valley and State Highway 97.

2. Decision

It is my decision to implement the *Carlton Complex Aerial Seeding and Hazard Tree removal* projects as described in the attached document, DOI-BLM-OR-134-2015-0002-CX, and shown on attached maps & drawings.

This wildfire management decision is issued under 43 CFR 4190.1 and is effective immediately. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire. Thus, notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.

3. Authority

The following authority is applicable to this decision: Code of Federal Regulations Subpart 4190.1 - Effect of wildfire management decisions.

(a) Notwithstanding the provisions of 43 CFR 4.21(a)(1), when BLM determines that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately or on a date established in the decision. Wildfire management includes but is not limited to: (1) Fuel reduction or fuel treatment such as prescribed burns and mechanical, chemical, and biological thinning methods (with or without removal of thinned materials); and (2) Projects to stabilize and rehabilitate lands affected by wildfire.

4. Rationale

Changes caused by the fires have increased risk to public safety and reduced habitat value for wildlife and have increased the burned areas' susceptibility to non-native species invasion and has resulted in unstable soils in some areas. Proposed treatments will remove hazards to public safety and help to quickly re-establish native vegetation to provide habitat value for wildlife species, reduce the spread of invasive species, and stabilize soils.

5. Coordination and Consultation

Grazing Lease Permit Holders
Okanogan County Conservation District
U.S Forest Service
U.S. Fish and Wildlife Service
Natural Resource Conservation Services
Federal Emergency Management Agency
Washington Department of Fish and Wildlife
Washington Department of Natural Resources

6. Protest and Appeal

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR § 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR § 4.416. Any appeal should state clearly and concisely as to why the final decision is in error. If an appeal is taken, notice of appeal must be filed in the office of the authorized officer at the following address within 30 days from receipt of the decision. All grounds of error not stated shall be considered waived and no such waived ground of error may be presented at the hearing unless ordered or permitted by the administrative law judge. Any appeal should be submitted in writing to:

Field Manager, Wenatchee Field Office
Spokane District Bureau of Land Management
915 Walla Walla Ave

Wenatchee, WA 98801

Filing an appeal does not by itself stay the effectiveness of the final BLM decision. The appeal may be accompanied by a petition for a stay of the decision pending final determination on appeal, in accordance with 43 CFR § 4.471 and 4.479. Any request for a stay of the final decision in accordance with 43 CFR § 4.21 must be filed with the appeal. In accordance with 43 CFR § 4.21 (b)(1), a petition for a stay must show sufficient justification based on the following: The relative harm to the parties if the stay is granted or denied, The likelihood of the appellant's success on the merits, The likelihood of immediate and irreparable harm if the stay is not granted, and Whether the public interest favors granting the stay. Additionally, in accordance with 43 CFR § 4.471(b), within 15 days after filing an appeal and petition for a stay with the authorized officer, the appellant must serve copies on: 1) All other person(s) named in the address heading of this decision; and 2) The appropriate office of the Office of the Solicitor as follows, in accordance with 43 CFR § 4.413(a) and (c): Office of the Solicitor, US Department of the Interior, Pacific NW Region, 805 SW Broadway, Suite 600, Portland, OR 97205

Finally, in accordance with 43 CFR § 4.472(b), any person named in the decision from which an appeal is taken (other than the appellant), who wishes to file a response to the petition for a stay, may file with the Hearings Division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and respond, the person must serve copies on the appellant, the appropriate office of the Office of the Solicitor in accordance with Sec. 4.413(a) and (c), and any other person named in the decision.

/s/ Linda Coates-Markle

November 12, 2014

Linda Coates-Markle
Field Manager

Date

Attachments:
Categorical Exclusion
Project Area Maps and Drawings

Categorical Exclusion Documentation

Department of the Interior
Bureau of Land Management, Spokane District
1103 North Fancher Road
Spokane Valley, WA 99212

A. Background

BLM Office: Wenatchee Field Office

Lease/Serial/Case File No.:

NEPA Log Number: DOI-BLM-OR-134-2015-0002-CX

Proposed Action Title: Carlton Complex Aerial Seeding and Hazard Tree Removal

Location of Proposed Action: T.32N. R.25E. Sections 5,6,7,8,18; T.30N. R.24E. Sections 2,3,6,10,11,17,18,19,20; T.30N., R.23E. Sections 1,2,9,12,19-27,29,33,34,35; T.30N. R.22E. Sections 12,13,24,25; T.31N. R.22E. Sections 6,7,21,26; WM, Okanogan County.

Description of Proposed Action: The Bureau of Land Management (BLM) Wenatchee Field Office is proposing treatments in response to the Carlton Complex wildfire that burned approximately 6,300 acres of BLM-administered lands. Treatments covered by this document include only those that require immediate action and would not affect cultural resources and therefore do not require Section 106 consultation. Those treatments include aerial seeding of areas with moderate to high soil burn severity and removal of burned trees that present substantial hazard to human safety. The BLM proposes to seed up to 1,500 acres with native grasses using either fixed-wing or rotary aircraft. Seeding would occur on BLM-administered lands, but may also include cooperative treatments with Washington Department of Fish and Wildlife, Washington Department of Natural Resources, and adjoining parcels of private property. The BLM also proposes to remove approximately ten to twenty hazard trees (approximately 8" to 20" DBH) on a BLM parcel along Highway 153 in Okanogan County. The trees were damaged and killed by the 2014 Carlton Complex fire, and are located within striking distance of Highway 153 and therefore could pose a risk to public safety if left in place. Highway 153 is the major access egress road between the Methow Valley and State Highway 97. Trees will be felled and left in place. Hand cutting and piling will minimize ground disturbance.

B. Land Use Plan Conformance

Land Use Plan Name: Spokane Resource Management Plan

Date Approved/Amended: Approved 1987/Amended 1992

Option 1 (conforms with LUP): The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

OR

(Option 2: not explicitly provided for in the LUP) The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly

consistent with the following LUP decision(s) (*objectives, terms, and conditions*): The Record of Decision (ROD) for the 1987 Spokane District Resource Management Plan (RMP) provides for various types of administrative actions which require special attention beyond the scope of the plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan. The proposed action is one of the types of administrative actions referred to in the ROD.

C. Compliance with NEPA:

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with

516 DM 11.9.I.(1): Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition as a result of the event. Such activities shall be limited to: repair and installation of essential erosion control structures; replacement or repair of existing culverts, roads, trails, fences, and minor facilities; construction of protection fences; planting, seeding, and mulching; and removal of hazard trees, rocks, soil, and other mobile debris from, on, or along roads, trails, campgrounds, and watercourses. These activities:

- a. Shall be completed within one year following the event;
- b. Shall not include the use of herbicides or pesticides;
- c. Shall not include the construction of new roads or other new permanent infrastructure;
- d. Shall not exceed 4,200 acres; and
- e. May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
- f. Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply, as shown in the following table:

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION The proposed categorical exclusion action will:	YES	NO
(a) Have significant impacts on public health or safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed action aims to benefit public safety by cutting hazard trees that may fall on Highway 153 and by reducing potential for run-off and debris flows. However, the action of		

implementing these treatments would not have significant impacts on public health or safety.		
(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed treatments would not have significant effects on any of the above listed resources. A portion of the burned area is in the vicinity of Highway 153 would have trees cut.		
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No highly controversial effects have been identified from past projects with similar treatments.		
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
There are no unknown risks with proposed treatments because they are common treatments that are widely applied post-fire stabilization treatments.		
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
This project is using previously established treatment methods and would not affect future consideration of similar treatments for other projects.		
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No significant cumulative effects have been identified.		
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The nature of treatments proposed was determined not to have the potential to result in effects to historic properties. Proposed treatments (aerial seeding without ground disturbance and cutting but not removing trees) were designed to avoid ground disturbance.		
(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No federally listed species or critical habitat is present in the treatment areas. Hazard tree area is more than 300 ft. from active channel margin of the Methow River, in an upland vegetation community. Trees in this patch do not contribute to shading, instream wood, bank stability, or riparian habitat, therefore there would be no impacts to listed salmonids, bull trout, or fish Critical Habitat. There are no documented denning or rendezvous areas for gray wolf near the treatment area.		
(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All applicable laws (NEPA, NHPA, ESA) are being followed.		
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Application of the proposed treatments does not have the potential to affect low income or minority populations in any manner.		
(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No access limitations are proposed and treatments would not preclude access.		
(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No ground disturbance is proposed for the project, therefore the likelihood of introduction or spread of noxious weeds is minimal.		

F: Signature

Linda Coates-Markle

11/12/2014

(Authorizing Official Signature)

(Date)

Name: Linda Coates-Markle

Title: Field Manager

G. Contact Person

For additional information concerning this CX review, contact Mark Williams, Forester or Erik Ellis, ESR Coordinator 509-665-2100.

Note: A separate decision document must be prepared for the action covered by the CX.

Highway 153 Hazard Tree Areas

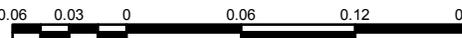


— State Highway

■ Bureau of Land Management

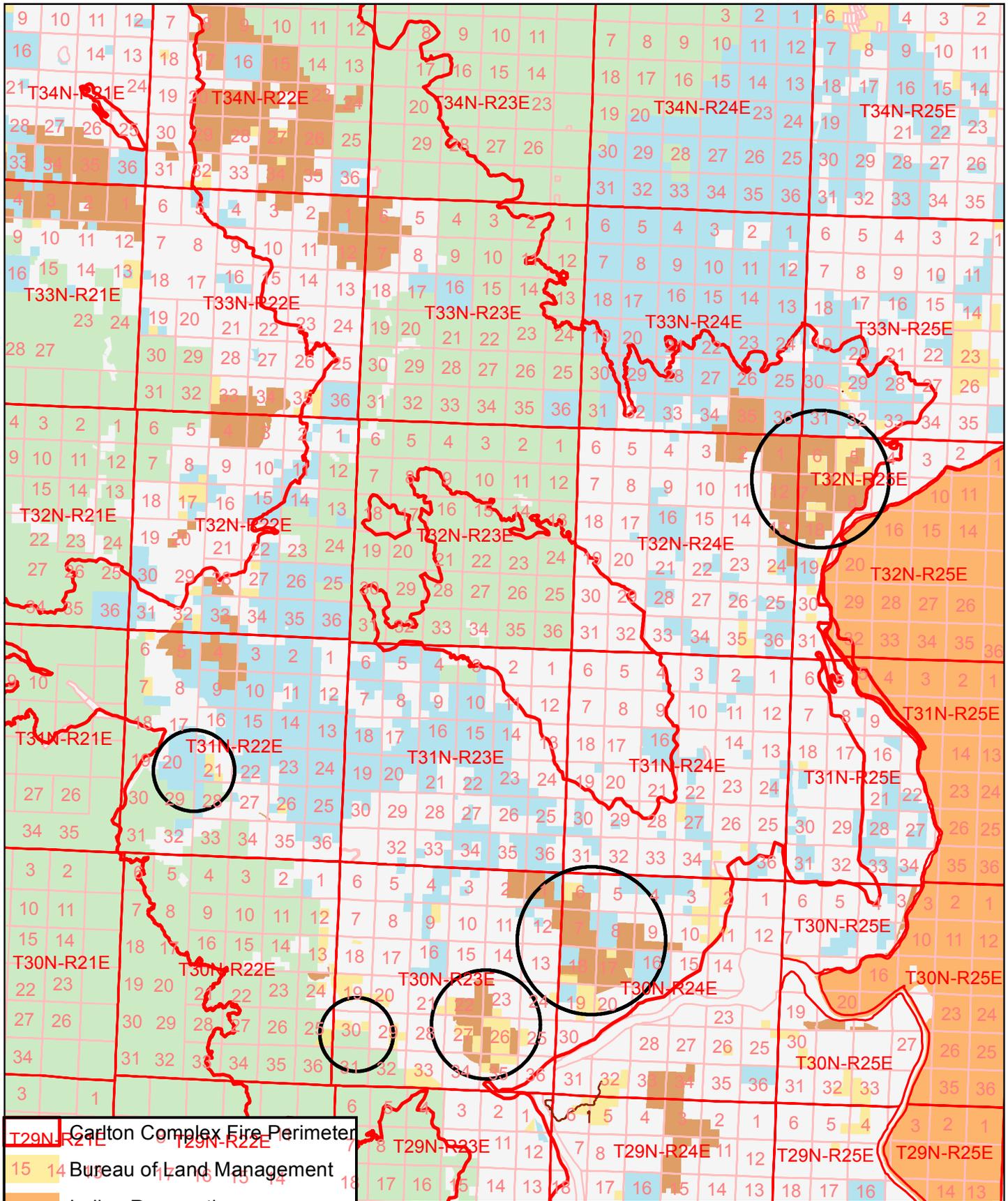
■ Forest Service

1:6,354



No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of this data for individual or aggregate use with other data.

Aerial Seeding Areas



T29N-R21E Carlton Complex Fire Perimeter

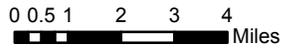
T29N-R22E Bureau of Land Management

T29N-R23E Indian Reservation

T29N-R24E Forest Service

T29N-R25E WA Dept. of Fish and Wildlife

T29N-R25E WA Dept. of Natural Resources



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