



United States Department of Agriculture  
Forest Service

# Westside Fire Recovery Project

## County Roadside Hazard Tree Removal

### Record of Decision

Klamath National Forest, Siskiyou County, California  
December 2015



Photo: Sawyers Bar Road (County Road 1-C01), Siskiyou County, California; November 9, 2015.

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**Record of Decision**  
**Westside Fire Recovery Project**  
**County Roadside Hazard Tree Removal**  
**USDA Forest Service**  
**Klamath National Forest**  
**Siskiyou County, California**

## Decision

I have decided to implement the emergency removal of roadside hazard trees on national forest system (NFS) lands adjacent to 11.2 miles (536 acres) of County Road SIS-1C01 (Sawyer's Bar Road). This includes approximately 1.9 miles (95 acres) of concentrated hazard trees and approximately 9.3 miles (441 acres) of scattered hazard trees.

The removal of hazard trees along this county road is a small subset (approximately four percent) of the 320 miles of roadside hazard reduction actions described and analyzed under Alternative 3 Modified (the preferred alternative) of the final environmental impact statement (EIS) for the Westside Fire Recovery Project (p. 68-9).<sup>1</sup> The action of this emergency decision (hazard tree removal) is common to all action alternatives described in the final EIS. While this action addresses hazards along the most traveled routes within the project area, the need to implement the remaining actions proposed in the original Westside Fire Recovery Project remains critical and is no way reduced or precluded by this decision.

Trees considered for removal in this decision are generally within 250 feet either side of the Sawyers Bar road, although hazard trees above the road may be further away in some circumstances. The hazard trees to be removed include dead trees and those green trees that pose an imminent threat to safe public use of the road. Hazard trees (also known as danger trees) outside fire affected areas will be removed if they are determined to be an imminent hazard. Hazard tree criteria from the Regional Hazard Tree Guidelines for Forest Service Facilities and Roads in the Pacific Southwest Region (Angwin et al. 2012) will be used to evaluate whether a tree poses a threat to public safety. All applicable Project Design Features described in the final EIS for the Westside Fire Recovery Project (p. 101-119) would be implemented. See Attachment A of this document for applicable Project Design Features and Attachment B for a map of the project area included in this emergency action.

## Background

Wildfires in the summer of 2014 killed or damaged trees along about 320 miles of roads on the Klamath National Forest.<sup>2</sup> Hazard tree removal actions (FEIS, p. 68-9) and their

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<sup>1</sup> The final environmental Impact Statement (EIS) discusses alternatives for the Westside Fire Recovery Project and is available for public review Comments and the location list above and on the project webpage: [http://www.fs.fed.us/nepa/nepa\\_project\\_exp.php?project=45579](http://www.fs.fed.us/nepa/nepa_project_exp.php?project=45579).

<sup>2</sup> See description of Alternative 3 Modified in the final EIS (p. 68)

effects were disclosed in the final EIS for the Westside Fire Recovery Project (FEIS, Chapter 3). It was originally intended that all of the roadside hazard tree removal, including the trees now a part of this emergency decision, would be implemented as part of the overall decision for the Westside Fire Recovery Project. However, my decision on the overall Westside Fire Recovery Project final EIS is awaiting the completion of regulatory review under the Endangered Species Act. Since I can no longer wait to act on the emergency actions outlined in this decision, I am moving forward using Emergency Consultation provisions (50 CFR 402.05 - Emergencies) under the Endangered Species Act. These emergency provisions allow an action to move forward using alternative informal procedures that provide for expedited consultation under Section 7 of the Endangered Species Act. Emergency consultation procedures were initiated informally for this action by email with the National Marine Fisheries Service on November 15, 2015 and by phone with the U. S. Fish and Wildlife Service on November 9, 2015.

As described in the final EIS,<sup>3</sup> roadside hazard trees can be found along a total of 20 miles of state and county roadways within the Westside Fire Recovery Project. This action addresses 11.2 miles of these roads. Scattered dead or imminent hazard trees along the remaining 8.8 miles of state and county roadways within the Westside Fire Recovery Project Area will be removed by the Forest Service or other means, including coordination with the County and State, as part of the regular road maintenance program and using a categorical exclusion that does not require documentation (36 CFR 220.6(d)(4)).

Following the removal of roadside hazard trees along state and county roads, follow-up fuels reduction or reforestation may be needed. Since fuels treatments and reforestation do not immediately provide for the protection of life or property, I do not consider these actions to meet the criteria provided in 50 CFR 402.05 for an emergency under the Endangered Species Act.<sup>4</sup> As appropriate, such actions may be included as part of my pending overall decision for the Westside Fire Recovery Project.

Roadside hazard trees can also be found along an additional 300 miles of Forest roads within the Westside Fire Recovery Project.<sup>5</sup> I also do not consider these actions to meet the criteria provided in 50 CFR 402.05 for an emergency under the Endangered Species Act for two primary reasons. The first is that I have the authority to temporarily close Forest roads by Forest Order if needed to provide for public safety.<sup>6</sup> The second is that public and administrative traffic on Forest roads is drastically reduced at this time because of winter weather conditions. For these reasons, the remaining 300 miles of roadside hazard removal along Forest roads is not part of this decision but will be considered in my overall decision on the Westside Fire Recovery Project, pending the completion of regulatory review under the Endangered Species Act.

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<sup>3</sup> Alternative 3 Modified, the preferred alternative

<sup>4</sup> Definitions for an "emergency" vary by applicable law and regulation. The actions of the Westside Fire Recovery Project, including this decision, meet the criteria for an emergency situation under 36 CFR 218.21. See the "administrative review opportunities" section of this decision for more information.

<sup>5</sup> As described in Alternative 3 Modified, the preferred alternative in the final EIS (p. 68).

<sup>6</sup> This authority is pursuant to 16 USC 551 and 36 CFR 261.50. In this scenario, closing Forest roads by Forest Order would be temporary in order to provide for public safety while the roadside hazards were abated so that the roads could be re-opened.

## Decision Rationale

County Road SIS-1C01 (Sawyers Bar Road) is a primary travel corridor that provides public access to the private residences and communities of Sawyers Bar and Forks of the Salmon, California. This road also serves as a primary evacuation route for that area. The Sawyers Bar Road connects the communities of Sawyers Bar and Forks of the Salmon with Etna, California and the other communities within the Scott Valley. Traffic counter data between February, 2012 and May, 2013 showed 42 to 99 vehicle trips per day on the Sawyers Bar road.<sup>7</sup> This is a substantial amount of traffic compared to other roads within the project area. Residents, visitors, and Forest Service and emergency personnel use this road year-round, exposing them to the existing hazards. During winter storm events, snow on the Sawyers Bar Road is removed by Siskiyou County to maintain access. If fire-killed or damaged trees were to fall across the road, snow plowing operations would be impeded. The Forest Service does not have authority to close a county road where hazards exist; therefore roadside hazards must be removed to provide for public safety. This is the basis for considering this action under 50 CFR 402.05 – Emergencies. I am making the decision to move forward with hazard tree removal along Sawyers Bar Road because doing otherwise could limit public access, put the public at risk of harm, and would compromise safe use of a Siskiyou County road.

The Westside Fires occurred over one year ago in the summer of 2014. Dead or fire-damaged trees have had over a year to deteriorate. During that time, root strength in dead trees has begun to weaken, making the trees more prone to falling. Tree tops and small dead trees have also begun to deteriorate and break. Some trees have already fallen. Other green trees that meet the hazard tree definition for imminent hazard may also break or fall. With the onset of winter and anticipated winter storm events, the probability increases that hazard trees may fall and block roadways or strike vehicles. Failure to remove hazard trees along the Sawyers Bar Road poses an immediate and unnecessary risk to the public and the emergency personnel who depend on this road for access. Road infrastructure could also be damaged by fallen trees.

This action is consistent with the forest plan of the Klamath National Forest which states:

Provide an economical, safe, and environmentally sensitive transportation system for the Forest. Emphasize the maintenance and restoration of existing roads over the construction of new roads where appropriate. Provide administrative sites and facilities that effectively and safely serve the public and accommodate the workforce. Provide facilities with barrier-free access (Forest Plan, p. 4-8).

MA10-53: Fall roadside safety hazard trees. Allow the removal of these trees where woody debris requirements have been met (Forest Plan, p. 4-113).

MA17-5: Develop a transportation network that effectively and efficiently allows the transport of commodities to available markets. The system should be economical, safe and environmentally sensitive (Forest Plan, p. 4-132).

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<sup>7</sup> Source: Siskiyou County traffic count data, Mill Creek Bridge. This is the closest and most current traffic counter data. These traffic numbers are consistent with informal Forest Service observations of use.

This action is consistent with the Purpose and Need of the Westside Fire Recovery Project which states: “There is a need for worker and public safety and access” and “There is a need for safe conditions for firefighters performing fire suppression for community protection” (FEIS, p. 14). Leaving hazard trees in place would not meet the Purpose and Need for the Westside Fire Recovery Project and would compromise public safety.

All practicable means to avoid or minimize environmental harm from this action have been adopted and are documented in Project Design Features (FEIS, p. 101-119; see Attachment A of this decision). Measures developed in consultation with the U. S. Fish and Wildlife Service to reduce potential impacts to northern spotted owls and their habitat and in consultation with the National Marine Fisheries Service to reduce potential impacts to Coho salmon and their habitat have been incorporated into this action.

## Public Involvement

Below is a description of the public involvement efforts for the larger Westside Fire Recovery Project FEIS, of which this decision is a part. Although some concerns were raised about the physical or biological effects of the project, there was broad consensus from the public involvement portion of this project that public safety and treatment of hazard trees along main travel routes was important. This action was included in the alternative provided by the Karuk Tribe, which received broad support from local environmental groups and some residents in the areas served by the Sawyers Bar Road. See chapter 1 of the final EIS for details.

### Pre-Scoping

The Forest Service conducted robust public engagement throughout the summer while the fires were active and during suppression repair and burned area emergency response (BAER) activities. Prior to scoping the project, the Forest Service conducted 34 public meetings, delivered 200 press releases to local and internet media, and regularly posted information to social media, reaching about 50,000 unique users at the height of activity. Following the fires, the Forest Service conducted eight BAER meetings in the affected communities. In mid-November, the Forest Service conducted eight community-based after-action reviews to gather public feedback on the fire suppression efforts.

### Scoping

The project was first published to the Schedule of Proposed Actions and the Forest website on October 1, 2014. On October 8, 2014, scoping letters were sent to interested and affected parties, including other public agencies, tribes, adjacent property owners, and interested groups and individuals.

A Notice of Intent to prepare an EIS for the Westside Fire Recovery project was published in the Federal Register on October 15, 2014. The notice asked that comments on the proposed action be received within 30 days following publication in the Federal Register. On October 14, 2014 a legal notice of scoping was published in the Siskiyou Daily News, beginning the formal scoping process that guides the development of the draft EIS. Comments received by November 14, 2014, were considered in identifying issues and project development.

The Forest used news releases and social media to inform broader audiences. Field trips and public open house meetings were held in the local communities of Yreka, Fort Jones, Scott Bar, Sawyers Bar, Happy Camp, Klamath River, and Seiad Valley, California, to inform, consult, and involve interested parties in an interactive, in-person manner.

#### **Public Open Houses and Presentations Prior to Comment Period**

The Forest Service offered six open houses prior to the release of the draft EIS in the towns of Yreka, Fort Jones, Klamath River, Happy Camp, Sawyers Bar, and Seiad Valley, California. The Forest Service also presented preliminary information to interested parties or local governmental entities prior to the release of the draft EIS, as requested.

Notification of the open houses was shared through the Forest's Facebook page, public website page notifications, and emailing more than 700 contacts including more than 30 media outlets (newspapers, broadcast and internet news sites) with the listing of venues and their respective dates and times. Meetings with local interest groups such as the Siskiyou County Fire Chiefs' Association were scheduled with those groups at their request. Comments from public meetings were transcribed as closely to verbatim as possible and appear in Appendix B of the draft EIS.

#### **Comment Period on the Draft EIS**

On March 6, 2015, the draft EIS and supporting documents were posted to the project's webpage. Email notifications and letters of the draft EIS comment period were sent to interested and affected parties, including other public agencies, tribes, adjacent property owners, and interested groups and individuals. On March 6, 2015, the Council on Environmental Quality granted the Forest Service alternative arrangements, shortening the required comment period on the draft EIS by 15 days or from 45 to 30 days. On March 13, 2015, a Notice of Availability was published in the Federal Register and a legal notice was published in the Siskiyou Daily News, beginning the 30-day comment period. On April 3, 2015 a notice of extension of the draft EIS comment period was published in the Federal Register and the Siskiyou Daily News. The comment period was extended an additional 15 days in response to public requests for addition review and comment time. Comments received by April 27, 2015, were considered timely and addressed in response to comments (FEIS Appendix B).

#### **Public Open Houses and Presentations before and during Comment Period on the draft EIS**

During the comment period, additional field trips and public open house meetings were held in the local communities of Yreka, Fort Jones, Scott Bar, Sawyers Bar, Happy Camp, Klamath River, and Seiad Valley, California. In addition to hosting field trips and public open house meetings in these local locations, Forest Service representatives also traveled to neighboring communities of Eureka and Redding, California, and to Medford, Oregon, to present information on the project.

The Forest Service also presented preliminary information to interested parties, local governmental entities, and news media after the release of the draft EIS and prior to the release of the final EIS.

### **Results of the Draft EIS Comment Period**

A total of 13,413 comment letters were received during the Westside Fire Recovery draft EIS comment period. The agency received 265 unique letters, 21 master form letters, and 263 form plus letters (with slight modifications of the master form letters; the remainder of the letters were form letters identical to one of the 21 master form letters). A large portion of these letters were hand-delivered to the Forest Service at the Medford, Oregon, open house on April 21, 2015. Other form letters were emailed to the Forest Service and included a mixture of opposition and support for the project. A large portion of the comments also expressed opinions or preferences for or against different alternatives; see Appendix B of the final EIS for a summary table of this review. A table of comments received and how the Forest responded is included in Appendix B, Response to Comments.

### **FEIS Review Period**

On August 4, 2015, the final EIS and supporting documents were posted to the project's webpage. Email notifications and letters of the final EIS review period were sent to interested and affected parties, including other public agencies, tribes, adjacent property owners, and interested groups and individuals. On August 7, 2015, a Notice of Availability was published in the Federal Register and a legal notice was published in the Siskiyou Daily News, beginning the 30-day review period. During the 30-day review period, the Forest Service received comments from five interested individuals or groups. The comments were within the scope of comments previously received and addressed in the final EIS. They were considered for this decision.

## **Alternatives Considered**

Roadside hazard tree removal along Sawyers Bar Road was proposed in all action alternatives. For this reason, there are only two alternatives to consider: the action as proposed in all of the action alternatives or the "no action" alternative. The "no action" alternative was not selected because it would have compromised public health and safety.

All practicable means to avoid or minimize environmental harm from this action have been adopted and are documented in Project Design Features (FEIS, p. 101-119; see attachment A of this decision). The selected alternative for this decision, a small subset of the overall action considered for the Westside Fire Recovery Project, is the environmentally preferable alternative for this emergency action and decision.

## **Findings Required by Other Laws and Regulations**

### **National Environmental Policy Act**

The National Environmental Policy Act of 1969 (NEPA) requires that all major federal actions significantly affecting the human environment be analyzed to determine the magnitude and intensity of those impacts and that the results be shared with the public and the public given opportunity to comment. The regulations implementing NEPA further require that to the fullest extent possible, agencies shall prepare EISs concurrently with and integrated with environmental analyses and related surveys and studies required by the Endangered Species Act of 1973, the National Historic Preservation Act of 1966,

and other environmental review laws and executive orders. Other laws and regulations that apply to this project are described below.

#### **National Forest Management Act**

The Forest Service completed the Klamath National Forest Land and Resource Management Plan (Forest Plan) in 1995. The “Forest Plan Direction” (USDA 2010a) presents the current Forest Plan management direction, based on the original Forest Plan, as amended. The Forest Plan and its amendments were prepared pursuant to the 1982 version of the National Forest Management Act (NFMA) planning regulations (36 C.F.R. § 219 (1982)). The NFMA and its implementation regulations require that projects be consistent with the governing Forest Plan.

The Forest Plan Consistency Checklist document (project record) identifies the Forest Plan Standards and Guidelines applicable to this project and provides related information about compliance with the Forest Plan. Based on my review of that document and other information in the project record, I determined that the Selected Alternative is consistent with the Forest Plan and all other requirements of the National Forest Management Act.

The Forest Plan of the Klamath National Forest requires that projects meet, or not prevent attainment of the objectives of the Aquatic Conservation Strategy included in the forest plan (Forest Plan p. 4-6, 4-106). To address this requirement in the Westside Fire Recovery Project, an exhaustive assessment of compliance with the Aquatic Conservation Strategy has been prepared and is available in the Project Record. I have reviewed the Aquatic Conservation Strategy Report in the Project Record, and the summary provided in the Westside Fire Recovery Project EIS (EIS p. 601). Based on this review, I find that the Westside Fire Recovery Project would not retard or prevent attainment of Aquatic Conservation Strategy Objectives found in the Forest Plan of the Klamath National Forest.

#### **Endangered Species Act**

For this decision, consultation under Section 7 of the Endangered Species Act is occurring under 50 CFR 402.05 - Emergencies.

In October 2014, the Forest began streamlined, formal consultation with the U. S. Fish and Wildlife Service, anticipating a “Likely to Adversely Affect” determination. On April 22, 2015 the Forest submitted a Biological Assessment (BA) to the U. S. Fish and Wildlife Service for review. Recommendations from the U. S. Fish and Wildlife Service led to project modifications and development of a new preferred alternative. On July 27, 2015, the Forest submitted a revised BA to the U. S. Fish and Wildlife Service. On August 7, 2015, the U. S. Fish and Wildlife Service accepted the BA as a basis for formal consultation. According to ESA consultation time frames set forth in 50 CFR 402.14, the Biological Opinion (BO) is due within 90 days of submission (November 6, 2015). If extraordinary conditions exist the service may have up to 135 days to complete a BO (December 19, 2015); however, the Forest has received no commitment that a BO for the Westside Fire Recovery Project would be provided by that date. On September 9, 2015, a letter was received from the U. S. Fish and Wildlife Service encouraging the Forest to use Emergency Action Provisions pursuant to 50 CFR 402.05 – Emergencies. Measures developed in consultation with the U. S. Fish and Wildlife Service to reduce potential

impacts to northern spotted owls documented in our BA dated July 27, 2015 have been incorporated into this action.

In October 2014, the Forest began streamlined formal consultation with National Marine Fisheries Service which resulted in an agreed-upon BA on April 13, 2015 with a determination of “May Affect Not Likely to Adversely Affect.” On June 22, 2015, the Forest submitted a revised BA, analyzing the new preferred alternative which would result in less potential effects to SONCC Coho salmon than described in the April 13th BA. On July 17, 2015, the National Marine Fisheries Service informed the Forest that the project would have a “Likely to Adversely Affect” determination. According to ESA consultation time frames set forth in 50 CFR 402.14, the BO was due on November 3, 2015. As of the date of this decision, the Forest has not received a BO; the National Marine Fisheries Service has provided an estimated BO date of January 15, 2016. Measures developed in consultation with the National Marine Fisheries Service to reduce potential impacts to Coho salmon documented in our BA dated June 22, 2015 have been incorporated into this emergency action.

#### **Clean Air Act**

The Clean Air Act of 1970 provides for the protection and enhancement of the nation’s air resources. No exceeding of the federal and state ambient air quality standards is expected to result from any of the alternatives. The Clean Air Act makes it the primary responsibility of States and local governments to prevent air pollution and control air pollution at its source. All alternatives are compliant with the Clean Air Act and the Conformity Rule (EIS p. 497; 624).

#### **Clean Water Act**

The Clean Water Act of 1948 (as amended in 1972 and 1987) establishes federal policy for the control of point and non-point pollution, and assigns the states the primary responsibility for control of water pollution. The Clean Water Act regulates the dredging and filling of freshwater and coastal wetlands. Section 404 (33 USC 1344) prohibits the discharge of dredged or fill material into waters (including wetlands) of the United States without first obtaining a permit from the U.S. Army Corps of Engineers. Wetlands are regulated in accordance with federal Non-Tidal Wetlands Regulations (Sections 401 and 404). No dredging or filling is part of this project and no permits are required.

The project is covered under Category A of the Waiver of Waste discharge Requirements for Nonpoint Source Discharges Related to Certain Federal land Management Activities on National Forest System lands in the North Coast Region, Order No. R1-2015-0021. Category A activities have a low likelihood of impacts to water quality and do not require an application to the Regional Water Quality Control Board prior to commencing project activities.

#### **National Historic Preservation Act**

Due to the emergency nature of the Westside Fire Recovery Project and the associated condensed timelines, the Klamath National Forest developed a project-specific programmatic agreement in order to comply with the requirements of the National Historic Preservation Act. This programmatic was developed in consultation with the California State Office of Historic Preservation, the Advisory Council on Historic

Preservation and local tribes; it was executed on October 5, 2015. Under the programmatic agreement, the Forest can sign a Record of Decision without completing heritage review, provided the heritage review is completed prior to project implementation. The heritage review for the roadside hazard treatments along State and County Roads will be completed and any potential adverse effects to historic properties mitigated prior to implementation. Tribes have been notified of this emergency decision and consultation with local tribes for the larger Westside Fire Recovery Project is ongoing.

#### **Wild and Scenic Rivers Act**

The North Fork of the Salmon River from Mule Bridge Campground to Forks of the Salmon is designated as a Recreational River under the Wild and Scenic Rivers Act (P.L. 90-542, as amended) (FEIS p. 574). Approximately 45 acres of the Project Area lie within the designated Wild and Scenic River corridor. A Wild and Scenic Rivers evaluation was conducted as part of the Westside Fire Recovery Project final EIS (FEIS p. 571). The evaluation used Wild and Scenic Rivers Act protection requirements in conjunction with existing Forest Plan direction. Analysis determined that all action alternatives, which include this emergency action, would protect these values and would be fully compliant with all Wild and Scenic River Act protection requirements and Forest Plan Standards and Guidelines.

#### **Environmental Justice**

Executive Order 12898 relating to Environmental Justice requires an assessment of whether implementation of this decision would disproportionately affect minority or low income populations. The socio-economic analysis evaluated economic impacts on local communities (EIS p. 535; see also Forest Plan compliance checklist in the Project Record); there is no reason to suspect that any impacts would disproportionately affect minority and low-income populations.

#### **Floodplain Management**

Executive Order 11988 requires Agencies to evaluate any activities that may occur in floodplain and to avoid adverse impacts. Activities that could directly influence floodplain inundation are dam installation and removal, large water diversions, and modification of streams channels and floodplains by dredging, infilling, and channel relocation. None of these activities are being proposed in this project; the Westside Fire Recovery project, therefore, has no influence on floodplain inundation. To the degree disturbance of upland soils and vegetation such that rainfall-runoff relationships are altered and peak flows are increased could potentially influence floodplains. Assessment of project effects to peak flow is discussed in detail in the Aquatic Conservation Strategy Assessment (EIS p. 618) is anticipated to be indistinguishable from increases due to the 2014 wildfires. Landslides and debris flows may also affect floodplains although these events are a natural part of floodplain processes. The conditions created by the 2014 Westside Fires are likely to increase landslides and debris flows for several decades (EIS p. 615). There is no evidence, however, that the emergency actions of this decision would increase the risk or rate of landslides or debris flows (EIS p. 616). No adverse effects to floodplains are anticipated as a result of the Westside Fire Recovery Project.

### **Migratory Bird Treaty Act**

As analyzed in the FEIS (EIS p. 273-328, multiple citations), the Project is in compliance with the Migratory Bird Treaty Act and Executive Order 13186.

## **Administrative Review Opportunities**

### **Emergency Situation Determination**

My decision is moving forward under the Emergency Situation Determination signed by Forest Service Chief Thomas Tidwell on May 13, 2015<sup>8</sup> and is not subject to the administrative objection procedures of 36 CFR 218. In order to facilitate implementation of the Westside Fire Recovery Project, the Forest requested and was granted an Emergency Situation Determination by Chief Tidwell pursuant to 36 CFR 218.21 on May 13, 2015. Under 36 CFR 218.21(d), a proposed action is not subject to the pre-decisional objection process if the Chief or Associate Chief of the Forest Service determines that an emergency situation exists with respect to all or part of the proposed action or activity. An emergency situation is defined as:

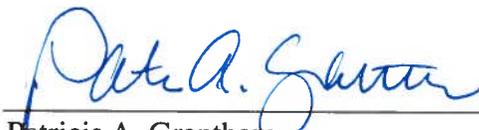
A situation on National Forest System (NFS) lands for which immediate implementation of a decision is necessary to achieve one or more of the following: relief from hazards threatening human health and safety; mitigation of threats to natural resources on NFS or adjacent lands; avoiding a loss of commodity value sufficient to jeopardize the agency's ability to accomplish project objectives directly related to resource protection or restoration. (36 CFR 218.21(b), 2015)

### **Implementation Date**

Implementation of this project may begin immediately.

### **Contact**

Contact Wendy Coats at 530-841-4470 or wcoats@fs.fed.us for more information.



Patricia A. Grantham  
Forest Supervisor, Klamath National Forest

12.23.15

Date

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<sup>8</sup> The emergency situation determination was approved for the overall Westside Fire Recovery Project and is appropriate for this subset of actions analyzed under the final EIS.

## Attachment A – Project Design Features

The final EIS (p. 101-119) presents the complete list of PDFs that were developed for specific actions within the Westside Project. The PDFs presented in this document are limited to the PDFs applicable to the emergency actions only. The numbers and descriptions of the PDFs from Chapter 2 of the final EIS have been retained for this decision.

**Table 1: Applicable project design features.**

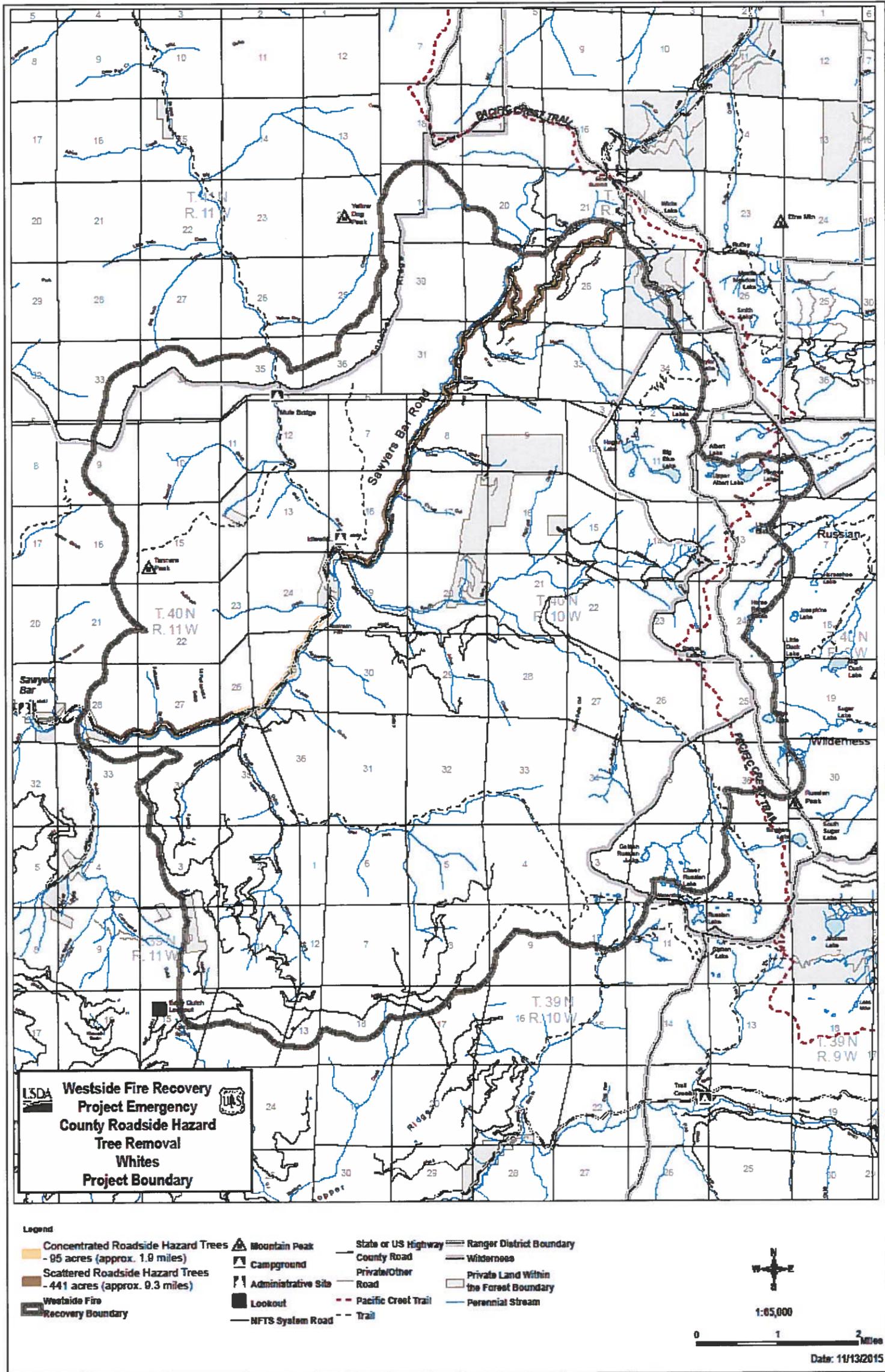
Project Design Feature	Description
Botany - 1	Forest Service botanist will flag for avoidance appropriate populations of federally Threatened and Endangered and Forest Service Sensitive species. Yellow and black striped flagging will be used to delineate population boundaries.
Botany - 2	Populations protected under Survey and Manage guidelines will be flagged for avoidance. Yellow and black striped flagging will be used to delineate population boundaries.
Botany - 3	Hazard trees adjacent to flagged populations of Threatened, Endangered, and Sensitive (TES) and Survey and Manage species will be directionally felled away from the flagged area to avoid disturbing the population. Directionally felled trees may only be removed if it causes no ground disturbance within the flagged area. Yellow and black striped flagging will be used to delineate population boundaries.
NNIS - 1	Equipment and vehicles that leave established road surfaces will be cleaned of soil, seeds, vegetative matter, and other debris that could contain noxious weed seeds prior to entering and before leaving the project area. Areas appropriate for cleaning equipment prior to leaving the project area will be designated as appropriate.
NNIS - 2	Equipment and vehicles will avoid working within flagged noxious weed sites. Orange/black flagging labeled with <i>INVASIVE SPECIES</i> will be used to delineate population boundaries.
NNIS - 3	If potential landings sites are infested with noxious weeds, consult a Botanist about appropriate methods for containing and/or managing the infestation. Methods may include blading infested soil away from activity zone and covering this soil; or adding a barrier to the landing so seed banks cannot be transported.
NNIS - 4	Any straw or seed placed within the project area must be documented as California certified weed free. Other materials where State inspection protocol does not exist (gravel, wood chips) used as mulch in the project area, should be inspected by a Forest Service representative to determine the potential for spread of noxious weeds.
NNIS - 5	Any facility that provides material such as rock, gravel, or boulders to be used in the project area should be inspected and determined to have limited potential for the spread of noxious weeds from stored material. Material stockpiles must be noxious weed free.
Heritage - 1	Conduct heritage resource surveys to determine presence of resources within the area of potential effects following the provisions outlined in the Regional and Westside Recovery Programmatic Agreements (PAs).
Heritage - 2	Complete the Section 106 process, consulting with the State Historic Preservation Officer on potential adverse effects to sites from project activities that cannot be mitigated using Standard Resource Protection Measures (SRPM). If adverse effects cannot be avoided, a Historic Properties Treatment Plan will be developed.
Heritage - 3	All sites within the area of potential effects will be clearly delineated prior to implementation. This includes but is not limited to flagging site boundaries.
Heritage - 4	Any project activities within site boundaries will follow approved SRPMs established by PAs and will be approved by the heritage program manager.
Heritage - 5	No skid roads, road improvements, landings or burn pile areas will occur within archeological sites without approval from the district archaeologist and/or heritage program manager.
Heritage - 6	In the event that new heritage resources are discovered during project implementation, the district archaeologist and/or heritage program manager must be notified and all activities in the vicinity (150 feet) of the resource shall cease until consultations are completed.
Heritage - 7	Heritage personnel will conduct implementation and post-implementation monitoring of project activities within site boundaries.
Heritage-9	Monitoring of at-risk historic properties and/or cultural resources during implementation may be conducted to ensure the effectiveness of resource protection measures pursuant to the Regional PA and/or Westside Fire Recovery PA.
Range-1	All structural rangeland improvements, such as corrals, cattle guards, and spring developments, will be mapped and protected from disturbance. If damage occurs, improvements will be repaired or replaced in a timely manner.

Project Design Feature	Description
Range-2	Timing of logging operations will be made known to the Rangeland Management Specialist in order to decrease conflicts between cattle and heavy equipment.
Recreation and Scenery-1	Protect and maintain recreational features and recreational settings along roads, trails, and trailheads identified as visually sensitive.
Recreation and Scenery-2	Repair or replace recreational signing or other facilities and trail settings if damaged during project implementation.
Recreation and Scenery-3	Provide visitor information about area/road/trail closures, or other recreation setting changes, in news releases, on-site, and on the Forest website.
Recreation and Scenery-4	Minimize scenery contrasts within foreground distances (100 feet) such as stumps, landings, skid patterns, temporary roads, and burn piles in sensitive trailside and roadside to meet assigned VQOs.
Recreation and Scenery-5	No visible tree mark paint on trees after implementation in Retention VQO areas as seen from high sensitivity viewpoints.
Recreation and Scenery-6	Provide safety signing along trails, rivers, or roads or temporary road or trail closures in active project areas to provide for public safety.
Watershed - 1	All ground disturbing activities within or outside of the normal operating season (NOS) between May 1 to October 31 will be implemented according to the Forest's Wet Weather Operation Standards (Klamath National Forest, 2002). Wet weather operations in riparian reserves outside of the NOS will be limited to landings, existing roads, fuels units, roadside hazard units, and site prep and planting.
Watershed - 2	Areas where soil has been disturbed by project activities within Riparian Reserves must be stabilized prior to the end of the normal operating season, prior to sunset if the National Weather Service forecast is a "chance" (30%) of rain within the next 24 hours, or at the conclusion of the operations, whichever is sooner. This includes skid trails that cross swales (i.e. linear depressions perpendicular to the slope contour that do not meet definition for designation as a Riparian Reserve). Restoration generally consists of removing excess sediment, reshaping and waterbarring former approaches, and spreading slash on the former crossing.
Watershed - 3	<p>Project Riparian Reserves are established in the following manner per the Forest Plan (site tree for Salmon and Happy Camp districts is 170 feet, site tree for Scott and Oak Knoll districts is 150 feet):</p> <p>For fish-bearing streams, it is the area on each side of the stream extending from the edges of the active stream channel to the top of the inner gorge, or to the outer edges of the 100-year floodplain, or to a distance equal to the height of two site-potential trees, or 300 feet slope distance (600 feet total, including both sides of the stream), whichever is greatest. For Salmon and Happy Camp ranger districts, this will be 340 feet (680 feet total).</p> <p>For permanently flowing non-fish-bearing streams, it is the area on each side of the stream extending from the edges of the active stream channel to the top of the inner gorge, or to the outer edges of the 100-year floodplain, or to a distance equal to the height of one site-potential tree, or 150 feet slope distance (300 feet total, including both sides of the stream), whichever is greatest. For Salmon and Happy Camp ranger districts, this will be 170 feet (340 feet total) and 150 feet for the Oak Knoll and Scott River Ranger District.</p> <p>For intermittent streams, the stream channel and extending to the top of the inner gorge, or extension from the edges of the stream channel to a distance equal to the height of one site potential tree, or 100 feet slope distance, whichever is greatest. For unstable lands, it is the extent of unstable and potentially unstable areas.</p> <p>Consistent with Forest Plan direction, riparian reserves for wetlands and springs will be defined by the edge of the feature out to a distance equal to 1 site potential tree. These riparian reserves will be flagged and avoided during salvage harvest.</p>
Watershed - 4	<p>Tractors and mechanical harvesters will be excluded from all riparian reserves associated with stream channels, active landslides, inner gorges, and toe zones of dormant landslide deposits. In Roadside hazard tree units the equipment will be restricted to the road surface.</p> <p>Equipment will be excluded from wetlands or wet meadows (excluding small springs and seeps).</p> <p>To limit slope disturbance, inner gorge terrain (&gt; 65% slope) that extends beyond riparian reserves will be buffered by 20-foot slope distance and excluded from mechanical equipment activities. In areas where treatments may conflict, a hydrologist will be consulted.</p>
Watershed - 7	Limit equipment disturbance within 20 feet on either side of swales by minimizing equipment crossings and avoiding running trails up the axis of swales, except at designated crossings.
Watershed - 12	<p>All hazard trees cut within 25 feet of a stream channel or spring will be left on site unless it continues to pose a threat to safety or accessibility (see watershed-4 for equipment exclusion restrictions).</p> <p>Along all stream channels (perennial and intermittent), all hazard trees 26 inches in diameter at breast height and greater within the first site tree (150-170 feet) will be left on site unless after felling, it continues to pose a threat to safety, infrastructure, forest road drainage system integrity or accessibility.</p> <p>Any hazard tree (equal or greater than 26 inches) below a road that would contact a fish bearing stream channel if felled that direction will be retained on site.</p>

Westside Fire Recovery Project County Roadside Hazard Tree Removal ROD

Project Design Feature	Description
Watershed - 13	Live trees directly rooted into the banks or otherwise integral to the stability of the channel bank will not be felled unless they pose an overhead hazard and, if felled, will be left on site unless this poses a hazard on the ground per Forest Service safety requirements.
Watershed - 14	Directional felling will be used to protect streambanks where hazard trees need to be mitigated for public or employee safety.
Watershed - 20	All project-related temporary structures, materials and project-related debris will not be stored for any length of time on active landslides and will be removed from riparian areas and stream channels prior to winter shutdown.
Watershed - 23	Existing landings will be used to the extent possible. Existing landings in stream-course riparian reserves will not be expanded towards stream channels, or on to active landslides, or where vegetation that provides shade to a stream would need to be cut. Existing landings in riparian reserves will be shaped and treated for erosion control at the end of each season of use, and hydrologically restored at project completion (including subsoiling and covering with slash/mulch as needed). Reused landings in riparian reserves will have site specific erosion control measures to reduce risk of sediment delivery into streams. During opening or construction of any landings, material will not be sidecast into intermittent or perennial stream channels. At project conclusion, landings will be configured for long-term drainage and stability by reestablishing natural runoff patterns. All landings within riparian reserves will be covered with at least 80 percent effective soil cover at the end of season use. Use of certified weed free materials including straw, wood chips, or mulch may be used where on-site material is insufficient.
Watershed - 24	Refueling will not take place within Riparian Reserves except at designated landings in locations where most disconnected from water resources. A spill containment kit will be in place where refueling and servicing take place. Helicopter refueling will not occur within Riparian Reserves. Equipment used for refueling will not exceed 150 gallons.
Watershed - 25	Skid trail erosion control work will be kept current during implementation. Erosion control and drainage of skid trails will be complete prior to shutting down operations due to wet weather or at project completion.
Watershed - 26	Use existing skid trails instead of building new skid trails unless using existing skid trails will have greater negative effects. Space skid trails at least 75 feet apart, except near landings and where trails converge. Use no skid trails in areas in which ground-based mechanical equipment is excluded. Designation of new skid trails will be approved by a Timber Sale Administrator. Erosion and sedimentation control structure will be maintained and repaired per the guidance in the Forest Service Handbook 2409.15 R5 Supplement.
Watershed - 27	No full bench skid trails will be constructed. Full bench skid trails have the entire skid trail cut into the hillslope.
Watershed - 28	Locations where skid trails intersect roads will be obliterated or effectively blocked to vehicle access.
Watershed - 36	Maintain 5 to 20 pieces of CWD per acre with a target size of 20 inches in diameter (or larger) and about 40 cubic feet in volume when they are available. The minimum piece size to count toward these objectives is > 15 inches diameter and 10 feet long. On upper slopes and south and west aspects, ~5 pieces > 15 inches diameter and 10 feet long would be retained. On north and east aspects and on lower slopes, up to 20 pieces >15 inches diameter and 10 feet long will be retained. Individual snags, clumps of snags, existing logs on the ground and green trees within units may count towards these targets. All Alternatives/All Treatments
Wildlife – 1	INGRESS/EGRESS ROADS with Roadside Hazard Treatment: Limited Operating Periods will <u>not</u> apply to ingress/egress roadside hazard treatments occurring <u>outside</u> occupied core areas (as determined by the most recent surveys). Limited Operating Periods will apply to ingress/egress roadside hazard treatments occurring <u>within</u> occupied core areas (as determined by the most recent surveys); so treatments will not occur until after July 9. Unless nesting is suspected or confirmed then treatments will not occur within the occupied core area until after Sept. 15. Six NSO surveys will be completed along ingress/egress roads, though 3 surveys may or may not be completed prior to implementation.
Wildlife – 15	Leave cull trees (greater than or equal to 20inches in diameter) in roadside units where possible. Leave as whole logs where practicable.
Wildlife—19	Green Trees without fire damage will not be removed from within roadside hazard tree units unless they are an immediate hazard.

### Attachment B – Decision Map



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