

DECISION NOTICE

and

FINDING OF NO SIGNIFICANT IMPACT

for the

SHADOW SALVAGE PROJECT

USDA Forest Service
Willamette National Forest
McKenzie River Ranger District

June 2003

DECISION

This Decision Notice documents my reason for selecting and implementing Alternative B from the Shadow Salvage EA. Appendix A provides orientation and project maps for this Alternative. Actions within Alternative B include the salvage of windthrown trees on approximately four acres, and the associated felling of approximately 31 hazard trees on Forest Roads 2618-305 and 2618-307. Hazard trees include green and dead trees at risk for falling across roads open to the public. If down wood levels currently exceed the Northwest Forest Plan Standard and Guideline (C-40) of 240 linear feet/acre, the entire length of the felled hazard trees may be removed from the site. If less than 240 linear feet/acre exists, only those portions that lie in the road prism will be removed. There is an exception: all hazard trees felled in riparian reserves will be retained as large down woody material, except those portions which fall in the road prism. The EA analyzed the effects of implementing this proposal on the human environment.

My decision is based on information in the analysis file, including but not limited to, the environmental assessment, comments from the public and other agencies, and applicable laws and regulations.

Implementation of this project is scheduled for 2003-2004.

REASONS FOR THE DECISION

I have selected Alternative B because it satisfies the primary purpose and need to commercially salvage windthrown trees and portions of felled hazard trees in a timely manner while they still have economic value. This is consistent with the Willamette National Forest Land and Resource Management Plan, as amended by the Northwest Forest Plan in 1994, to provide timber products and to respond to issues about the resources within the project area obtained through scoping.

Legal Description of Project Area: The proposed Shadow Salvage project is on the McKenzie River Ranger District, Willamette National Forest (WNF). The legal description is Township 17 South, Range 3 East, Sections 1 and 12, and Township 17 South, Range 4 East, Sections 7 and 8 of the Willamette Meridian. Access to the project is via Forest Roads 2618-305, 307 and 317.

BACKGROUND FOR THE DECISION

All actions to satisfy the purpose and need will be consistent with the Willamette National Forest Land and Resource Management Plan as amended by the April 1994 Record of Decision for Amendments to Forest service and BLM Planning Documents within the Range of the Northern Spotted Owl; and the January 2001 Record of Decision for Amendments to the Survey and Manage Buffer, and other Mitigation Measures Standards and Guidelines (NWFP).

The Willamette Forest Plan guides all natural resource management activities and establishes management standards and guidelines for the Willamette National Forest. It describes resource management practices and levels of resource production. The Forest Plan also describes the availability and suitability of lands for resource management.

The proposed action is located within the Central Cascade Adaptive Management Area (CCAMA) as described in the NWFP. These areas are expected to produce timber as part of their program of activities consistent with specific direction under ROD standards and guidelines (ROD D-9).

This activity meets the forest objective for salvaging as described in the Willamette Forest Plan. Forest Wide Standard 181 allows the:

- Removal of remove timber from road locations needed for the harvest of timber or for other management purposes.
- Removal hazards to human life and health.
- Removal of significant dispersed dead material or timber killed by catastrophic events, such as fire, windthrow, drought, insects, or disease (36 CFR219.27 (c) (1)).

THE SELECTED ALTERNATIVE

Alternative B

Alternative B salvages about 70 thousand board feet (MBF) of windthrown trees (about 15 log truck loads). About 31 hazard trees along the six-mile haul route will be felled as part of a timber sale contract. A portion of the hazard trees will be removed with an estimated volume of about 10 MBF.

Mitigation Measures

The following measures will be part of the decision to mitigate impacts to TE&S species, soils and riparian resources, and minimize noxious weeds issues. Skyline and ground base equipment will be used to remove the logs. Though they are not all mentioned here, all applicable Standards and Guidelines from the Willamette Forest Plan (as amended) are also part of Alternative B.

- A seasonal operating restriction will be in place between January 1 and September 15 to protect bald eagles, northern spotted owls, harlequin ducks, and osprey. This restriction may be shortened to March 1-July 15 if non-nesting is verified for all of these species.
- Existing down woody material in the forests along the haul route will be retained. Where less than 240 lineal feet of down woody material currently exists in the forest along the

road system, felled hazard trees will be retained on site (except for pieces that land in the road prism). The Analysis File indicates which specific hazard trees should be retained to meet large woody debris requirements.

- Within the four-acre salvage area, 240 lineal feet/acre of large woody material will be retained of decay class 1-2, greater than 20 feet long, and at least 20 inches in diameter (NWFP ROD C-40). Trees left as large down wood should reflect the size and species mix of the stand.
- To eliminate the need to use heavy equipment off-road in riparian reserves and to provide course wood to riparian reserves, portions of hazard trees in riparian reserves that lie outside of the road prism after falling will be retained on site. Portions that fall into the roadway maybe removed.
- To minimize damage to adjacent trees, where possible, hazard trees will be directionally felled into the upland and riparian areas so that they have a greater probability of being used as habitat.
- All logging equipment will be confined to the road surfaces to minimize off-road soil disturbance that would provide noxious weed seedbeds.
- To minimize introduction of noxious weeds and the risk of erosion following harvest activities, all areas of disturbed soil will be seeded with a non-persistent, rapidly establishing, cereal grain such as winter wheat. Seed to be used will be certified weed free. This application will be followed up by Forest Service application of native grass seed two years later when the initial application of wheat begins to reduce in vigor. Prior to seeding, landings will be scarified and skid trails will be waterbarred as needed.
- Yarding equipment will be washed to remove all noxious weed material prior to entry on National Forest land.
- Road replacement rock shall use sources free of noxious weed seed and vegetation.
- All landing slash shall be piled and burned. Slash burning will be designed to meet the National Ambient Air quality standards through avoidance of practices that degrade air quality below health and visibility standards. The Oregon State Implementation Plan and the Oregon State Smoke Management Plan shall be followed to maintain air quality.

OTHER ALTERNATIVES CONSIDERED

Alternative A – No Action

Alternative A -- No-Action. Salvage of root sprung and downed trees would not occur. The felling of hazard trees along open roadways would still occur under this alternative to address road maintenance concerns. However, it would be done by USFS personnel, not through a timber sale contract. The no-action alternative, required by the National Environmental Policy Act (NEPA), provides a basis for describing the environmental affects of the proposed action.

The No Action Alternative does not meet the purpose and need to commercially salvage windthrown trees and portions of felled hazard trees in a timely manner while they still have economic value. This would meet needs identified in the Forest Plan, including removal of timber from road locations needed for the harvest of timber or for other management purposes, to remove hazards to human life and health, and to remove significant dispersed dead material or timber killed by catastrophic events, such as fire, windthrow, drought, insects, or disease.

SCOPING AND PUBLIC INVOLVEMENT

Shadow Salvage Timber Sale has been in the Willamette National Forest's Schedule of Proposed Actions every quarter starting in January of 2003.

On January 28, 2003, a Scoping Packet was routed to district managers and specialists to describe the proposed action, purpose and need for the project.

In addition to the Scoping Packet, an ID team with representatives from each of the scientific disciplines met on January 28, 2003, to discuss this proposal.

Other interested groups and Federally recognized Tribes consulted included Oregon Natural Resources Council, Cascadia Wildlands Project, Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz Indians, Confederate Tribes of the Warm Springs, Klamath Tribes, and the Oregon Department of Fish and Wildlife.

Comments to the EA were received from ONRC during the 30-day comment period, which ended June 4, 2003. Responses to their substantive comments are included in the following discussion on how the Responsible Official used the Significant Issues to make a decision.

Significant Issues

Four significant issues were considered to have a direct influence on the decision. Alternative B responds to the following significant issues as indicated below.

1. Economic Benefit

Salvaging trees that have commercial value may create economic opportunities for local residents/purchasers as well as produce desired wood products for the public. Use of a timber sale contract for hazard reduction may provide a savings to the government.

Alternative B addresses the issue of Economic Benefit by providing an economic opportunity from the removal of merchantable timber. Approximately 80 MBF may be salvageable from the windthrow area and felled hazard trees that land in the road prism. The pre-bid minimum sale value of material from this project is \$24,000.

Economic Analysis for the Shadow Salvage.

	Alternative A	Alternative B
Timber Volume proposed for removal	0 MBF	80 MBF
Pre-Bid Minimum Sale Value	0	\$24,000
Cost to Government for Hazard Tree Felling and Cleanup	\$5,000	\$0.00

Oregon Natural Resources Council (ONRC), in their letter of comment to the EA, questioned the necessity of roadside hazard tree removal because of their perception of low use of the roads in the area. Road 2618-305 is used by residents in the area to access their private property. Forest recreationists also use it. Hazard tree abatement on this road is important to improve safety for the public. Road 2618-307 is a gated road that is primarily used by the Forest Service for administrative purposes. Hazard tree abatement is occurring primarily to improve safety during logging haul associated with this project. Alternative B uses a timber sale contract to remove the hazard trees, resulting in a savings to the government. Under the No Action Alternative, these trees will still be felled on the 2618-305 road to improve safety, but Forest Service personnel will accomplish the work.

2. Threatened, Endangered, Sensitive (TE&S), and Other Species of Concern

Proposed actions may affect sensitive plant and animal species through disturbance or alteration of habitat.

Alternative B responds to this issue through seasonally restricting activities. One of the hazard trees that will be felled contains an osprey nest that is active. Impacts to the birds at this nest site will be mitigated by requiring felling to occur outside of the nesting season (March 1 - September 15). This restriction may be lifted if the nest is inactive or when the young fledge and are independent of the nest tree.

The small number of trees to be felled in suitable spotted owl habitat is not expected to reduce habitat quality. A seasonal operating restriction from March 1-July 15 will protect nesting owls which may be present during the critical breeding season. This project is covered under the

programmatic formal and informal consultation for fiscal year 2002-2003 projects with the U.S. Fish & Wildlife Service (USDI 2003).

Because the hazard tree removal will occur near bald eagle foraging and nesting habitat in the McKenzie River, a seasonal restriction from January 1-August 30 will be required. Felling and leaving of some hazard trees in riparian areas will benefit this species by supplementing down woody material in their habitat.

Because the hazard tree removal will occur in the riparian area of the McKenzie River that may provide nesting habitat for harlequin ducks, a seasonal restriction from April 1-June 30 will be required. Felling and leaving of some hazard trees in riparian areas will benefit this species by supplementing down woody material in their habitat.

3. Noxious Weeds

Noxious weeds are a threat to the native wildland ecosystem because they out-compete and displace native vegetation. Soil disturbance provides excellent seedbeds for the germination of noxious weeds.

Alternative B responds to this issue by requiring seeding of disturbed areas with grasses (as described in the Mitigation Measures section). The grasses will cover the disturbed soil, reducing the chance of establishment from tansy ragwort and other noxious weeds.

4. Coarse Wood Availability to Streams

There is a watershed-wide shortage of coarse wood in streams and riparian areas (Ecosystems Northwest 1998), and removal of hazard trees from riparian reserves could cumulatively add to this shortage.

Alternative B responds to this issue by adding material to the watershed-wide shortage of riparian down wood by retaining all hazard trees felled within riparian reserves, except for portions of trees that fall into the road prism.

ONRC in their comments to the EA questioned why the blowdown material isn't being left to provide variety across the landscape. The Responsible Official determined that the material in the uplands of this project could be salvaged because the Watershed Analysis did not identify down woody material as being deficient in upland areas. Within a mile of this area, there are two patches of concentrated blowdown that were never salvaged. In 1996, there was an extensive windthrow and snowdown event that scattered hundreds of trees over hundreds of acres of the District. These trees were never salvaged, which may have contributed to the Douglas-fir beetle outbreak in 1997 and 1998. Within about seven miles of the project area, up the South Fork of Quartz Creek, an estimated million board feet of timber was left following blowdown events. On a landscape basis, concentrations of large woody material do occur and removal of this one patch was not considered an issue at that scale.

Other Issues

Forest Service regulations (1950, chapter 11(3)) require that issues that are not significant to the project or that have been covered by prior environmental review be identified and eliminated from detailed study. Discussion of these issues should be limited to a brief statement of why they will not have a significant effect on the human environment or a reference to their coverage elsewhere. The following issues were not identified during scoping as being significant issues but are required to be evaluated by regulations (40 CFR 1502-16) or management direction.

5. Soil Erosion

Ground disturbance that frequently occurs during harvest activities may result in an increased risk of soil erosion and transport of sediment to stream channels. This issue is not significant to the proposed action because:

- Ground-disturbing equipment will remain on roads and be prohibited in riparian reserves.
- The geographic extent of the project is small.
- The project area, with the exception of roadside hazard trees, is located on a dry, upland knob that is approximately one-quarter mile from the nearest stream.
- Minimal risk of increased erosion resulting from harvest activities can be acceptably mitigated using standard erosion control practices.

6. Magnitude and Timing of Peak Flows

Timber harvest activities frequently alter the structure of the forest canopy, resulting in the potential to affect annual pattern of snow accumulation and run off, and potentially resulting in alteration of the magnitude and timing of peak stream flows. If this occurs on large portions of a watershed, the potential exists for a cumulative impact on downstream flows. This issue is not significant to the proposed action because:

- The geographic extent of the project is small in relation to the size of the Quartz Creek watershed.
- The action proposes to remove mostly trees that have already been blown down so that forest canopy characteristics will not be substantially altered from the existing condition.

7. Management Indicator Species, Neotropical Migratory Birds, and Survey and Manage Species

- Management Indicator Species (MIS) were addressed in the WNF LRMP (1990). They include the spotted owl, pileated woodpecker, marten, elk, deer, cavity excavators, bald eagles, peregrine falcons, and fish. Through Region-wide coordination, each Forest identified the minimum habitat distribution and habitat characteristics needed to satisfy the life history needs of the MIS. Management recommendations to ensure their viability were incorporated into all WNF Plan Action Alternatives. Alternative B meets all applicable Standards and Guidelines from the WNF Plan. The amount or characteristics of required habitat for these species will not be not significantly changed. With the 1994 and 2001 Amendments to the WNF Plan (i.e. the Northwest Forest Plan, NWFP), persistence of populations will be maintained under the NWFP Standards and Guidelines (Appendix J2). Both Alternatives A and B of this project meet applicable Standards and Guidelines from the NWFP.
- Neotropical Migratory Birds and their required protection are outlined in the January 11, 2001 Executive Order “Responsibilities of Federal Agencies to Protect Migratory Birds.” Habitats vary broadly for this large group of species. The felling of a limited number of trees with this project may unintentionally take individual migratory birds, but is not expected to have a measurable negative effect on bird populations because of the limited extent of the habitat removal. The action will occur outside the nesting season of most neotropical migratory birds (after July 15 through March 1) to further mitigate losses.
- Survey and Manage Species were surveyed for as necessary and none were found in the project area. Appendix A-2 of the EA describes this in more detail.

8. Aquatic Species

Listed fish, including bull trout and chinook salmon, occur in this watershed. They may be impacted by the proposed vegetation removal and related ground-disturbing activities. This issue is not significant because implementation of either Alternative:

- Will not transmit effects to stream channel where listed species are present.
- Will not disturb a substantial amount of woody vegetation in riparian reserves.
- Will not decrease stream shade, or bank stability.
- Will not adversely affect Essential Fish Habitat as designated by the Magnuson-Steven Act.

9. Cultural Resources

Surveys within this landscape have documented cultural resource sites. They may be impacted by the proposed vegetation removal and related ground-disturbing activities. This issue is not significant because implementation of either Alternative:

- Will avoid cultural resource sites found near the proposed harvest sites.
- The District Archeologist will evaluate inadvertent discoveries.

APPLICABLE LAWS AND REGULATIONS:

Federal Laws:

The Preservation of Antiquities Act, June 1906 and National Historic Preservation Act, October 1966 -- Surveys of the proposed project area have been completed. Archaeological evidence was found. Consultation with SHPO via the Forest Specialist has resulted in a finding of “No Effect” to significant heritage resources.

The National Environmental Policy Act (NEPA), 1969 -- NEPA establishes the format and content requirements of environmental analysis and documentation. Preparation of the Shadow Salvage EA is in full compliance with these requirements.

The Endangered Species Act (ESA), December 1973 – The ESA establishes a policy that all federal agencies will seek to conserve endangered and threatened species of fish, wildlife and plants. Biological Evaluations for plants, wildlife, and fish have been prepared, which describes possible effects of the proposed action on sensitive, and other species of concern that may be in the Shadow Project area.

The National Forest Management Act (NFMA), 1976 – The alternatives were developed to be in full compliance with NFMA through compliance with the Amended Willamette National Forest Land and Resource Management Plan (US Forest Service, 1990).

Clean Air Act Amendments, 1977 – The alternatives are designed to meet the National Ambient Air quality standards through avoidance of practices that degrade air quality below health and visibility standards.

The Clean Water Act, 1987 -- The alternatives meet and conform to the Clean Water Act, Amended 1987. This act establishes a non-degradation policy for all federally proposed projects. The selected alternative is not likely to degrade water quality below standards set by the State of Oregon. This will be accomplished through planning, application and monitoring of Best Management Practices (BMPs).

State Laws:

Oregon State Best Management Practices (BMPs) -- State BMPs will be employed to maintain water quality.

The Oregon Smoke Management Plan -- The Oregon State Implementation Plan and the Oregon State Smoke Management Plan will be followed to maintain air quality.

Consultation with the Oregon State Historic Preservation Officer (SHPO) has occurred (see above).

Oregon State Forest Worker Safety Codes, The Oregon Occupational Safety and Health Code for Forest Activities shall be met with implementation of the Alternative B.

Finding of No Significant Impact

Considering site-specific environmental analysis documented in the Shadow Salvage Environmental Assessment (EA), I have determined that this is not a major Federal action that would significantly (40 CFR 1508.27) affect the quality of the human environment (40 CFR 1508.14); therefore, an environmental impact statement is not warranted. Beneficial and adverse direct, indirect, and cumulative environmental impacts discussed in the Shadow Salvage EA have been disclosed within the appropriate context and will have little intensity. This determination is based following factors:

- This action will have neither significant beneficial nor adverse effects. Sufficient information has been disclosed in the analysis to make a reasoned choice between alternatives and no significant impacts to the human environment have been identified. Information available from past actions of similar context and intensity in this area also indicate that no significant impacts would be anticipated.
- This action will not significantly affect public health or safety. All proposed activities are in compliance with relevant Federal, State, and local laws, regulations, and requirements designed for the protection of the environment. The proposed action will meet or exceed Oregon State water and air quality standards and is consistent with the Oregon Smoke Management Plan.
- There will be no significant adverse impacts to historic or cultural resources, park lands, wetlands, flood plains, prime farm land, range lands, wild and scenic rivers. No significant effects to any ecologically sensitive or critical areas are anticipated.
- The decision will not likely cause highly controversial environmental effects because controversy in this context refers to cases where there is a substantial dispute as to the size, nature or effect of the actions, rather than opposition to its adoption. There have been no substantial disputes as to the size, nature, or effect of this action.
- This action is consistent with the goals, objectives, and direction contained in the 1990 Willamette National Forest Land and Resource Management Plan, as amended (1994, 2001), and is consistent with the Aquatic Conservation Strategy as outlined in the Northwest Forest Plan Record of Decision, April 1994. Implementation of this project will result in no significant adverse affect to Aquatic Conservation Strategy objectives.
- There will be no expected significant irreversible or irretrievable commitment of resources. There will be no significant direct, indirect, or cumulative effects to soil, water, fisheries, or wildlife resources or other components of the environment. The analysis of cumulative effects considered past, present, and reasonably foreseeable future actions on National Forest lands.
- Biological Evaluations (BEs) for Proposed, Endangered, Threatened, and Sensitive wildlife, fish, and botanical species have been completed and are located in the appendix of the environmental assessment. The BEs indicated that the proposed project will have no significant effects or adverse impacts to any species or their habitats.

- This action will not significantly affect aquatic systems, recreational fisheries, or designated Essential Fish Habitat. The anticipated effects are based on sound aquatic conservation and restoration principles for the benefit of recreational fisheries, as directed by Executive Order #12962. No further consultation under the Magnuson-Stevens Fishery Conservation and Management Act is required.
- This Federal action has been conducted in a manner that does not exclude persons (including populations) from participation in, deny persons (including populations) the benefits of, or subject persons (including populations) to discrimination because of their race, color, or national origin, as directed by Executive Order #12898.
- The proposed action is consistent with the National Forest Management Act.

ADMINISTRATIVE REVIEW OR APPEAL

This decision will be subject to appeal pursuant to Forest Service Regulations at 36 CFR 215.8(a) as revised in June 2003 by parties that provided substantive comments during the review period. For more information about this project you may contact IDT Leader Cheryl Friesen at the McKenzie River Ranger District, McKenzie Bridge, OR, at 541-822-3381.

Responsible Official: _____ Date: _____
 JOHN ALLEN
 District Ranger

Appendix A

Maps of the Shadow Salvage Project

Figure 1: General Location of Shadow Salvage

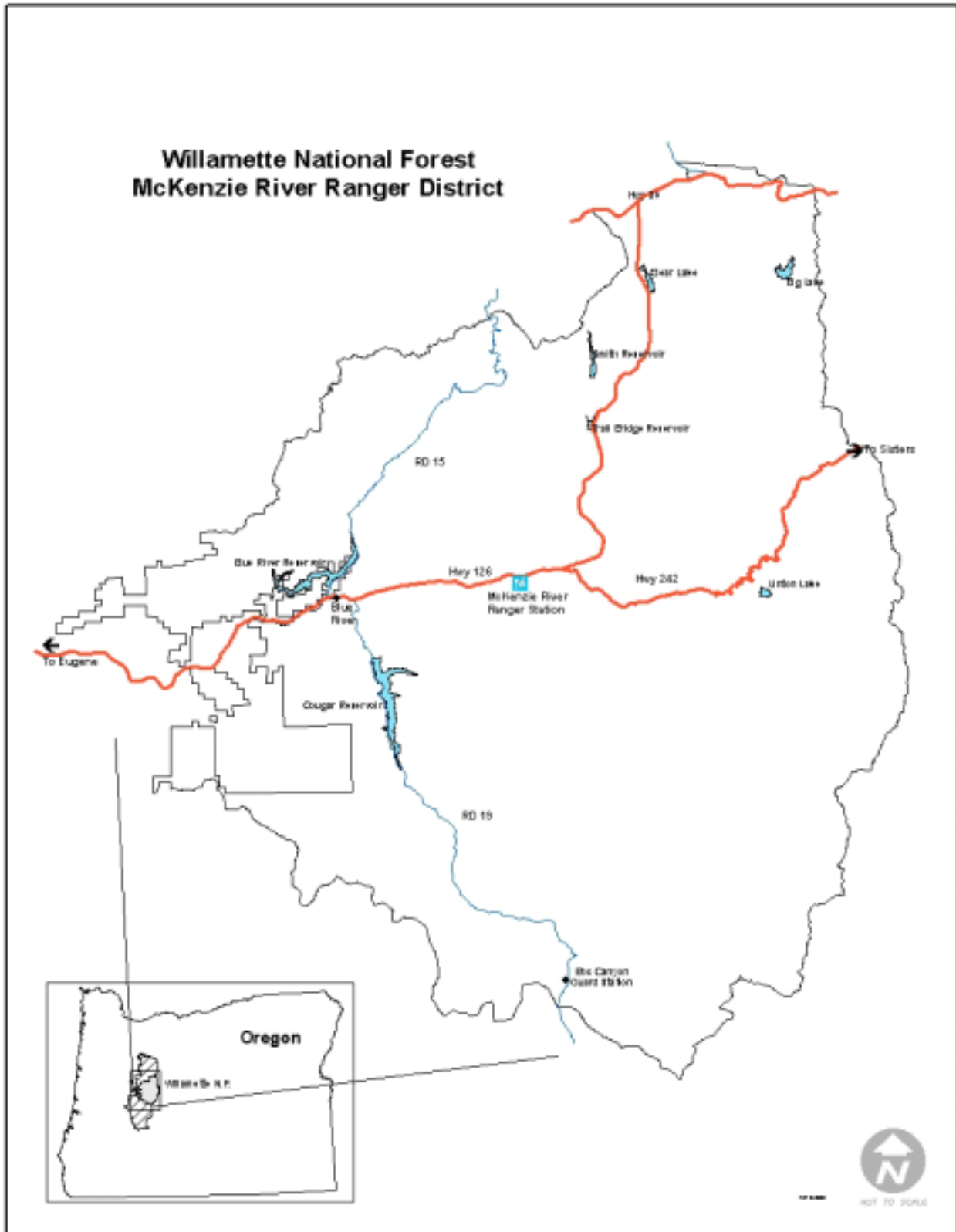


Figure 2: Specific Project Area Map for Shadow Salvage.

