

NLWJC- Kagan

Counsel - Box 012 - Folder 009

Thunder Mountain Salvage Sale

Clinton Under Attack by Both Sides in a

Renewed Logging Fight

Environmentalists and timber backers alike cry betrayal.

By TIMOTHY EGAN

SEATTLE, Feb. 29 — When President Clinton paid a visit to Seattle last weekend, more than a thousand demonstrators protested legislation he had signed that exempts timber companies from having to comply with the nation's environmental laws while cutting old-growth trees on Forest Service land.

Mr. Clinton told the crowd that the legislation, enacted last summer, was a "mistake" that needed to be corrected. But he has yet to sign on to a Congressional proposal for repeal.

Meanwhile, virtually every day, protesters are arrested at logging sites on Forest Service property around the West. They are trying to block roads, they say, because the new law in effect prevents them from battling loggers' operations in the courts.

As the Clinton Administration tries to shore up its support among

A timber law billed as one thing proves to be something else as well.

suburban voters who rate the environment a major issue, it has been dogged by the logging controversy.

On Wednesday, during a tour of the Pacific Northwest that was intended to show that the President was standing up to Republican-led efforts in Congress to roll back environmental laws, Interior Secretary Bruce Babbitt was questioned mostly about logging on the Administration's watch.

"A lot of people think this is an absolute tragedy," Mr. Babbitt said while fishing on Puget Sound. "It was not what it was advertised as." He said the President would work to undo certain provisions of the law, but he characterized the Administration's response as still "a work in progress."

The legislation was billed by its chief supporter in Congress, Senator Slade Gorton, Republican of Washington, as a measure providing a limited environmental-law exemption for "salvage logging": the cutting of bug-infested or fire-scarred timber. But it included a rider allow-

ing loggers also to cut healthy older stands of trees that had been protected by a logging law that the President himself had proposed.

The legislation shielded timber companies, until the end of this year, from having to comply with laws protecting water and endangered species, statutes that had been used in the past to shut down logging. It has caused a furor around the West, and some foresters have blamed it for mudslides and other effects of the extensive flooding this month in parts of Idaho, Montana and Oregon.

When Mr. Clinton signed the Gorton legislation last year, he said he thought it would bring relief to depressed timber communities, a constituency that had been angry at him, without harming the environment. But in Seattle on Saturday, the President said, "The timber rider has reopened old wounds that were just beginning to heal."

There was little mention of the rider during Congressional debate about the overall logging bill last year. A six-page press release from Mr. Gorton last March, for example, referred only to salvage logging. "We're not talking about clear-cuts in the Olympics," Mr. Gorton said then.

But now, given the go-ahead by the rider, loggers are clear-cutting — that is, leveling all trees — in sections of the Olympic National Forest in Washington.

The Forest Service estimates that nearly 600 million board feet of ancient forests, more than triple the amount that has been cut in any of the previous five years, will be logged under the rider.

In an editorial on Wednesday, The Seattle Times, which had supported the legislation, accused Mr. Gorton of misleading the public on the law's intent. "Gorton's backers, including this newspaper, feel lured into a bait-and-switch game," the paper said.

But Mr. Gorton says that the intent of the bill was always clear and that the President knew all along what he was signing. The Senator characterized Mr. Clinton's retreat as a betrayal. "Our timber communities," he said, "have been greeted with one too many Clinton handshakes that turn into a slap in the face."

For all the efforts by the Republican Congressional majority to roll back environmental protections, the most damaging bill to get through Congress and be signed into law is the logging measure, environmental-

ists say.

"It's the biggest threat going in our public forests," said Mike Anderson of the Wilderness Society. "Some of these new logging sales are shocking to people. There is needless clear-cutting and destruction of some of the most valuable stands of trees anywhere in the country."

Like Mr. Gorton on the opposite side of the issue, Mr. Anderson said he and other environmentalists felt "betrayed by the President."

"It's going to take more than just his saying 'I made a mistake' and a halfhearted attempt to change the legislation to win people back," Mr. Anderson added.

Timber industry officials say they recognize that some of the logging will be in areas that probably have more value as scenery, or as storehouses of water for fish and other wildlife, than in lumber. They have offered to refrain from logging a few areas if the Administration will allow them wood in areas that are less sensitive to logging. The Administration has yet to respond.

"If there are ways to modify these contracts, we are interested," said Chris West, spokesman for the Northwest Forestry Association, an industry group.

Congress will most likely act next week on one of several proposals to change the rider. In the House, Rep-

resentative Elizabeth Furse, Democrat of Oregon, has rounded up 100 supporters for her bill to repeal the rider outright. But the measure is given little chance of passage.

Senator Patty Murray, Democrat of Washington, was asked by Mr. Clinton last week to come up with a way "to fix this thing." Senator Murray says she will introduce legislation next week that would provide for a long-term way to log windblown or burned timber quickly but that would not allow exemptions permitting loggers to cut healthy trees in protected areas.

Another bill, promoted by Senators Gorton and Mark Hatfield, Republican of Oregon, would have the Government buy out contracts to log old-growth timber in ecologically sensitive areas, or offer replacement wood from another area.

TV Executives Promise Clinton a Violence Ratings System by '97

By ALISON MITCHELL **A1**

WASHINGTON, Feb. 29 — Showcasing the persuasive powers of the Presidency, President Clinton today summoned the leaders of the entertainment industry to the White House and was rewarded with an industry pledge to produce a voluntary television ratings system by next January.

Presiding over a two-hour session in the state dining room, Mr. Clinton led 30 media industry executives, including the heads of the four broadcast networks and the major cable networks, through a discussion ranging from ratings issues to the quality of children's television. And by doing so, the President positioned himself to seize the lead from the Republicans in the increasingly potent political debate over the content

of popular culture.

The election year tug-of-war the executives found themselves caught in was abundantly clear.

At the White House, Vice President Al Gore credited the President, the First Lady and his wife, Tipper

Gore, for leading the way in the crusade against television violence. Hours earlier, Speaker Newt Gingrich, who held his own breakfast with the entertainment executives, attributed the movement to clean up television to former Vice President Dan Quayle and his 1992 assault on the television character Murphy Brown for having a child out of wedlock.

Continued on Page B14, Column 1

Continued From Page A1

"That was then picked up frankly by Senator Dole," he said, referring to the Republican Presidential contender Bob Dole's assault on Hollywood last year for flooding the country with "nightmares of depravity."

Mr. Clinton today jubilantly welcomed the industry's decision, after years of strenuous opposition, to devise a voluntary rating system that would work with the computer V-chip and provide parents with a way to judge whether a television program is suitable fare for their children.

"They're handing the TV remote control back to America's parents," the President said. "They recognize that their creativity and their freedom carries with it significant responsibility."

Yet it remained far from clear how such a system would work, and whether it would change the content of television, which has become such an arbiter of public standards that Mr. Clinton told the executives, "You are the most powerful cultural force in the world."

The executives have yet to set up the committee that would devise the system, and they said they had a long road ahead before they could explain how the ratings, modeled after but not identical to the 27-year-old movie rating system, would be structured.

Ted Turner, the chief executive of Turner Broadcasting, noted today that movies had become ever more violent, despite a rating system. Still, he predicted that advertisers' concern about promoting their products during programs that carried a parental guidance rating would change the face of television. "I think it's going to result in more Brady Bunch-

type programming," Mr. Turner said at a news conference after the White House meeting.

Robert A. Iger, the president of Capital Cities/ABC Inc., disagreed, noting that advertisers already screened programs for acceptability. "I'm not sure there will be any impact," he said.

Campaigning in South Carolina, Senator Bob Dole called the plan for a rating system "welcome news, as far as it goes." But he warned the entertainment industry that it "will not gain the confidence of parents if it believes that warning viewers about program content is a substitute for voluntarily producing more family-friendly programming."

For years the entertainment industry has resisted efforts to impose ratings on television programs. But the political mood in the country has shifted rapidly in the four years since Mr. Quayle was ridiculed for his focus on Murphy Brown.

Strategists for both political parties now describe an unease in the nation caused by a strong public sense that the country has lost its moral bearings. Opinion polls have shown high levels of concern about the violence in movies, television and popular music.

That mood set the stage for a provision in a new telecommunications law that requires that within two years, all new television sets in the United States be equipped with the so-called V-chip, a computerized device that will allow parents to screen out objectionable programming. The law urges, but does not require, the industry to rate programs. But it says that if the industry does not come up with a rating system, then the Government will.

Entertainment industry executives, who had considered fighting the V-chip in court, say they chose to draw up the rating system on their own rather than see the Government do it. Their critics say they were also spurred to act because they face a new battle on Capitol Hill over whether they will be required to pay for extra channels for high-quality digital television.

"The better corporate citizens they are, the better argument they have for special treatment in any debate over whether they should pay for the digital spectrum," said Representative Edward J. Markey, a Massachusetts Democrat who was the champion of the V-chip.

Speaking for the entertainment industry as the White House session ended, Jack Valenti, the president of the Motion Pictures Association of America, unveiled the industry's plan to have a rating system in place by January. "Whatever we do in this, we're going to do it with honor and purpose and integrity," he said.

But he also displayed Hollywood's discomfort at being held responsible for the mores of society.

"There has to be some kind of a renaissance of individual responsibility that's accepted by parents, by

the church and by the school," he said, "so that you build inside a youngster what we call a moral shield — it's fortified by the commandments of God — so that that child understands clearly what is right and what is clearly wrong."

Mr. Clinton called for the White House conference in his State of the Union address, as part of his effort to build a Democratic "values agenda" centered largely around issues affecting children.

The White House meeting drew the titans of the entertainment industry. Besides Mr. Iger and Mr. Turner, the guests included Rupert Murdoch, the chairman of the News Corporation; Peter A. Lundt, the chairman of

CBS; Robert C. Wright, the President of NBC; Barry Diller, a former chairman of the Fox television network and now chairman of Silver King Productions, and Michael S. Ovitz, the president of the Walt Disney Company.

Mr. Clinton mostly asked questions, leading the group in a discussion of the intricacies of creating a television rating system, and devoting the last half hour to children's programming, the participants said. Mr. Lundt said it was "never contentious in an unpleasant sense, but people expressed their strong views."

Ervin S. Duggan, the president of the Public Broadcasting Service, said that at one point Haim Saban,

the creator of the "Mighty Morphin" Power Rangers, drew protests from Vice President Gore when he insisted that children could not be made to watch educational programming unless it was entertaining.

Mrs. Clinton sat along the wall with White House staff, listening to the session.

The President did not make a specific request for a "safe harbor" period in early evening when television programming should be restricted to family entertainment, the executives said. Nor did he ask for a set quantity of new educational programming. Instead, they said, he encouraged the development of higher quality children's shows.

Message Creation Date was at 23-JAN-1996 15:22:00

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Radio

NPR

SHOW: Morning Edition (NPR 6:00 am ET)
January 22, 1996

Transcript # 1786-4

SECTION: News; Domestic

LENGTH: 991 words

HEADLINE: Timber Land Bid by Environmental Group May be Rejected

GUESTS: MITCH FREEDMAN, Director, Northwest Ecosystem Alliance; BRAD FLATTEN, U.S Forest Service; RON SIMON, Longview Timber; ROB STAVEN, Harvard Environmental Economist

BYLINE: JENNIFER SCHMIDT

HIGHLIGHT:

The environmental group, Northwest Ecosystem Alliance, put in the highest bid on a 275-acre tract of burned forest land, but the U.S. Forest Service may reject it because the group won't sell the burned timber.

BODY:

BOB EDWARDS, Host: An environmental group has been declared the high bidder in a federal timber sale in the state of Washington, but the U.S. Forest Service says it may reject the bid because the group has no intention of harvesting any of the trees. Jennifer Schmidt [sp], of member station KPLU, reports from Seattle.

JENNIFER SCHMIDT, Reporter: In 1994, wild fires swept across the West, blackening millions of acres of forest land. On the Okanogan National Forest in Northcentral Washington state, nearly 20,000 acres burned. The Forest Service is now selling some of that damaged timber as salvage for logging. One parcel, called the Thunder Timber sale, lies at the heart of a large tract of undeveloped forest land that provides habitat for Chinook salmon, and one of the last remaining populations of lynx in the lower 48 states.

MITCH FREEDMAN, Director, Northwest Ecosystem Alliance: The area that we're talking about is high elevation, continuous beautiful forests. We see this as the last bastion of refuge for the rare wildlife that really needs these places.

JENNIFER SCHMIDT: Mitch Freedman is director of the Northwest Ecosystem Alliance, a local environmental group. Freedman contends the 275-acre Thunder salvage sale violates water quality and other environmental laws. His group might have sued to stop the sale, but it can't. Last year Congress passed a law that prohibits most legal challenges of federal salvage timber sales.

MITCH FREEDMAN: We're helpless, so when this sale came across our desk and our hands were tied, the only thing that I could think to do was to put our money

where our mouth was, and try and buy it.

JENNIFER SCHMIDT: So, at a recent timber auction in Eastern Washington, the alliance bid higher than two other logging companies, offering \$29,000 for the sale. But, there's still no guarantee it will ultimately win the contract. Brad Flatten [sp] of the U.S. Forest Service is the head of timber sales for the Okanogan National Forest. He says the alliance might not get the contract because it says it won't cut down any of the trees.

BRAD FLATTEN, U.S. Forest Service: We've heard what they've said in the newspapers and on the radio, and they're saying the same thing to us, and that's reason for concern on our part. We would not be acting, probably, in good faith to enter into a contract - this is a contract with the American people - to cut and remove timber, and we will probably not enter into that contract unless we have some indication that they really intend to comply with the provisions of the contract.

JENNIFER SCHMIDT: But the alliance's Mitch Freedman says at least from a financial standpoint the contract doesn't make much sense. It costs the federal government more than \$300,000 to auction the tract. Freedman says no matter who buys it, it's a bad deal for tax payers.

MITCH FREEDMAN: The big question in my mind is why the Forest Service even sees a need to do this. The public is still only going to get 10 cents back on the dollar that we invested. The market is bad. There's no economic value in this timber, and they're still going to do environmental damage. Why?

JENNIFER SCHMIDT: Forest Service officials say the main objective is ensuring the area will provide timber into the future, and the best way to do that, they say, is to remove the burned timber now while the wood still has value, and replant to speed the growth of new trees. As for loggers, they see the timber as primarily an economic resource. Ron Simon bids on Forest Service tracts for Longview Timber, which operates a mill near the sale.

RON SIMON, Longview Timber: Right now the salvage sales are very important to local economies. That wood was meant to provide jobs for manufacturing, for the folks that were actually going to do the logging, that type of thing. So, the problem with it is, is the economic benefit is not gained by leaving the wood out there.

JENNIFER SCHMIDT: Environmentalists say in some cases, though, the forest is more valuable preserved as a place for wildlife and recreation, and increasingly they're making their point by going to the marketplace instead of court. Over the past decade, environmental groups have bought federal grazing allotments, water rights and the permits companies need to discharge pollutants. Harvard environmental economist, Rob Staven [sp], says he thinks it would be a mistake for the Forest Service to reject bidders based on how they plan to use the land. He says that decision should be made in the marketplace.

ROB STAVEN, Harvard Environmental Economist: I think the important principle is that lands do go to their highest valued use, and that some lands within the national forests are going to be in their valued use for timber cutting. And some lands within those national forests are going to be in their highest

valued use for recreational purposes. And the flip side of this is that if environmentalists want to be able to participate in these markets, that environmentalists should recognize, as I think they do, but they certainly should recognize that it also means that they're going to lose some of the bidding.

JENNIFER SCHMIDT: Staven says some government regulation of the land is needed, but he says federal timber is one resource where free market environmentalism can work. The Forest Service is expected to make a decision on the Thunder salvage sale in the next few weeks. The Northwest Ecosystem Alliance says if their bid is rejected, they'll appeal to the U.S. Department of Agriculture. For National Public Radio, I'm Jennifer Schmidt in Seattle.

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

23-Jan-1996 05:43pm

TO: (See Below)

FROM: Thomas C. Jensen
 Council on Environmental Quality

SUBJECT: FYI - Full NPR transcript on timber contracts

Distribution:

TO: Ruth D. Saunders
TO: Elena Kagan
TO: Jennifer M. O'Connor
TO: Dinah Bear
TO: Martha Foley
TO: T J Glauthier

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

23-Jan-1996 03:26pm

TO: Kathleen A. McGinty
TO: Dinah Bear
TO: Thomas C. Jensen

FROM: Brian J. Johnson
Council on Environmental Quality

SUBJECT: timber NPR



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 PHONE: 202-720-9190 FAX: 202-690-2730

FACSIMILE TRANSMISSION COVER

DATE: JANUARY 25, 1996

FROM: TIM OBST
ATTORNEY

SUBJECT: Thunder Mountain Salvage Sale

To:	<u>Fax</u>	<u>Speed Dial</u>
Don Barry	208-4684	
Bob Baum	DOI-Sol 208-3877	[054]
Dinah Bear	CEQ 456-0753	[047]
Lois Schiffer, Peter Coppelman	DOJ 514-0557	[043]
Nancy Hayes	208-5242	
Elena Kagen	456-1647	
Ellen Athas	DOJ 305-0429	[038]
Chris Nolin	395-4941	
Karen Mouritsen, Kris Clark	DOI-Sol 219-1792	[052]
Tom Tuchmann	OFED 503-326-6254	[049]
Mark Gaede	USDA	
Anne Kennedy	USDA	
Gray Reynolds, Richard Fitzgerald	FS-WO	

[continued]

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MESSAGE:

Attached for your information are documents relating to the Thunder Salvage Sale on the Okanogan National Forest discussed, which was discussed at Tuesday, January 23 meeting of the EOP/Agency timber working group.

<u>Fax Page</u>	<u>Description</u>
3	Northwest Ecosystem Alliance (NWEA) press release (10/27/95).
4-6	Exerpts from a report by the Western Ancient Forest Campaign (1/5/96).
7-14	Documents signed by NWEA as part of their bid.
15	Forest Service "Board Posting for Timber Sale Auction" (12/20/95).
16-17	Forest Service "Thunder Salvage Sale Talking Points".
18-19	Forest Service Speed Memo on NPR Interview (1/10/96).
20-21	FWS concurrence with FS biological assessment (8/29/95).
22-23	FWS concurrence on revised biological assessment (12/7/95).
24-39	Thunder Mountain Recovery and Salvage Decision Notice (9/6/95).
40-46	Thunder Mountain Recovery and Salvage Revised Decision Notice (12/8/95).

In addition, the Environmental Impact Statement that was distributed to the public August 14, 1995 is available for review at the Forest Service Washington Office.

If you have any questions regarding the Thunder Salvage Sale, please contact Richard Fitzgerald at 202-205-1753.

OCT-18-95 WED 8:34

THE WENATCHEE WORLD

FROM: NORTHWEST ECOSYSTEM ALLIANCE FAX

1/22-2014

POST-IT FAX NOTE	7071	Date	# of pages
To	John Saunders	From	Marla Fugh
Co/Dept	US Forest Service	Co	Wenatchee White
Phone #		Phone #	4122-3848
Fax #	422-2014	Fax #	

For Wildness and Diversity



in the Pacific Northwest

FOR IMMEDIATE RELEASE
contact: Mitch Friedman

OCTOBER 17, 1995

NORTHWEST ECOSYSTEM ALLIANCE

Marla

CONSERVATION GROUP BIDS ON SALVAGE TIMBER SALE

Bellingham-- The Northwest Ecosystem Alliance (NWEA) today submitted a sealed contract bid for the purchase of rights to the Thunder Salvage timber sale offered by the Okanogan National Forest. The Alliance offered \$4.23 per thousand board feet of timber for the right to keep these trees standing, which is one penny higher than the minimum acceptable bid of \$4.24. The bid will be opened, along with any competing offers to log the trees, in the Forest Service's district office in Tonasket at 3 PM on Wednesday.

The Thunder Salvage sale is located just south of the Pasayton Wilderness Area, in land affected by the Thunder Mountain fire in the summer of 1994. The sale would involve construction of new roads and would log 3.3 million board feet of timber from inside one of largest remaining undeveloped areas in Washington state. Forest Service studies show that the area provides valuable wildlife habitat and that logging could jeopardize imperiled salmon runs downstream. Conservationists cannot challenge the project on environmental grounds because of the "logging without laws" rider, passed by Congress in August.

The Thunder Mountain sale, like many others now being offered by the national forests in eastern Washington, will cost the government far more to implement than it will generate in revenues. Planning of this sale has already cost the Forest Service well over \$200,000, whereas the minimum bid will gross the government only \$15,000 -- less than a tenth of its costs. The price reflects about 20 cents per tree, or \$21,000 a truckload.

"The Forest Service is managing our forest like a stupid kitchen for timber companies, so we've come to take our place in line," said Mitch Friedman, NWEA Executive Director. "The \$15,000 we're offering is a great deal for the public since we promise not to cut the trees or ask for additional federal hand-outs for road construction and replanting."

According to Evan Frost, NWEA's staff ecologist, "These trees are worth far more standing -- to protect wildlife, soils, water quality, and fisheries -- than what the Forest Service is asking to cut them down. The least the Forest Service can do is sell us the timber and prevent the environmental damage that would come with salvage logging".

Bruce Morrison, a member of Methow Forest Watch, says: "With the depressed timber prices and poor wood quality up there, the Forest Service should have given up on this project a long time ago. Yet again, taxpayers are being asked to foot the bill." Okanogan National Forest Supervisor Sam Oehr refused to drop the sale even after receiving letters from local and regional mills this summer stating no interest in the timber.

Friedman added, "We're doing this not only to protect our natural heritage, but to prove once and for all that standing forests are good for the economy."

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**A REPORT TO CONGRESS AND THE AMERICAN PEOPLE
ON THE FOREST HEALTH RIDER
Section 2001, P.L. 104-19**

**163 Days Of
Logging Without Laws**

January 5, 1996

prepared by the
WESTERN ANCIENT FOREST CAMPAIGN
1101 14th Street NW Suite 1400
Washington D.C. 20005
(202)789-2844x288

in cooperation with:

The Idaho Conservation League
The Alliance for the Wild Rockies
The Montana Wilderness Association
The Friends of the Wild Swan
The Swan View Coalition
The Klamath Forest Alliance
Headwaters
The Friends of Elk River
The Colorado Environmental Coalition
Heartwood
The Northwest Ecosystem Alliance
The Southwest Center for Biological Diversity
The Alabama Wilderness Alliance
The Bankhead Monitor

THUNDER MOUNTAIN SALVAGE SALE -- Washington

- * Salvage sale in the state's largest remaining forested roadless area, with adverse impacts on wildlife habitat and jeopardy to imperiled salmon runs downstream.
- * The project contradicts the findings of the Chewuch River watershed analysis, which identified the Thunder Mountain area as a critical source of high quality water for spring chinook, and recommended protection to avoid adverse impacts to this Key Watershed.
- * No bids were received on the sale in October, and when it was reoffered in December, the successful bidder was the Northwest Ecosystem Alliance which bought the sale at 60 cents a tree.
- * The purchase price of \$30,000 for the sale compares to planning costs for the Forest Service alone of \$200,000 insuring that the government's loss will be at least \$170,000.

Location:

The sale will log in the 70,000 acre Long Swamp roadless Area just south of the Pasayten Wilderness area. This portion of the Okanogan NF was affected by the Thunder Mountain fire in 1994.

Background:

The sale proposes construction of new roads and logging of 3.5 mmbf of timber on 275 acres in the heart of one of Washington's largest undeveloped forest areas. Forest Service studies document environmental damage which will result from the sale. The sale was offered under the "forest health rider" so that the public was not able to challenge the sale on environmental grounds, so the Northwest Ecosystem Alliance bid successfully on the sale at \$8.25 per thousand board feet. The Okanogan Forest Supervisor refused to drop the sale much earlier even after receiving letters from regional mills indicating no interest in the timber, and receiving no bids on the sale in October when it was originally offered.

Status:

NWEA offered its successful bid for the sale December 20, but does not plan to log it. (This is believed to be the first time in the history of the National Forest system that a party has won rights to a sale with no intent to cut the trees).

Quotes:

"It was like a post-Christmas sale at Walmart, with public forests at bargain prices. The Forest Service is playing Santa to the timber industry, but Grinch to taxpayers. You can't blame us for shopping a bargain -- we at least will pay our money, but leave the trees and wildlife habitat intact."
Mitch Friedman, NWEA

"Those trees are worth far more standing -- to protect wildlife, soils, water quality, and fisheries -- than what the Forest Service is asking to cut them. If the sale were logged, the public would pay once in subsidies and a second time in environmental damage." Evan Forest, NWEA ecologist

"With the depressed timber prices and poor wood quality up there, the Forest Service should have given up on this sale a long time ago." Bruce Morrison, Methow Forest Watch

For more information:

Mitch Friedman or Evan Frost, Northwest Ecosystem Alliance, (360)671-9950

USDA-Forest Service

BID FOR ADVERTISED TIMBER

(Reference FSM 2430, FSM 2409.10, Section 57.2)

1. SALE NUMBER: 012	2. DATE BID OPENED: December 20, 1995 3 PM	3. OPENED BY: C. Townsend 3101R	4. IN THE PRESENCE OF: JBF
3. SALE NAME: THUNDER SALVAGE	7. RANGER DISTRICT: TOWASKET	8. TYPE OF BID a. <input checked="" type="checkbox"/> Sealed Bid b. <input type="checkbox"/> Confirmation of Oral Bid	
6. NATIONAL FOREST: OKANOGAN	9. TO: (Title and address of Forest Officer receiving bids) Forest Supervisor Okanogan National Forest 1240 South Second Okanogan, WA 98840	10. NAME OF NEWSPAPER: The Chronicle	11. DATE PUBLISHED: December 13, 1995
		12. CITY: Omak	13. STATE: WA

INSTRUCTIONS TO FOREST OFFICER: Complete applicable blanks before sending to prospective purchasers. Attach copy of notice of sale. Entries are required in columns 8a & b, 14a, b, c, e, & g, 15a and 20 in all sales. Strike out spaces for entries in one or more of columns d, g, or h, if not applicable to the sale.

*****IN RESPONSE TO THE NOTICE OF SALE PUBLISHED IN THE NEWSPAPER SPECIFIED ABOVE, AND SUBJECT TO THE CONDITIONS ATTACHED HERETO, THE FOLLOWING BID IS SUBMITTED AND SHALL CONSTITUTE A FIRM OFFER:*****

SPECIES AND PRODUCTS (a)	UNIT OF MEASURE (b)	ESTIMATED QUANTITY (c)	RATES PER UNIT OF MEASURE					BASE INDICES (h)
			Base (d)	Advertised (e)	Bid (f)	Add'l Deposits Slash Disposal (g)		
Places Subject to Per M Pricing: 2/					- * -			
Englemann Spruce & Others	MBF	3530	\$ 4.24	\$ 4.24	- * -	\$1.14	333.69	
WEIGHTED AVERAGE (SMBF)	---	---	---	\$ 4.24	4.25 ¹¹	---	---	

- 1/ This is a lump-sum payment unit sale. Bid rates and required deposits shall be applied to each payment unit as provided by the payment provision of the contract.
- 2/ FLAT RATE SALE, not subject to quarterly adjustment.

15. **BID GUARANTEE:** (a) The minimum guarantee which must accompany this bid is: \$1,500.00
 (b) The form of guarantee accompanying this bid is a(n) _____
 in the amount of: \$ _____ (See Instruction 6 for acceptable forms of payment)

16. **SUBJECT TO THE PENALTIES PRESCRIBED IN 18 U.S.C. 1001, BIDDER CERTIFIES THAT THE FOLLOWING REPRESENTATIONS ARE ACCURATE AND COMPLETE:** (Check appropriate boxes in all items below.)

- a. That the Bidder () has, has not employed or retained any company or person (other than a full-time bona fide employee working solely for the bidder) to solicit or secure a contract for this timber.
- b. That the Bidder () has, has not paid or agreed to pay any company or person (other than a full-time bona fide employee working solely for the bidder) any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of contract for this timber, and agrees to furnish information relating thereto as requested by the officer authorized to approve the timber sale contract.
- c. That the Bidder () has, has not participated in a previous contract subject to the provision of section 202 of Executive Order 11246 (Non-discrimination in Employment) of 9/24/65, as amended; and that the Bidder () has, () has not submitted required compliance reports under such previous contracts.
- d. That the Bidder together with its affiliates employs the following number of persons and is classified as: 1-25 () 26-500 () OVER 500 and a: () MANUFACTURER NONMANUFACTURER.

17. CERTIFICATE OF INDEPENDENT PRICE DETERMINATION: SUBJECT TO THE PENALTIES PRESCRIBED IN 18 U.S.C. 1001, BIDDER CERTIFIES AND REPRESENTS THAT THE FOLLOWING REPRESENTATIONS ARE ACCURATE AND COMPLETE:

A. By submission of this bid each bidder also certifies, and in the case of a joint bid each party thereto certifies as to its own organization, that in connection with this sale.

- (1) The prices in this bid have been arrived at independently, without consultation, communication, or agreement, as to any matter relating to such prices with any other bidder or with any potential competitor;
- (2) The prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening of bid, directly or indirectly to any other bidder or to any potential competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a bid.

B. Each person signing this bid or proposal certifies that:

- (1) The Signer is the person in the bidder's organization responsible within that organization for the decision as to the prices bid herein and that the Signer has not participated, and will not participate, in any action contrary to A (1) through A (3) above; or
- (2) The Signer is not the person in the bidder's organization responsible within that organization for the decision as to prices bid herein but that the Signer has been authorized in writing to act as agent for the person responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to A (1) through A (3) above, and as their agent does hereby so certify; and that the Signer has not participated, and will not participate, in any action contrary to A (1) through A (3) above.

C. A bid will not be considered for award where any portion of A or B above has been deleted or modified. Where these provisions have been deleted or modified the bid will not be considered for award unless bidder furnishes with the bid a sworn statement which sets forth in detail the circumstances of the disclosure and the Chief, Forest Service, or the Chief's designee, determines that such disclosure was not made for the purpose of restricting competition.

18. ROAD CONSTRUCTION OPTION: X Box if Bidder is a Small Business and wishes to have Forest Service construct specified roads. You may not change an election once made. Failure to mark box constitutes agreement to build roads. Election may not be changed subsequent to time set for opening bids (See also Instructions 12 and 13).

19. CONTRACT, DOWNPAYMENT AND BOND: The bidder whose bid is accepted will, within 30 days of the award letter's date, or any written extension thereof by the Forest Service, execute a timber sale contract which shall be provided by the Forest Service and be based on the sample contract referenced in the prospectus. Simultaneously, bidder shall submit a downpayment and furnish a satisfactory performance bond, in accordance with the provisions of such timber sale contract, in the penal sum as prescribed in the prospectus for this sale, and otherwise complete the process described on this form and pages attached hereto. Bidder agrees that its failure to comply with this paragraph shall result in a termination of this contract for breach under provisions of paragraph 10 of the Instructions to Bidders portion of this form.

20. DOWNPAYMENT: Pursuant to 36 CFR 223.49, the bidder to whom award is made must make a downpayment at the time the contract is signed by the bidder and returned to the Forest Service in the amount of:

(X) Ten percent of the advertised value plus twenty percent of the total bid premium.

() _____ percent of the advertised value, plus _____ percent of the total bid premium based on the Chief's determination that this amount is necessary to deter speculation.

NOTICE: The indicated downpayment amount shall be increased to twenty percent of the total advertised value and 40 percent of the total bid premium if Forest Service determines that bidder meets the criteria for additional downpayment established by 36 CFR 223.49.

21. FIRM OFFER: Bidder hereby agrees not to withdraw this bid after the bid opening. Signing this form binds the bidder to accept award under the terms of the sample contract and this bid form if its bid is accepted within 90 days after bid opening. The period for acceptance may be extended by written notice from bidder. If bidder qualifies as a small business and elects road construction by Forest Service, then bidder agrees that its offer shall remain open through the period stated in the prospectus although that period may exceed 90 days.

22. TERMS OF BIDDER'S OFFER: By its signature, bidder represents that it has read and understands each and every provision of this bid form (together with any attachments thereto) and the sample sale contract. Bidder agrees that it assumes the responsibility to clarify any questions before signing this form. However, bidder agrees that the written provisions of this bid form (together with any attachments) and the sample sale contract constitute the entire agreement of the parties until a written contract is executed and neither the bid form (and any attachments) nor the sample contract can be orally modified. Bidder expressly adopts the terms of this bid form and the sample contract as material parts of its offer for the advertised timber.

23. **DISCLAIMER OF ESTIMATES AND BIDDER'S WARRANTY OF INSPECTIONS:** BEFORE SUBMITTING THIS BID, BIDDER IS ADVISED AND CAUTIONED TO INSPECT THE SALE AREA, REVIEW THE REQUIREMENTS OF THE SAMPLE TIMBER SALE CONTRACT, AND TAKE SUCH OTHER STEPS AS MAY BE REASONABLY NECESSARY TO ASCERTAIN THE LOCATION, ESTIMATED VOLUMES, CONSTRUCTION ESTIMATES, AND OPERATING COSTS OF THE OFFERED TIMBER. FAILURE TO DO SO WILL NOT RELIEVE BIDDERS FROM RESPONSIBILITY FOR COMPLETING THE CONTRACT.

BIDDER/PURCHASER WARRANTS THAT THIS BID/OFFER IS SUBMITTED SOLELY ON THE BASIS OF ITS EXAMINATION AND INSPECTION OF THE QUALITY AND QUANTITY OF THE TIMBER OFFERED FOR SALE AND IS BASED SOLELY ON ITS OPINION OF THE VALUE THEREOF AND ITS COSTS OF RECOVERY, WITHOUT ANY RELIANCE ON FOREST SERVICE ESTIMATES OF TIMBER QUALITY, QUANTITY OR COSTS OF RECOVERY. BIDDER FURTHER ACKNOWLEDGES THAT THE FOREST SERVICE: (i) EXPRESSLY DISCLAIMS ANY WARRANTY OF FITNESS OF TIMBER FOR ANY PURPOSE; (ii) OFFERS THIS TIMBER AS IS WITHOUT ANY WARRANTY OF QUALITY (MERCHANTABILITY) OR QUANTITY AND, (iii) EXPRESSLY DISCLAIMS ANY WARRANTY AS TO THE QUANTITY OR QUALITY OF TIMBER SOLD EXCEPT AS MAY BE EXPRESSLY WARRANTED IN THE SAMPLE CONTRACT.

BIDDER/PURCHASER FURTHER HOLDS FOREST SERVICE HARMLESS FOR ANY ERROR, MISTAKE, OR NEGLIGENCE REGARDING ESTIMATES EXCEPT AS EXPRESSLY WARRANTED AGAINST IN THE SAMPLE CONTRACT.

24. **CERTIFICATION OF COMPLIANCE WITH EXPORT AND SUBSTITUTION RESTRICTIONS.**

By submission of this bid each bidder certifies that the bidder is in compliance with applicable prohibitions against export and substitution prescribed in the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620 et seq.) In Alaska, exports of logs, cordwood or primary products derived from included timber may not be transported from Alaska without Regional Forester approval (See instruction 15).

25. **CERTIFICATION OF AFFILIATION.**

The bidder certifies that a complete listing of Bidder's affiliates who are primarily engaged in the logging of forest products is included with this bid: (Add additional pages if needed; See Instructions 11 and 14):

FULL NAME OF ALL PARTNERS AND AFFILIATES	(Type or Print)	PURCHASER IDENTIFICATION NO: (TAX ID#)

Public reporting burden for this collection is estimated to be 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate to Department of Agriculture, Clearance Officer, OIRM, AC Box 7630, Washington, DC 20250; and to Office of Management and Budget, Paperwork Reduction Project, (OMB #0596-0066), Washington, DC 20503.

BEFORE SIGNING THIS BID, REVIEW THE ATTACHED INSTRUCTIONS TO BIDDERS AND FILL IN THE APPLICABLE BLANKS IN BOXES 14E, 15b, 16, 18 and 25.

NAME OF BIDDER: (Type or Print) <i>NW Ecosystem Alliance</i>	BY: (Signature in ink) <i>[Signature]</i>	
PURCHASER IDENTIFICATION NO. OF THE BIDDER (TAX ID#): <i>948091547</i>	TITLE: (Type or Print) <i>Executive Director</i>	DATE <i>12/18/95</i>
BUSINESS ADDRESS (Include Zip Code) (Type or Print) <i>1155 N. State #316 Bellingham WA 98225</i>		

Deposits will be returned to unsuccessful bidders by certified mail unless deposits are returned personally. RECEIPT FOR RETURNED DEPOSITS:

Check Number _____ in the amount of \$ _____ dated _____ was returned to _____

Signature _____ Date _____

USDA-Forest Service

CERTIFICATION OF NONSUBSTITUTION OF TIMBER PURCHASED AND DISPOSITION OF DOMESTICALLY PROCESSED AND EXPORTED TIMBER (Reference FSM 2455 and FSR 2409.15)

(BSPR-00-1111)

PART I

1. Sale Name THUNDER SALVAGE 2. Bid Date December 20, 1995

The bidder hereby certifies that if awarded this contract, bidder's purchase will not constitute substitution as defined in Secretary of Agriculture's Regulation 36 CFR 223.160 regarding private timber exported by the purchaser or an affiliate, directly or indirectly.

The bidder agrees that if awarded this contract, bidder will maintain, for up to 3 years after the sale is terminated, and make available to the Forest Service, upon request, all of bidder's and bidder's affiliates' records dealing with the disposition of any unprocessed timber from this sale and any unprocessed timber from private lands in the tributary area which is exported or sold for export by the bidder.

The bidder further agrees that bidder will, prior to award of this contract, furnish to the Forest Service, in writing, the information contained in PART II of this form.

The bidder hereby certifies that, as defined in Secretary of Agriculture's Regulation 36 CFR 223.87, the following is a true and complete statement of the disposition, for the previous calendar year, of National Forest timber harvested and private timber exported or sold for export by the bidder or bidder's affiliates from the tributary area to which the timber from this sale is expected to be delivered.

Certification for calendar year 19 95

- 1. National Forest timber processed domestically; sold for domestic processing, or surplus timber exported.
2. Private timber exported or sold for export.

The bidder understands that the information described or furnished, in PART I above, will not be treated as confidential.

PART II

This report is required by law (PL 94-165) subsequent Interior and Related Agencies Appropriate Acts: 36 CFR 223.87. Failure to report can result in non-award of timber sale contracts or breach of timber sale contracts. Purchaser understands that the information described or furnished in PART II below, will not be treated as confidential.

- 1. The names and addresses of plants or other locations to which the timber is expected to be delivered.
2. The names and addresses of plants or other locations to which the timber is expected to be delivered.
3. The volume of all timber other than National Forest timber to the locations listed in PART II, block 1 above...

The bidder further agrees to furnish, prior to hauling to any different locations, like information concerning said different locations.

Public reporting burden for this collection of information is estimated to average 0.507 hours and \$6.04 per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information.

4. Name of Bidder: NW L. System Alliance, Signature: M J, 5. Title: Ex Director, 6. FAR No: 942091547, 6. Date: 12/18/95

For Wildness and Diversity



in the Pacific Northwest

Forest Supervisor
ONF
1240 S. Second
Okanogan WA 98840

**NORTHWEST
ECOSYSTEM ALLIANCE**

19 December 1995

Dear Mr. Gehr:

Please be advised that Susan Crampton, as a member of the Northwest Ecosystem Alliance, is authorized on behalf of the alliance to bid on or negotiate for the purchase or sale of timber from the Okanogan National Forest.

In connection with the foregoing, Ms. Crampton is authorized on behalf of the alliance to execute all instruments and documents necessary to bid on, or negotiate for the purchase of timber.

All timber sale contracts awarded to NW Ecosystem Alliance will be executed by myself.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitch Friedman", written over a horizontal line.

Mitch Friedman
Executive Director

(360) 671-9950
FAX (360) 671-8429

Suite 316, 1155 N. State St., Bellingham, WA 98225
MAIL P.O. Box 2813, Bellingham, WA 98227-2813

USDA-Forest Service **BID FOR ADVERTISED TIMBER**
 (Reference FSM 2430, FSM 2409.18, Section 57.2)

1. SALE NUMBER: 012	2. DATE BID OPENED: December 20, 1995 3 PM	3. OPENED BY:	4. IN THE PRESENCE OF:
5. SALE NAME: TIMBER SALVAGE		8. TYPE OF BID a. <input type="checkbox"/> Sealed Bid b. <input checked="" type="checkbox"/> Confirmation of Oral Bid	
6. NATIONAL FOREST: OKANOGAN	7. RANGER DISTRICT: TUMASKEY	10. NAME OF NEWSPAPER: The Chronicle	11. DATE PUBLISHED: December 13, 1995
9. TO: (Title and address of Forest Officer receiving bids) Forest Supervisor Okanogan National Forest 1240 South Second Okanogan, WA 98840		12. CITY: Chamuk	13. STATE: WA

INSTRUCTIONS TO FOREST OFFICER: Complete applicable blanks before sending to prospective purchasers. Attach copy of notice of sale. Entries are required in columns 8a & b, 14a, b, c, e, & g, 15a and 20 in all sales. Strike out spaces for entries in one or more of columns d, g, or h, if not applicable to the sale.

*****IN RESPONSE TO THE NOTICE OF SALE PUBLISHED IN THE NEWSPAPER SPECIFIED ABOVE, AND SUBJECT TO THE CONDITIONS ATTACHED HERETO, THE FOLLOWING BID IS SUBMITTED AND SHALL CONSTITUTE A FIRM OFFER:*****

SPECIES AND PRODUCTS (a)	UNIT OF MEASURE (b)	ESTIMATED QUANTITY (c)	RATES PER UNIT OF MEASURE				BASE INDICES (h)
			Base (d)	Advertised (e)	Bid (f)	Add't Deposits Slash Disposal (g)	
Pieces Subject to Per M Pricing 2/					- * -		
Englemann Spruce & Others	MBF	3530	\$ 4.24	\$ 4.24	- * -	\$1.14	333.69
WEIGHTED AVERAGE (3MBF)	---	---	---	\$ 4.24	8.25 ^{1/}	---	---

- 1/ This is a lump-sum payment unit sale. Bid rates and required deposits shall be applied to each payment unit as provided by the payment provision of the contract.
 2/ FLAT RATE SALE, not subject to quarterly adjustment.

15. **BID GUARANTEE:** (a) The minimum guarantee which must accompany this bid is: \$1,500.00
 (b) The form of guarantee accompanying this bid is a(n) _____ in the amount of: \$ _____ (See Instruction 6 for acceptable forms of payment)

16. **SUBJECT TO THE PENALTIES PRESCRIBED IN 18 U.S.C. 1001, BIDDER CERTIFIES THAT THE FOLLOWING REPRESENTATIONS ARE ACCURATE AND COMPLETE:** (Check appropriate boxes in all items below.)

a. That the Bidder () has, () has NOT employed or retained any company or person (other than a full-time bona fide employee working solely for the bidder) to solicit or secure a contract for this timber.

b. That the Bidder () has, () has not paid or agreed to pay any company or person (other than a full-time bona fide employee working solely for the bidder) any fee, commission, percentage or brokerage fee, contingent upon or resulting from the award of contract for this timber, and agrees to furnish information relating thereto as requested by the officer authorized to approve the timber sale contract.

c. That the Bidder () has, () has not participated in a previous contract subject to the provision of section 202 of Executive Order 11246 (Non-discrimination in Employment) of 9/24/65, as amended; and that the Bidder () has, () has not submitted required compliance reports under such previous contracts.

d. That the Bidder together with its affiliates employs the following number of persons and is classified as: () 1-25 () 26-500 () OVER 500 and as: () MANUFACTURER () NORMANUFACTURER.

23. DISCLAIMER OF ESTIMATES AND BIDDER'S WARRANTY OF INSPECTION: BEFORE SUBMITTING THIS BID, BIDDER IS ADVISED AND CAUTIONED TO INSPECT THE SALE AREA, REVIEW THE REQUIREMENTS OF THE SAMPLE TIMBER SALE CONTRACT, AND DO NOT SIGN ANY OTHER PARTS OF THE CONTRACT UNLESS YOU ARE SURELY AND NECESSARILY CONVINCED THAT THE LOCATION, SETBACKS, VOLUMES, CONSTRUCTION ESTIMATES, AND OPERATING COSTS OF THE OFFERED TIMBER. FAILURE TO DO SO WILL NOT RELIEVE BIDDERS FROM RESPONSIBILITY FOR COMPLETING THE CONTRACT.

BIDDER/PURCHASER WARRANTS THAT THIS BID/OFFER IS SUBMITTED SOLELY ON THE BASIS OF ITS EXAMINATION AND INSPECTION OF THE QUALITY AND QUANTITY OF THE TIMBER OFFERED FOR SALE AND IS BASED SOLELY ON ITS OPINION OF THE VALUE THEREOF AND ITS COSTS OF RECOVERY. WITHOUT ANY RELIANCE ON FOREST SERVICE ESTIMATES OF TIMBER QUALITY, QUANTITY OR COSTS OF RECOVERY. BIDDER FURTHER ACKNOWLEDGES THAT THE FOREST SERVICE: (i) EXPRESSLY DISCLAIMS ANY WARRANTY OF FITNESS OF TIMBER FOR ANY PURPOSE; (ii) OFFERS THIS TIMBER AS IS WITHOUT ANY WARRANTY OF QUALITY (MERCHANTABILITY) OR QUANTITY AND, (iii) EXPRESSLY DISCLAIMS ANY WARRANTY AS TO THE QUANTITY OR QUALITY OF TIMBER SOLD EXCEPT AS MAY BE EXPRESSLY WARRANTED IN THE SAMPLE CONTRACT.

BIDDER/PURCHASER FURTHER HOLDS FOREST SERVICE HARMLESS FOR ANY ERROR, MISTAKE, OR NEGLIGENCE REGARDING ESTIMATES EXCEPT AS EXPRESSLY WARRANTED AGAINST IN THE SAMPLE CONTRACT.

24. CERTIFICATION OF COMPLIANCE WITH EXPORT AND SUBSTITUTION RESTRICTIONS.

By submission of this bid each bidder certifies that the bidder is in compliance with applicable prohibitions against export and substitution prescribed in the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620 et seq.) In Alaska, exports of logs, cordwood or primary products derived from included timber may not be transported from Alaska without Regional Forester approval (See instruction 15).

25. CERTIFICATION OF AFFILIATION.

The bidder certifies that a complete listing of Bidder's affiliates who are primarily engaged in the logging of forest products is included with this bid: (Add additional pages if needed; See Instructions 11 and 14):

FULL NAME OF ALL PARTNERS AND AFFILIATES	(Type or Print)	PURCHASER IDENTIFICATION NO: (TAX ID#)

Public reporting burden for this collection is estimated to be 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate to Department of Agriculture, Clearance Officer, OLEM, AG Box 7630, Washington, DC 20250; and to Office of Management and Budget, Paperwork Reduction Project, (OMB #0596-0066), Washington, DC 20503.

BEFORE SIGNING THIS BID, REVIEW THE ATTACHED INSTRUCTIONS TO BIDDERS AND FILL IN THE APPLICABLE BLANKS IN PAGES 14F, 15B, 16, 18 and 25.

NAME OF BIDDER: (Type or Print) NW Ecosystem Alliance	BY: (Signature in Ink) <i>[Signature]</i>	
PURCHASER IDENTIFICATION NO. OF THE BIDDER (TAX ID#):	TITLE: (Type or Print) Member, NWEA	DATE 12/20/95
BUSINESS ADDRESS (Include Zip Code) (Type or Print)		

Deposits will be returned to unsuccessful bidders by certified mail unless deposits are returned personally.
RECEIPT FOR RETURNED DEPOSITS:

Check Number _____ in the amount of \$ _____ dated _____ was returned to _____.

Signature _____ Date _____

BOARD POSTING FOR TIMBER SALE AUCTION

Thunder Salvage Timber Sale

Date 12/20/95 Time 3 pm

District Tonasket

Bid Guarantee \$ 1,500.00

Estimated Road Credits \$ 3,839.35

Species	FS+O	wt. Ave	TOTALS
Est. Vol. MCF	3530		3530
Hr. Accept. Bid/M	4.24	4.24	\$14,967.20
Bidders:			
2. <u>Vaagen Bros.</u>		7.10	24,886.50
3. <u>Double A Logging</u>		8.15	28,769.50
4.			
5. <u>Northwest Ecosystem</u>		8.25	29,122.50
6. <u>Alliance</u>			
7.			
8.			
9.			

Additional Deposits Required for Slash Disposal \$ 1.14 per MCF

Additional Deposits Required for Road Maintenance \$ 14.55 per MCF

Elective Deposits for Cooperative Erosion Control -0- per MCF

OPTIONAL FORM 89 (7-89)

FAX TRANSMITTAL # of pages =

To: Tim Obst From:

Dept./Agency: WOCBGC Phone #:

Fax #:

5099-101 GENERAL SERVICES ADMINISTRATION

NSN 7540-01-317-7308

THUNDER SALVAGE SALE TALKING POINTS

The following is responses to points being espoused by Mitch Friedman and Evan Frost.

1. Salvage sale is in the state's largest remaining forested roadless area, with adverse impacts on wildlife habitat and jeopardy to imperiled salmon runs downstream.

The EIS clearly displays the impacts of proposed actions within this unroaded area. Both the U.S. Fish and Wildlife and Washington State Fish and Wildlife are supportive in our findings of no likely affect to wildlife or fish from this project. The project is short term (1 year), includes minimal road construction which will be effectively closed following the project, and included many protection measures to insure little impact on fish and wildlife habitat. The Okanogan National Forest Land and Resource Management Plan identifies this area to be managed for lynx habitat and wood fiber production, two compatible uses. The sale proposed would harvest only 2% of the standing dead timber volume from a 10,500 acre fire. All trees to be harvested are dead.

2. The project contradicts the findings of the Chewuch River watershed analysis . . . [this area] is a critical source of high quality water for spring chinook, and recommended protection to avoid adverse impacts to this key watershed.

This project does not contradict the findings of the Chewuch River watershed analysis. We have included many protection measures in the project to avoid adverse impacts to water quality. We have started a 3 year water monitoring program in the Chewuch to monitor impacts of fire and project, we included no harvest buffer strips recommended by PACFISH around all streams and wetlands, we limited tractor yarding to slopes more restrictive than our Forest Plan, we recommended helicopter yarding on over 70% of the sale area to limit road construction and skidding impacts, we included provisions to close existing roads and newly constructed roads, and recommended erosion control seeding on soils disturbed by the project. All of these actions added up to the findings of little or no risk to the spring chinook or bull trout in the Chewuch River.

3. No bids were received on the sale in October, and when it was reoffered in December, the successful bidder was the Northwest Ecosystem Alliance which bought the sale at 60 cents a tree.

Northwest Ecosystem Alliance was the high bidder at the timber sale auction. They have not, however, been awarded the timber sale contract. We are in the process of determining whether they are a responsible purchaser, as required by 36 CFR 223.101. NWEA has publicly stated they have no intention of carrying out the requirements of the timber sale contract.

4. The purchase price of \$30,000 for the sale compares to planning costs for the Forest Service alone of \$200,000, insuring the government's loss will be at least \$170,000.

The purchase price and planning costs presented are acceptable. However, the prediction of loss to the government is much more debatable. The timber sale would provide over 700 truckloads of timber to local mills. The logging, hauling, milling, and transport of finished wood products all

provide jobs, an estimated 68 jobs from this timber sale. These jobs would generate an estimated \$1,800,000 of income in the local community which would be spent in local stores and businesses which are taxed by Washington state at 7.5%. In addition, the income would be taxed by the federal government at a conservative 15%, which would provide an additional \$275,000 to the federal treasury. The provision of 68 jobs would aid in lessening costs of welfare programs, law enforcement, and unemployment programs.

In closure, the sale is an excellent example of ecosystem management by managing natural resources and harvesting trees in a sustainable way which provides stability and economy to the local communities. In response to the quote from Evan Frost that the trees are worth far more standing - the trees are all dead and they will not remain standing for very long. If the sale isn't logged, the public will pay for their wood products to be shipped from Siberia, and pay a second time in unemployment, lost wages, and depressed rural communities.

SPEED MEMO

TO: Sandra Berger	DATE: January 10, 1996
FROM: Don Rose	SUBJECT: NPR interview

MESSAGE: In response to your request to provide a paragraph about the Thunder Mountain Fire analysis and a paragraph on my interview with Jennifer Schmidt.

THUNDER SALVAGE SALE REVIEW

The Thunder Salvage sale is one of two sales advertised in September, 1995 within the Thunder Mountain Fire area which burned 10,500 acres in 1994. All the trees proposed for harvest are dead. The main issues in the analysis area included: 1) The fire was entirely within an unroaded area next to a wilderness.

- 2) How much timber volume could be salvaged from the fire?
- 3) Economics of the sale and community economic stability.
- 4) Effects of proposed activities on soils.
- 5) Effects of proposed activities on wildlife, including lynx, gray wolf, and grizzly bear.
- 6) Effects of proposed activities on anadromous fish in Chewuch River.
- 7) Potential of introduction of non-native plant species.

The sales would predominantly be logged using helicopter yarding to limit road construction in the unroaded area. Any new road construction would be used during the life of the sales only and then obliterated with woody debris and recontouring. A variety of no harvest zones were left to protect streams, wetlands, meadows, wildlife travel corridors, areas with steep slopes which could exhibit soil erosion, and to provide hiding cover for lynx. These areas also guaranteed quality habitat for snowshoe hare and other small mammals, and cavity nesting animals and birds. An estimated 140 MMBF of timber volume was killed by the fire. Thunder salvage sale proposes to harvest 3.5 MMBF, or 2.5% of the total dead volume from the fire.

INTERVIEW TOPICS WITH JENNIFER SCHMIDT

My discussion with Jennifer Schmidt on January 9 covered a wide range of topics. She was interested in the proposed sales effects on lynx and anadromous fish. She asked about how the proposed sale fit with the Chewuch watershed analysis. I told her the sale was in a portion of the watershed that had experienced very little impact to water quality, as described in the Chewuch WA. The stream gradients within the sale area were very gradual and would not present a sedimentation threat to the anadromous fish in the Chewuch River. The sales as proposed had been thoroughly reviewed by both the Washington State Fish and Wildlife and U.S. Fish and Wildlife Services and were fully supported by those agencies. There would be little likelihood of any impact to lynx, wolf, or grizzly bear with the proposed sales.

Jennifer asked why the Forest Service had to sell the timber to a logger if the highest bidder paid us in full but didn't harvest the trees. I told her that we had a Forest Plan that was the result of extensive public interaction. The Thunder Mountain Salvage analysis had undergone extensive public interaction. There are a full range of opinions about what should be done with land under Forest Service jurisdiction and that's why we do the analyses. The Forest Plan guides our attempts to provide a multitude of opportunities to our public. The Okanogan Forest Plan designated the unroaded area where the fire occurred for management of lynx and to provide wood fiber, which are compatible uses. I

also told Jennifer that the local community stood to benefit more from the harvest of timber than just our receiving money for the trees and not harvesting. A timber sale contract would involve providing jobs for local loggers, log truck drivers, mill workers, as well as provide business for helicopter companies, mills, house log distributors, and all the local businesses that provide supplies to businesses and individuals that live here. Awarding to anyone that would not carry out the contract would short circuit that chain of benefits.

We talked about the determination of purchaser responsibility and whether Northwest Ecosystem Alliance would be awarded the sale. I told her a letter was being sent out with questions that NEA would need to answer to determine their suitability for award of the timber sale contract. At this point, NEA was the high bidder on an auction, they had not been awarded the sale. From public comments they had made, they had no intention of carrying out the sale, so it was not likely they would be awarded the contract. That determination would be made legally through an established process in the Code of Federal Regulations over the next month.

She asked me whether the sale met the intent of improving forest health. I replied that when we started the project, we felt that we could lessen future fire risk and lessen potential mountain pine beetle outbreaks in damaged trees. I told her that the small amount of harvesting we were doing would not lessen the risks of either threat.

There was more to the interview but I don't remember any other specifics at this time.

8-29-1995 9:10AM

FROM USFWS-MOSES LAKE, WA 509 765 9043



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services

517 South Buchanan

P.O. Box 1157

Moses Lake, Washington 98837

(509)765-6125 Fax: (509)765-9043

August 29, 1995

Craig Bobzien
District Ranger
Tonasket Ranger District
1 West Winsap, P.O. Box 466
Tonasket, Washington 98855

FWS Reference: 1-3-95-I-718

Cross-Reference: 1-3-94-SP-788 and 1-3 95-SP-343

Dear Mr. Bobzien:

This letter is in response to your request for informal consultation on the Thunder Mountain Fire Recovery and Salvage project proposed by the Tonasket Ranger District of the Okanogan National Forest. Your letter with attached biological assessments was dated July 27, 1995, and received in our Spokane Sub-office on July 31, 1995. Michelle Eames, Tim McCracken, and I attended a field trip with your staff to the project area on October 5, 1994. Since then Michelle Eames and Kent Woodruff have discussed this project over the phone on several occasions.

The U.S. Fish and Wildlife Service (Service) concurs that the proposed project (Alternative 11) is not likely to adversely affect the gray wolf or the grizzly bear. The Service also concurs that the proposed project will have no effect on the bald eagle.

The Service appreciates the efforts that have been made by the district to minimize the effects on listed and candidate species during project planning, including: limiting road construction miles, limiting the sale duration, implementing prompt and effective road closures after the sale, and planning harvest unit layout to maintain travel corridors and to benefit snowshoe hare (prey for lynx). The Service recommends monitoring the effectiveness of the road closures, and using adaptive management to adjust the closures if they are found to be ineffective.

The Service further recommends continuing to develop methods to minimize impacts to the bull trout, a category I candidate species. The district should ensure that little or no

B-29-1995 9:10AM

FROM USFWS-MOSES LAKE, WA 509 765 9043

sediment is delivered to aquatic systems during project implementation. Prior to reintroducing grazing to the area, the Service recommends evaluating the recovery of stream channels and riparian habitat to ensure that grazing will not negatively impact the aquatic systems. If the systems are not recovered within 2 years as expected, delay the grazing reintroduction. After reintroduction of grazing, continue monitoring the area and move the livestock if negative effects to the aquatic system become apparent.

This concludes informal consultation pursuant to Section 7(a)(2) of the Endangered Species Act of 1973, as amended (Act). This project should be re-analyzed if new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; and/or, if a new species is listed or critical habitat is designated that may be affected by this project.

If you have further questions about this letter or your responsibilities under the Act, please contact Michelle Eames at our Spokane Sub-office, at 509-921-0160.

Sincerely,


David J. Kaunheimer

mre/

cc:

WDFW, Region 2

FWS, Leavenworth (McCracken)

FWS, Olympia (Saunders-Og, Spaulding)

Handwritten file copy

United States Department of Agriculture, Forest Service
Tonasket Ranger District
1 West Winesap
Tonasket, WA 99856

Reply To: 2500

Date: November 20, 1995

Michelle Eames, Wildlife Biologist
US Fish and Wildlife Service
11103 E. Montgomery Drive, Suite # 2
Spokane, WA 99205

Dear Michelle:

This letter is to inform you of additional activity regarding the Thunder Salvage Sale on the Tonasket District of the Okanogan National Forest.

Since receipt of your concurrence letter of August 29, 1995, two sales were offered (Thunder and Dog Salvage sales) in the Thunder Mountain EIS area, and neither received any bids. We have reworked the Thunder sale to allow possible house log and fiber removal and we are planning to re-offer the sale in early December.

Changes to the sales described in the EIS include:

Allowing a feller-buncher to gather the timber in all units of the sale, in order to economize on helicopter time.

Construction of minor access routes for the feller buncher and an ATV to service and fuel the equipment.

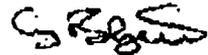
Additional 500' of road to better access one unit.

Contract term from 6-96 to 9-97 (essentially sliding operations back one year).

Eliminating a small tractor unit (#16 - 4 acres) due to lack of feasibility.

All roads and trails will be completely closed as described in the EIS for their entire length (slash piled similar to fire line rehabilitation). All reserves (lynx travel corridors, slight distance islands, riparian reserves) will be maintained. Winter logging will be allowed only if conditions are suitable for minimal soil disturbance.

These adjustments will not change the impacts to listed and candidate species described in the original BA reviewed by your office. In addition, recommendations made in your August 29, 1995 letter will continue to be followed. If you have any questions regarding these changes please contact Kent Woodruff, who is the wildlife biologist for the project.



CRAIG BOBZIEN
District Ranger



Caring for the Land and Serving People





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Upper Columbia River Basin Field Office
1103 E. Montgomery Drive, Suite #2
Spokane, WA 99206

December 7, 1995

Craig Bobzien
District Ranger
Tonasket Ranger District
1 West Winesap, P.O. BOX 466
Tonasket, Washington 98855

FWS Reference: 1-3-95-1-718
Cross-Reference: 1-3-94-SP-788 and 1-3-95-SP-343

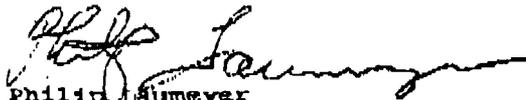
Dear Mr. Bobzien:

Thank you for your letter of November 20, 1995, regarding changes to the Thunder Salvage Sale on the Tonasket Ranger District. We appreciate being informed when activities are changed, since this allows us to keep our administrative files up to date.

Because the changes will not result in greater effects to listed species than those considered in the original consultation, re-initiation of section 7 consultation is not necessary.

We look forward to continuing to work together to conserve listed and candidate species. If you have further questions about this letter or your responsibilities under the Act, please contact Michelle Eames at 509-921-0160.

Sincerely,


Philip Laumeyer
Field Supervisor

cc: WDFW, Region 2
FWS, Olympia (Saunders-Og)

Thunder Mountain Recovery and Salvage

Decision Notice

Okanogan National Forest

Legal Description: T. 39 N., R. 23 E., Sections 31 through 34, T. 38 N., R. 23 E., Sections 3 through 10, 16 through 22, and 28 through 33, W. M., Okanogan County, Washington.

Lead Agency: USDA Forest Service

Responsible Official: Sam Gehr
Forest Supervisor
Okanogan National Forest
1240 2nd Avenue South
Okanogan, WA, 98840-9902

Further Information: Don Rose
Project Leader
Tonasket Ranger District
1 W. Winesap
Tonasket, WA, 98855

United States Department of Agriculture, Forest Service
Okanogan National Forest
1240 South Second Avenue
Okanogan, WA 98840-9723

Reply To: 1950

Date: September 6, 1995

Dear Thunder Planning Participant:

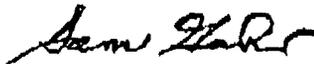
Attached please find the Decision Notice for the Thunder Mountain Fire Recovery and Salvage. You previously received either a copy of the Final Environmental Impact Statement (FEIS) or Summary for this project. Normally the decision document for an FEIS is a Record of Decision (ROD). As explained in the Decision Notice, this project qualifies as a salvage timber sale under Public Law 104-19. The appropriate decision document for this project under Public Law 104-19 is a Decision Notice. The Decision Notice contains the same information which would normally be included in a ROD.

This decision is exempt from administrative appeal under the provisions of Public Law 104-19. I intend to advertise the Thunder Salvage and Dog Salvage Timber Sales immediately.

Also attached please find an errata sheet for the FEIS.

I want to thank all of the people who have been involved in the planning process since the fire. Many of you spent the time to meet with Forest personnel in the field, at public meetings and individually. Complex issues were raised during project planning, and your involvement has enabled me to make a better, more informed decision.

Sincerely,



SAM GEHR
Forest Supervisor



Caring for the Land and Serving People



ERRATA
Thunder Mountain FEIS

Page IV-42, Paragraph 6: Change

"Effects would be negligible to the population of bull trout (*Salvelinus confluentus*) known to use the mainstem of the Chewuch River as a migratory corridor. There would be no effects to the spawning and juvenile rearing habitat which is upstream of the Thunder project area."

to

"Spawning and rearing habitat for bull trout (*Salvelinus confluentus*) is known to occur in the upper reaches of one tributary to the Chewuch River, which will not be affected by the Thunder project. No bull trout have ever been observed spawning in the main stem Chewuch River, although older juveniles and adults have been observed. Small numbers of adults are known to use the mainstem as a migratory corridor. The type of use by older juveniles is unknown. It is assumed that these observed individuals are progeny of the Chewuch tributary population. Effects would be negligible to these known downstream populations."

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Introduction

The USDA Forest Service Okanogan National Forest proposed to analyze the Thunder Mountain Fire following control and containment of the fire August 30, 1994. The purpose of the analysis was to identify potential resource recovery projects, recover timber volume in dead and dying trees, and move the area toward desired future condition as described in the Okanogan National Forest Land and Resource Management Plan, as amended by the decision notice for the Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales and the decision notice for the Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and portions of California (PACFISH).

The fire was ignited by lightning on July 24, 1994. The control fireline encompasses an area of 10,507 acres and is the perimeter of the area considered for projects within the Final Environmental Impact Statement. The fire lies within the Dog Creek, Thirtymile Creek, and Twentymile Creek tributaries of the Chewuch River Watershed. The fire resulted in a variety of burn intensities. There are areas of live and dead vegetation in mosaic patterns as well as large extended areas of dead trees.

Projects considered for implementation are salvage logging, research and monitoring, and recovery projects to ameliorate the effects of the fire on water, soil, cattle grazing, wildlife habitat, and human safety. This Decision Notice documents my decisions for these projects. It includes the requirements and conditions for implementation, the factors considered, public involvement which occurred, and the appeal rights for my the decision.

Relation to Public Law 104-19

In Public Law 104-19, Congress directed the Secretaries of Agriculture and Interior to use expedited procedures to prepare, advertise, offer and award salvage timber sales. Section 2001 requires each Secretary to prepare documents that combine an environmental assessment (EA) under Section 102(2) of the National Environmental Policy Act with a biological evaluation (BE) under section 7(a)(2) of the Endangered Species Act. The President directed the Secretaries to implement the timber related provisions of Public Law 104-19 in an expeditious and environmentally-sound manner, in accordance with the spirit and intent of the Forest Plans and existing environmental law. The Secretaries issued a Memorandum of Agreement (MOA) on August 9, 1995, allowing the issuance of an EA/BE when an EIS would normally be required under the land management agencies' NEPA procedures, providing that the analysis done was consistent with Section 102(2)(c) of NEPA. Such EA/BEs could then be circulated for a 30 day public comment period. The decision maker is required to respond to substantive comments, but not issue a final EA/BE.

**THUNDER MOUNTAIN FEIS
DECISION NOTICE, SEPTEMBER, 1995**

The Thunder Mountain Fire Recovery and Salvage qualifies as a salvage timber sale under Public Law 104-19. At the time the President signed the law, the Thunder Mountain Final Environmental Impact Statement (FEIS) had already been sent to the printer. The FEIS was distributed to the public the week of August 14-18, 1995. Normally the decision document associated with an FEIS is called a Record of Decision (ROD). However, under Public Law 104-19, a Decision Notice is the appropriate decision document, and the Thunder Mountain decision has been named accordingly. This Decision Notice contains the same information which would normally be included in a ROD. Responses to the public comments received on the Draft EIS are found in Appendix D of the FEIS. The BEs for this project are found in Appendix E of the FEIS.

Applicable Laws, Regulations and Policies

The Final Environmental Impact Statement for the Thunder Mountain Recovery and Salvage project was prepared to meet the requirements of the National environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality implementation regulations (40 CFR 1500). All alternatives were developed to be consistent with the requirements of the Record of Decision for the Pacific Northwest Region, Final Environmental Impact Statement for Management of Competing and Unwanted Vegetation and the associated Mediated Agreement, and the Okanogan National Forest Land and Resource Management Plan, as amended.

The Decision

Based on the analysis documented in the Final Environmental Impact Statement, it is my decision to select Alternative 11. This alternative proposes harvest of dead and dying trees on 1,111 acres in the Dog Creek and Thirtymile Creek drainages. At the present time, two sales are planned to allow more opportunity for timber sale purchasers to participate and shorten the time of operations by having two sales operating concurrently.

The Thunder Salvage Timber Sale in the Thirtymile Creek drainage would harvest approximately 5.8 MMBF of timber from 355 acres. Logging systems would be helicopter, optional winter tractor, tractor, and cable. Two new roads would be built, each 0.1 miles in length for a total of 0.2 miles road construction.

The Dog Salvage Timber Sale in the Dog Creek drainage would harvest approximately 7.7 MMBF of timber from 755 acres. Logging systems would be helicopter, cable, and tractor. One new road would be built to access helicopter landing areas totaling 1.7 miles road construction.

Alternative 11 also includes replacement and repair of range fences burned in the fire. Willow cuttings from local plants will be planted in riparian banks damaged by fireline construction. Trees which may be a hazard to motorists on National Forest System Road #39 will be removed. The road which accesses the Thirtymile cabin will be relocated away from wet riparian areas and allowed to revegetate itself. This road will be gated at the junction with Road #39 for

administrative use only. The road which accesses the top of Corral Butte will be permanently blocked and no longer maintained for vehicle traffic. A proposal to cooperate with the Washington Department of Fish and Game to reintroduce beaver into Twentymile and Dog Creek drainages will be pursued.

Mitigation Measures

Much of the mitigation for these projects is incorporated into their design. Landscape unit design criteria specified on page II-5 and II-6 of the Final Environmental Impact Statement (FEIS) are adopted to protect riparian habitat, water quality, snag and down log habitat, soil productivity, and future vegetation recovery. I am also adopting the Best Management Practices described in the Analysis File for this project, which require specific site protection measures for soil and water, and the mitigation measures listed on pages II-31 through II-33 of the FEIS, which further mitigate the impacts of implementation of Alternative 11.

Monitoring

Monitoring of water quality in the Chewuch River, noxious weed presence, motorized vehicle use on closed roads and areas, soil compaction, riparian recovery, soil erosion, natural regeneration, wildlife use, and implementation monitoring of each project is incorporated into this decision.

These monitoring and research projects are more fully described on pages II-34 through II-38 of the FEIS.

Research proposals to study wood deterioration, small mammal recolonization, vegetation recovery, snag loss and use, soil microflora changes, and possibly soil fungi activity will be implemented within a range of activities, conditions, and locations in the analysis area to determine impacts and benefits of proposed activities for future reference.

Rationale for the Decision

Issue: Unroaded and Undeveloped Character

The selected alternative constructs new road in the unroaded area which is within the RARE II Long Swamp Roadless Area.

The Thunder Salvage Timber Sale will construct two short roads off National Forest System Road 39 for a total of 0.2 miles of new road in the Thirtymile Creek drainage, including 1 stream crossing. One road (0.1 miles) will replace an existing road location in Thirtymile Meadows that crosses some wet riparian habitat. The old road location will be blocked with rocks and/or logs and allowed to recover to a wet meadow condition. The new road location crosses the stream in a better location. The new road will be gated and used for

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administrative purposes only. There is one other road of 0.1 miles which will be constructed in Thirtymile drainage off Road 39 to access logging.

The Dog Salvage Timber Sale will construct 1.7 miles of new road, including 3 stream crossings. An existing old road bed that was built more than 60 years ago has a existing road prism which will be re-opened for approximately 0.6 miles of the 1.7 miles of construction.

All of these roads will impact the unroaded character of the landscape. All three roads will be used for a maximum period of two normal operating seasons, usually July through October. They may be used during one winter season as well. At the end of the second operating season, the roads will be decommissioned and closed to motorized access completely by removing stream crossings, piling slash and debris on the road prism, blocking the entrance at the junction of existing Road 39, and recontouring the road prism to the original topography at stream crossings, wet areas, and at the junction with Road 39. Monitoring for effectiveness of these closures is an integral part of my decision. A large portion of the road prisms of these new roads will remain intact. The Okanogan National Forest Land Management Plan allocated this area to production of wood fiber along with management of lynx habitat through time. Leaving road prisms intact does not conflict with the goals of this Management Area.

The logging itself will have an impact on the undeveloped character of the area. Stumps and skid trails will remain visible for some time after the project is completed. Natural regeneration of lodgepole pine, Engelmann spruce, and subalpine fir is expected and will result in dense stands of young trees populating the entire burned area within a few years. As these trees grow, they will effectively lessen the visible effects of the logging projects and the area will become less accessible to human use. The landscape design criteria which are used for maintaining a distribution of snags, wildlife hiding and travel cover, riparian protection, and soil erosion protection will also leave a mosaic pattern of standing live and dead trees scattered throughout the project area. This will further mitigate the visible effect of logging on the undeveloped character of the analysis area from viewpoints on Road 39, Corral Butte, and North Twentymile Lookout.

The high percentage of helicopter yarding, the least environmentally damaging method of yarding available today, will lessen the visible evidence of skid trails and logging activity. Trees smaller than 9 inches will be left on site in most, if not all, helicopter yarding areas. These small diameter standing dead and down trees left within the harvest units will also help mitigate visual effects of undeveloped character impacts.

The construction of roads and logging activity will alter the potential availability for a portion of the project area for future wilderness designation.

Issue: Salvage Recovery of Volume

Alternative 11 will provide a combination of sawlogs and fiber material of approximately 13.5 MMBF. Much of the material less than 9 inches in diameter has already checked and cracked and is salvageable only as fiber material.

Issue: Economics

Economic analysis of this project shows it to be a marginal sale of timber. The price of whitewood lumber has been dropping for many months (since the DEIS was released) and the availability and cost of helicopters may be prohibitive. The requirements outlined as mitigation and design for this sale are necessary to meet laws and to manage and protect the resources found in this analysis area. Alternative 11 lessens the costs of helicopter yarding by shortening the average and maximum external yarding distance. Alternative 11 includes the flexibility to make some helicopter yarding units optional to log which will allow the purchaser some choices based on the cost of helicopter yarding at the time of sale. Options are also included to yard logs down to 7 inches in diameter in cable yarded units and to allow for optional winter tractor logging in some helicopter units. Post sale projects are minimal which will keep overall sale costs down.

Issue: Effects on Soils

Approximately 80% of the area within the fire perimeter will have no direct logging or roading impact. Within areas that are to be logged, Alternative 11 includes the guideline to limit tractor logging on blackened soils to slopes where sustained slopes average less than 25%. The lack of ground vegetation increases the chance for surface erosion to occur. Therefore, the more restrictive slope limitation will compensate for this increased chance of erosion on burned slopes. The high amount of helicopter yarding included in this alternative will have very little impact on the soils. Mitigation measures of waterbarring skid roads, ripping and covering helicopter landings with debris, and recontouring new road locations where wet areas are crossed will lessen the risks of erosion and land movement. A substantial amount of large woody debris will be left both within harvest units and outside of logged areas. This large amount of debris will act as barriers to soil movement and further lessen surface erosion. Monitoring already completed during the spring of 1995 displayed very little surface erosion from the fire itself. The soils in the analysis area are stable.

Issue: Effects to Native and Anadromous Fisheries

Riparian buffer widths included in the project design follow requirements in PACFISH, the interim direction providing standards and guidelines on protection

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of stream habitat for anadromous fish. These riparian buffers will effectively eliminate direct impacts of logging to streams, springs, seeps, and bogs. The high percentage of helicopter yarding will lessen erosion, which will in turn, lessen sedimentation in streams which feed into the Chewuch River, which provides spawning habitat for anadromous fish. The large amount of large woody debris which will fall into the streams will provide long term in-stream habitat for any resident fish or amphibians which may inhabit the area and will help reduce sediment transport downstream. The gentle gradients of the streams within the project area are not expected to deliver much, if any, sediment to the Chewuch River. There will not be any appreciable impact of these projects on water nutrients or temperature.

The main source of increased sediment potential from Alternative 11 is from road construction, particularly from the four stream crossings. Design of these stream crossings and the entire road will be sensitive to sediment input to nearby streams. Upon completion of the logging projects, culverts will be pulled from these stream crossings and they will be restored to their original topography within the identified stream buffer width (up to 150 feet) using an excavator. Long term impacts of these new roads will be mitigated by restoration of these channels to their original flow patterns.

Issue: Effects to Wildlife

The proposed projects will have very little long term impact on the wildlife species which inhabit the area. There will be a short term impact of the roading and logging during the period of operation of up to two years. Impact to reclusive animals beyond the time when the roads are closed will be minimal. A large majority of the burned area will have no impacts from harvest activities or road construction.

Habitat connectivity is maintained by leaving unharvested corridors along riparian buffers of varying widths and ridgetop travel routes 300 feet wide. These corridors facilitate passage through the burned area from surrounding habitat. The areas adjacent to the project will continue to provide sufficient travel habitat for most wildlife species, including those requiring seclusion. Fragmentation of habitat is kept to a minimum by maintenance of these corridors and closure of new roads. Riparian and wetland habitat, which is important to a variety of wildlife which inhabit the area, is left in an undisturbed condition.

Snags and down woody debris are important components of habitat which are required by a wide array of insects, animals, and fungi. By leaving riparian corridors, travel corridors, and additional undisturbed reserves scattered across the landscape within harvest areas, this habitat will remain in abundance. Reserves will serve as recolonization islands to surrounding harvested areas for many small mammals, including snowshoe hare, a primary prey species for lynx. Down woody debris will be left in abundance within harvest areas due to minimum diameter of harvested material of 9 inches in most of the project.

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There will be no impact to existing live old growth stands through implementation of Alternative 11.

Habitat conditions ideal for snowshoe hare have been created by the fire. Logging activities will remove some potential down log material greater than 9 inches, but the overall down log component throughout the burned area, both within and outside harvested areas, will retain good to excellent hiding cover habitat for snowshoe hare. This will be beneficial to the resident population of lynx, a candidate species for Threatened and Endangered status.

Other threatened, endangered, and sensitive species such as gray wolf, grizzly bear, Pacific fisher, three species of bats, and the California wolverine may have short term impacts to individuals from roading and logging but will not likely have adverse impacts to their population. Alternative 11 will have no effect on bald eagles or northern goshawks.

Issue: Introduction of non-native species of plants

The plant associations found in this high elevation analysis area are not usually conducive to the establishment of non-native noxious weeds of concern in this area. There are very few areas of diffuse knapweed present along the main travel route and spread is not expected. Mitigation measures requiring high pressure water spraying of bulldozers, feller-bunchers, and skidders prior to entering the project area will further lessen the chances of introduction from outside areas. Disturbed areas such as skid trails, landings, and road construction will be monitored for 5 to 7 years following the project completion. If weeds are found, they will be handpulled and populations monitored until no further weeds are found.

Factors Other than Environmental Consequences

Economic considerations such as number of jobs created, consumer income generated by the creation of jobs and milling of timber, and payments to local county government all play an important role when considering the effects of this decision. Alternative 11 does provide 260 jobs, generate \$7,094,879 of income in the community, and will provide \$28,385 to local government. The Okanogan National Forest Land and Resource Management Plan identified a certain amount of commodity products to be produced for the 1990 decade. Consequences of not providing those commodity products included impacts to population structure and dynamics, family stability, community stability, community lifestyle, the tax base, and resulting community services. Alternative 11 does provide the commodity products which directly and indirectly will contribute toward these aspects of the local community.

THUNDER MOUNTAIN FEIS
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Decision Process

Public Participation

The importance and sensitivity of this area to both local and national interests was recognized early in the planning process. A public involvement plan was developed to both inform the public on the condition of the burn area and to garner public sentiment on what should be done with the area. The Notice of Intent to prepare an Environmental Impact Statement analyzing the Thunder Mountain project area was published in the Federal Register on September 22, 1994.

Public Meetings

The public involvement process began with public meetings held in Tonasket, Washington on September 6, 1994 and in Twisp, Washington on September 1, 1994. Fact flyers on the post fire conditions within the Thunder Fire were distributed in early September. Fire protection and post fire recovery was part of the theme of the Forest Service booth in the Okanogan County Fair held September 8-11, 1994.

A public field trip attended by approximately 40 people occurred on September 24, 1994. Two open houses were held at Tonasket and Winthrop, Washington in December to present rough alternative descriptions to the public for review and comment.

Throughout the planning process, efforts were made to contact key people in many of the groups and associations that had commented on the proposed action or sent scoping comments. Discussions were held with state and private wildlife biologists, including a presentation to an interagency lynx management coordination group on January 20, 1995. Coordination with the Interior Columbia Basin Ecosystem Project Management Team was made periodically to ensure the latest science was incorporated into the project analysis.

The Draft Environmental Impact Statement (DEIS) for the Thunder Mountain Fire Recovery and Salvage was released to the public the week of March 13, 1995. Following the release of the document, an intensive effort to inform the public and gather responses to the DEIS was initiated. Four Open Houses were held, in Seattle, Winthrop, Tonasket, and Riverside, Washington.

Formal informative presentations were also made to several groups in Okanogan County during the months of April and May. A presentation was made to Chambers of Commerce in Omak, Okanogan, and Tonasket, Okanogan County Commissioners, Common Sense Resource League, Tonasket Kiwanis, the Sportsmen's Association in Oroville, Tonasket and Winthrop Ranger District employees, Okanogan National Forest Supervisor's office employees, the Forest Service Region 6 Leadership Team in Portland, Oregon, the Interagency lynx management committee, and the Washington State Department of Fish and Wildlife.

**THUNDER MOUNTAIN FEIS
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Individual contacts were made with local environmental groups in the Methow Valley and Seattle area, industry representatives from local mills, local political leaders, employees, other agency specialists and leaders, the Yakima Indian Nation, agency research scientists, University research scientists, Interior Columbia River Basin Assessment Team, Northwest Forestry Association, and many other individuals and groups.

Newsletters

The request for scoping comments was mailed to approximately 350 groups and individuals from mailing lists on the Tonasket and Methow Ranger Districts. Two additional newsletters were mailed prior to issuance of the Draft EIS.

Postcards were mailed in May to over 600 individuals and organizations who commented on the DEIS. This mailing included a stamped, self-addressed response card for return to determine who was interested in receiving copies of the Final Environmental Impact Statement.

Media

Several radio interviews featuring project team members, the Forest Supervisor, and the Public Affairs Officer were broadcast during the analysis and following release of the DEIS.

Feature articles and news releases from the Okanogan National Forest appeared in the Methow Valley, Omak and Tonasket newspapers on several occasions.

The Notice of Availability in the Federal Register for the Thunder Mountain DEIS was published on March 17, 1995.

Findings Required by Other Laws

The FEIS for the Thunder Mountain Recovery and Salvage Project complies with the National Forest Management Act because the selected alternative is consistent with the following:

- National Environmental Policy Act (NEPA), 1969
- Okanogan National Forest Land and Resource Management Plan, 1989 (as amended)
- Region 6 Managing Competing and Unwanted Vegetation and Mediated Agreement of 1988.
- Clean Water Act
- Clean Air Act
- Endangered Species Act
- National Historic Preservation Act

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- Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales (revised June, 1995)
- Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and portions of California (PACFISH) (February, 1995)

The selected alternative considers harvest only on suitable lands, does not contain prime farmland or prime rangeland. There are no unusual energy requirements for the selected alternative and it will not change the existing situation for American Indians, women, other minorities, or the civil rights of any American citizen. There are no anticipated significant adverse effects on wetlands and flood plains.

Summary of Other Alternatives

There were six other alternatives which were carried through to the FEIS.

Alternative 1 was the No Action alternative. This alternative proposed no further action in the Thunder Mountain Fire Recovery and Salvage Project. The alternative provided a baseline against which other alternatives were measured and compared. Pre-fire maintenance activities would continue, including but not limited to trail maintenance and road maintenance.

All of the action alternatives include replacement and repair of range fences burned in the fire, planting of willow cuttings from local plants in riparian banks damaged by fireline construction, removal of trees which may be a hazard to motorists on Forest Service Road #39, relocation of the road which accesses the Thirtymile cabin away from wet riparian areas, placement of a gate at the entrance to the road which accesses Thirtymile cabin, permanent closure of the road which accesses the top of Corral Butte, and pursuit of a proposal to cooperate with the Washington Department of Fish and Game to reintroduce beaver into Twentymile and Dog Creek drainages.

Alternative 2 was developed to provide the greatest output of merchantable wood given current technology and timing of fire caused defect. It was intended to provide the greatest opportunities possible for locally available logging equipment (tractor, cable). The alternative used helicopter, cable, and tractor harvest methods. Salvage operations would remove dead and dying trees over 2,106 acres and provide 22.0 MMBF of timber volume. Access for logging operations would require 17.0 miles of road construction.

Alternative 5 was developed to salvage material to allow for locally available logging equipment while building no additional roads. The alternative uses cable harvest methods only. Salvage operations would remove dead and dying trees only on 151 acres to provide 1.4 MMBF of timber volume.

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Alternative 6 was developed to use all available technology for salvage of wood without additional road construction. The alternative uses helicopter, cable, and tractor harvest methods. Salvage operations would remove dead and dying trees only on 365 acres. Timber volume sold would be 4.9 MMBF.

Alternative 7 was developed to extend access to salvage wood for helicopter systems while minimizing road construction. Road construction is limited to 0.6 miles of an old roadbed site in Dog Creek. The alternative uses helicopter, cable, and tractor harvest methods. Salvage operations would remove dead and dying trees only on 643 acres. Timber volume sold would be 7.7 MMBF.

Alternative 8 was developed to concentrate on maximizing access by helicopter for salvage of wood with a minimum of road construction. The alternative uses helicopter, cable, and tractor harvest methods. Salvage operations would remove dead and dying trees only on 1,758 acres and provide 18.2 MMBF of timber volume. Logging operations would require construction of 4.3 miles of road.

Alternative 10 was developed to improve economics and utilize local logging contractors (tractor and cable) while minimizing road construction. The alternative uses helicopter, cable, and tractor harvest methods. Salvage operations would remove dead and dying trees only on 1,275 acres and provide 13.2 MMBF of timber volume. Approximately 6.2 miles of road would be constructed.

Environmentally Preferred Alternative

According to Federal Regulations, [40 CFR 1505.2(b)], I am required to identify the alternative(s) which could be considered to be environmentally preferable. The environmentally preferable alternative is defined as the alternative causing the least impact to the biological and physical environment. Alternative 1 (No Action) is the environmentally preferred alternative. If implemented, natural processes and existing recreation uses would be the dominant factors in shaping the future condition of this area.

Alternative 1 was not chosen because it does not meet the intent and guidance for the area outlined in the Okanogan National Forest Land and Resource Management Plan, as amended. Alternative 1 does not take into account the balance of commodity and amenity values needed to sustain communities dependent on a wide range of uses for the resources found in the analysis area. The principles of ecosystem management dictate the inclusion of social, human, and economic factors when considering the best use for forest resources.

THUNDER MOUNTAIN FEIS
DECISION NOTICE, SEPTEMBER, 1995

Appeal and Judicial Rights and Procedures

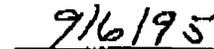
This decision is not subject to administrative review. This decision is subject to judicial review only in United States District Court, Eastern Washington District. As required under Section 2110(f)(1) of Public Law 104-19, any challenge to this salvage sale project must be filed in United States District Court, Eastern Washington District within 15 days after the advertisement of the Dog Salvage Timber Sale and Thunder Salvage Timber Sale in the Omak Chronicle.

Implementation of Selected Alternative

Advertisement of the two timber sales included in this decision will take place immediately following this decision. Award of the sales and implementation of the project may take place any time after the advertisement period has ended.



SAM GEHR
Forest Supervisor
Okanogan National Forest



DATE

Thunder Mountain Recovery and Salvage Revised Decision Notice

Okanogan National Forest

Legal Description: T. 39 N., R. 23 E., Sections 31 through 34, T. 38 N., R. 23 E., Sections 3 through 10, 16 through 22, and 28 through 33, W. M., Okanogan County, Washington.

Lead Agency: USDA Forest Service

Responsible Official: Sam Gehr
Forest Supervisor
Okanogan National Forest
1240 2nd Avenue South
Okanogan, WA, 98840-9902

Further Information: Don Rose
Project Leader
Tonasket Ranger District
1 W. Winesap
Tonasket, WA, 98855

Introduction

The USDA Forest Service Okanogan National Forest released Decision Notices for the Thunder Mountain Fire Salvage September 6 and September 13, 1995. The Decision Notices described potential resource recovery projects and plans to recover and sell timber volume in dead and dying trees. The projects identified in those Decision Notices were designed to move the area toward the desired future condition as described in the Okanogan National Forest Land and Resource Management Plan, as amended by the Decision Notice for the Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales and the Decision Notice for the Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and portions of California (PACFISH).

In September of 1995, two timber sales were advertised for bid in the fire recovery area. Neither one of the timber sales sold. The cost of helicopter logging was the chief reason cited for lack of bids on the timber sales. The Thunder Mountain Fire Recovery and Salvage interdisciplinary team reconvened to review suggestions from timber industry representatives on ways to improve the economic viability of these timber sales. The interdisciplinary team analyzed and discussed impacts associated with any changes to the design of Thunder Salvage timber sale. The results of this deliberation are described in this Revised Decision Notice.

Relation to Public Law 104-19

In Public Law 104-19, Congress directed the Secretaries of Agriculture and Interior to use expedited procedures to prepare, advertise, offer and award salvage timber sales. The President directed the Secretaries to implement the timber related provisions of Public Law 104-19 in an expeditious and environmentally-sound manner, in accordance with the spirit and intent of the Forest Plans and existing environmental law. The Secretaries issued a Memorandum of Agreement (MOA) on August 9, 1995. The Thunder Mountain Fire Recovery and Salvage qualifies as a salvage timber sale under Public Law 104-19.

This Revised Decision Notice will describe only the changes to the original Decision Notice. All components of the original decision which were outlined in the original Decision Notice are still valid and can be implemented unless specifically changed by this revised Decision Notice.

Changes to the Decision

Based on the analysis documented in the Final Environmental Impact Statement and the analysis of the proposed changes to the Decision Notice published September 6, 1995, it is my decision to select Alternative 11 with the following modifications:

- *There are no proposed changes to the Dog Salvage Timber Sale.*
- *The Thunder Salvage Timber Sale in the Thirtymile Creek drainage would allow the use of feller-bunchers to cut and stack timber for subsequent helicopter yarding in units where helicopter yarding was identified in the original Decision Notice. Use of feller-bunchers will be limited to slopes that do not exceed 35%. This change would allow the use of feller-bunchers over a majority of the acres proposed for*

THUNDER MOUNTAIN FETS
REVISED DECISION NOTICE, DECEMBER, 1995

helicopter yarding. The use of feller-bunchers for cutting and stacking trees will not create conditions equivalent to skid trails. One or two passes of the machine will be all that is needed. Helicopters will still be used to yard the trees out of the harvest units.

- *Two new roads of 0.1 mile in length each was indentified to be built in Thunder Salvage sale in the original Decision Notice. Each of these roads would be slightly lengthened to approximately 0.2 miles in length each, for a total of 0.4 miles road construction to improve ground skidding access in units 1A and 1B.*
- *A temporary bridge will be needed across Thirtymile Creek near the corral in Thirtymile meadow. An access route to walk the feller-buncher through the meadow to harvest units on the south side of Thirtymile Creek will be needed.*
- *An access route to walk the feller-buncher into harvest units will also be needed near the Smarty Creek trail in the same general location where a road was originally proposed in alternative 5.*
- *Fueling and service of the feller-buncher will require that an ATV be allowed to move throughout the units. The ATV's will utilize the access routes described above and disperse in the harvest units to minimize creation of trails.*
- *Eliminates a four acre unit near the Smarty Creek trailhead due to difficult access.*

Mitigation Measures

- *Feller-bunchers will be allowed to operate only when soil moisture conditions are within a specified range of conditions described by the soil scientist to mitigate potential soil compaction.*
- *Coarse woody debris in the path of the feller-buncher will be driven over as opposed to moving it aside wherever feasible. If moved, place debris perpendicular to the slope to mitigate erosion.*
- *Agressively close ATV and feller-buncher access routes by placing debris in the trails along the length of the trails.*
- *Remove fill material and culverts and obliterate temporary road locations in unit 1A and 1B.*
- *Feller-buncher will be allowed to operate only on slopes less than or equal to 35%. They will be limited to a single pass wherever possible.*
- *Operations will be limited to a single year of operation.*
- *Access trails will be implemented to limit direct drainage into stream channels. Water will be diverted prior to entering streams to disperse any potential sediment.*
- *Limit side-slope travel of feller-buncher. Build waterbars using hand tools in areas where soil disturbance occurs.*

- Waterbar ATV trails using hand tools where necessary to limit surface soil movement.

Monitoring

- Stream channels within the Thirtymile drainage will be evaluated following the logging operation.

All other elements of the Decision Notices released September 8 and September 13 will be implemented as described in those Decision Notices.

Rationale for the Decision

The impacts of the proposed changes are within the range of impacts analyzed within the Thunder Mountain Final Environmental Impact Statement. The impacts associated with the use of the feller-buncher will be similar to the alternative which would have required winter logging over snow roads and the alternative that would have implemented a portable sawmill. The lack of ground skidding and use of helicopters to skid the logs to landings would not substantially change the overall impacts analyzed within the FEIS. The ATV and feller-buncher access routes are routes that were analyzed in the alternatives as potential road locations or skid trails.

The following discussion specifically highlights additional impacts on the key issues associated with the changes to alternative 11.

Issue: Unroaded and Undeveloped Character

Acreage impacted due to these proposed changes will be 4 acres less than the original analysis indicated.

The need to lengthen the two proposed roads in Thunder Salvage Timber Sale will result in an additional 0.2 miles of new road in the Thirtymile Creek drainage. This will result in a slight increase in road density in the Thirtymile drainage when compared to the original decision. Alternative 11 is still in the lower end of the range of road density impacts of the alternatives analyzed.

There will be an increase in the visible impacts of logging due to the use of the feller-buncher. The feller-buncher will need to clear standing dead trees from its path to move through the harvest units. This will create narrow corridors free of any standing snags which will contrast with surrounding standing dead snags that will be left within harvest units. This visible impact will diminish rapidly as the snags within harvest units and surrounding harvest units fall to the ground during the next 10 years. These corridors will run perpendicular to the slope. Some ground disturbance may be evident where the feller-buncher moves between corridors.

The use of the feller-buncher in helicopter yarding areas may increase the likelihood that more trees would be removed than would have been removed using the helicopter alone. Trees less than 9 inches in diameter may be removed where they would have been uneconomical to remove previously. It is difficult to predict whether these trees will be removed due to the unpredictability of log markets.

Issue: Salvage Recovery of Volume

Alternative 11 will provide a combination of houselogs, sawlogs and fiber material of approximately 13.1 MMBF, a slight decrease in volume from the original decision. Much of the material less than 8 inches in diameter has already checked and cracked and is salvageable as houselogs or fiber material only.

Issue: Economics

The introduction of feller-bunchers to cut and stack merchantable logs will allow the use of a larger helicopter which can yard more trees per load than was originally planned. This will decrease logging costs and improve the chances that the sale will actually be sold. Felling trees with a machine will also improve the safety of the operation to ground crews. Allowing access for ATV's will shorten access times for ground crews and further improve economics of the operation.

Issue: Effects on Soils

Approximately 89% of the area within the fire perimeter will have no direct logging or roading impact. Within areas that are to be logged, there will be additional ground disturbance due to the use of feller-bunchers. An increase in bulk density will occur on up to 20% of the areas logged using the feller-buncher. The feller-bunchers will be limited to 1 or 2 passes on any particular piece of ground. The increase in bulk density on these glacial till soils will not affect overall productivity. Average distance apart for the feller-buncher logging corridors will be approximately 40 feet. Where slopes get steeper or the topography is variable, these logging corridors may be as close as 20 feet apart. By requiring woody debris to be driven over as opposed to moved aside, woody debris will be left within the logging corridors to reduce the potential of soil movement.

There will be additional soil disturbance due to the need for access routes for the feller-bunchers and ATV's. The creation of two trails will bore additional soil during the period of operation. These trails will be obliterated with slash and waterbarred to reduce movement of soil and sediment following closure of operations. ATV's will be encouraged to disperse within harvest units to limit introduction of worn trails within the sale area. Both access routes were considered feasible during environmental analysis either as fully constructed roads or winter logging access routes in the FEIS.

Issue: Effects to Native and Anadromous Fisheries

Orientation of the feller-buncher logging corridors will increase the chance of sedimentation in Thirtymile Creek drainage. The gradient of this stream allows it to deposit and hold sediment rather than move it downstream very rapidly. The potential increase in sedimentation is not likely to affect fisheries in the Chewuch River. Deposition of sediment in Thirtymile Creek may decrease stream depth in some locations which could have the affect of increasing stream temperatures slightly. This slight increase will not affect overall stream temperature in the Chewuch River.

Issue: Effects to Wildlife

The proposed projects will have very little long term impact on the wildlife species which inhabit the area. There will be a short term impact of the roading and logging during the

period of operation of one year. A large majority of the burned area will have no impacts from harvest activities or road construction.

The two access routes will increase the probability of improved access to snowmobilers. Mitigation measures to close these access routes will decrease this likelihood. Impact to reclusive animals beyond the time when the roads are closed will be minimal.

Use of the feller-buncher will create logging corridors within harvest units which were not present previously. The removal of all snags within the path of the feller-buncher will have an impact on total number of snags less than 9 inches in diameter that would be left standing. The increased safety of using the feller-buncher to fell trees will allow more trees to be left standing that would have been felled for safety reasons outside the feller-buncher corridors. Overall, however, there is likely to be less dead trees left standing within harvest units. This is a small impact since the snags are of small size and limited use to cavity dependent species.

Issue: Introduction of non-native species of plants

The plant associations found in this high elevation analysis area are not usually conducive to the establishment of non-native noxious weeds of concern in this area. There will be a slightly increased chance that weeds could be introduced with the feller-bunchers and ATV's in areas which would not have been impacted before. Mitigation measures requiring high pressure water spraying of bulldozers, feller-bunchers, ATV's, and skidders prior to entering the project area will lessen the chances of introduction from outside areas. Disturbed areas such as access routes, skid trails, landings, and temporary roads will be monitored for 5 to 7 years following the project completion. If weeds are found, they will be handpulled and populations monitored until no further weeds are found

Findings Required by Other Laws

- The FEIS for the Thunder Mountain Recovery and Salvage Project complies with the National Forest Management Act because the selected alternative is consistent with the following.
- National Environmental Policy Act (NEPA), 1989
- Okanogan National Forest Land and Resource Management Plan, 1989 (as amended)
- Region 6 Managing Competing and Unwanted Vegetation and Mediated Agreement of 1988.
- Clean Water Act
- Clean Air Act
- Endangered Species Act
- National Historic Preservation Act
- Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales (revised June, 1995)

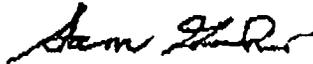
- Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and portions of California (PACFISH) (February, 1995)
- The selected alternative considers harvest only on suitable lands, does not contain prime farmland or prime rangeland. There are no unusual energy requirements for the selected alternative and it will not change the existing situation for American Indians, women, other minorities, or the civil rights of any American citizen. There are no anticipated significant adverse effects on wetlands and flood plains.

Appeal and Judicial Rights and Procedures

This decision is not subject to administrative review. This decision is subject to judicial review only in United States District Court, Eastern Washington District. As required under Section 2110(f)(1) of Public Law 104-19, any challenge to this salvage sale project must be filed in United States District Court, Eastern Washington District within 15 days after the advertisement of the Thunder Salvage Timber Sale in the Okanogan Chronicle.

Implementation of Selected Alternative

Advertisement of Thunder Salvage sale with the changes included in this decision will take place immediately following this decision. Award of the sale and implementation of the project may take place any time after the advertisement period has ended.



SAM GEHR
Forest Supervisor
Okanogan National Forest

12/8/95
DATE