

**EAST TUMBULL HAZARDOUS FUELS REDUCTION PROJECT
ENVIRONMENTAL ASSESSMENT
DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT**

USDA Forest Service, Bend/Fort Rock Ranger District, Deschutes National Forest, Deschutes County, OR

Background

I have decided to implement the proposed action described in the East Tumbull Hazardous Fuels Reduction Project Environmental Assessment (EA). This EA was prepared under the authorities contained in the Healthy Forests Restoration Act (HFRA, 2003). This project is designed to reduce hazardous fuels on the Westside of Sunriver and Bend in the wildland-urban interface (WUI) on the Bend /Fort Rock Ranger District of the Deschutes National Forest. The project area is located outside of the range of the northern spotted owl, within T 18 S, R 11 E, Sections 3, 10, 11, 14, 15, 22, 23, 27, 28, 33; T 19 S, R 11 E, Sections 4, 5, 7, 8, 9, 16-20, 30, 31; T 20 S, R 11 E, Sections 6, 7; T 19 S, R 10 E, Sections 24, 25, 36; T 20S, R 10 E, Section 1, Willamette Meridian, Deschutes County, Oregon.

During the 1920s, the Shevlin-Hixon company clear-cut harvested the large diameter ponderosa pine stands within the project area. These lands were subsequently purchased by the federal government in the 1920s and 1940s for inclusion into the Deschutes National Forest. Since almost all the area was clear-cut harvested in the past, the vegetation conditions and attributes have been significantly altered from their historical range with almost a complete absence of large, old trees and open, fire-maintained ponderosa pine stands. Fire suppression during the preceding 80 years, vegetation growth and high stand densities have created a continuous vertical fuel ladder from the ground to the crowns of the trees and a horizontal layer of fuels such as shrubs, needles, limbs, and beetle killed lodgepole pine trees resulting in an unacceptable risk of stand replacement wildfire (EA page 1).

The project area completely surrounds the Inn of the 7th Mountain Resort, and includes a portion of the Upper Deschutes Wild and Scenic River corridor and the associated developed recreation sites of Besson Day Use Area, Benham Falls, Aspen Day Use Area, Dillon Falls, Lava Island Falls, Big Eddy and Meadow Picnic Area. Also included are some of the evacuation routes for these communities and all of the evacuation routes for the recreation sites. The Cascades Lakes Highway, City of Bend municipal water storage tanks and pipelines, major electric utility corridors for Mt. Bachelor Ski Resort, trails and other developments are also found within the project area. The project area is located within the WUI identified in the Sunriver and Bend Community Wildfire Protection Plans (CWPP). Sunriver and Bend were both identified as "*Urban-Wildland Interface Communities in the Vicinity of Federal Lands That Are at High Risk From Wildfire*" published in the Federal Register, Volume 66, No. 160, January 4, 2001. These communities are located adjacent to Federal lands that have conditions conducive to large-scale wildfire disturbance events which pose a substantial threat to both human life and property.

Decision and Rationale

The proposed action (Alternative 2) will treat approximately 3,729 acres to lower fuel loading by reducing crown, ladder, and ground fuels. Included in the treatments is an estimated 3,165 acres of thinning, 1,554 acres of underburning and 1,978 acres of mowing. Commercial thinning and whole tree yarding with ground based equipment would focus on thinning small trees to reduce ladder and crown fuels that would allow the spread of crown fire. Non-commercial thinning followed by hand or machine piling and some pruning would further reduce crown continuity, ladder and surface fuels. Surface fuel reduction will be

accomplished by prescribed underburning and mowing. There would be no new specified road construction or reconstruction. The estimated amount of firmwood fiber associated with this alternative is 9,200 hundred cubic feet (CCF). In addition, this alternative would close or decommission 38.4 miles of unneeded roads.

I have chosen to implement Alternative 2 because the integrated fuels reduction treatments will reduce the risk of uncharacteristic wildfire and beetle mortality within the ponderosa pine plant association group by decreasing canopy density, tree density, and surface and ladder fuels. Alternative 2 takes a landscape level approach to fuels reduction while managing dry pine sites within the vicinity of and contiguous to major access routes, homes, recreation and administrative sites to reduce fire risk. Treatments will increase firefighter safety during wildland fire by helping to keep fire on the ground and by providing for evacuation and access routes for the public and firefighters. This project will reduce existing fuels within the vicinity of homes, structures and infrastructure and also provide for reduced ember production in the WUI. The analysis clearly shows that this action is needed to reduce the wildfire and beetle mortality risk to present and future forest values while protecting private and public property values and safety.

Other Alternatives Considered

Only one action alternative (Alternative 2) was considered as part of this project because it met the criteria for wildland-urban interface, and all treatment is within 1 ½ miles of at-risk (EA page 4) communities. A no action alternative (Alternative 1) was developed to display the effects and consequences of not taking action.

Public Involvement

Collaboration The initial notification process for this project began with the listing of the proposed project on the Forest Schedule of Proposed Actions newsletter for the winter of 2004 and a newspaper article in *The Bulletin* in October of 2004. This was followed by the development of the proposed action in collaboration with the United States Fish and Wildlife Service (USFWS), Oregon Department of Fish and Wildlife (ODFW), Oregon Natural Resources Council (ONRC), interested individuals, and the at-risk communities of Sunriver, Inn of the 7th Mountain Resort, city of Bend, and the Highlands at Broken Top subdivision (Highlands). Members of the district participated in the development of the Community Wildfire Protection Plans (CWPP) for both Sunriver (signed May 2005) and Bend (signed May 2006).

Consultation The East Tumbull project area is within the areas of interest to the Klamath Tribes, the Confederated Tribes of the Warm Springs Reservation and the Burns Paiute Tribe. All three tribes were consulted with on both a government-to-government and staff-to-staff basis prior to and during project scoping. None of the governments raised any issues with the proposed project.

Scoping A scoping letter, containing the detailed, collaboratively developed proposed action, was sent on May 31, 2005 to adjacent landowners, businesses, media, other agencies, organizations, and members of the public who had previously expressed interest in vegetation management projects. The text of this letter, maps and all subsequent public correspondence was posted on the Deschutes National Forest website. This letter informed the public that the East Tumbull Project would be analyzed and reviewed under the HFRA and included an invitation to a public meeting on the evening of June 9, 2005. No one from the public attended the June 9 public meeting.

An East Tumbull HFRA Scoping Notice requesting public input and comment was published in *The Bulletin* on June 10, 2005 and an additional letter containing the text of the scoping notice, and if appropriate the proposed action, was mailed on June 14. In the letter and *The Bulletin* advertisement the time period for submitting written comments on the proposed action was extended to July 11, 2005. Also

included in this mailing and legal advertisement was the websites for reviewing the HFRA and for submitting electronically written comments. The June 14 public scoping letter included an invitation to attend an additional public meeting on June 22. *The Bulletin* and local radio stations ran and broadcast articles on the East Tumbull project on June 21 that contained the date and time of the June 22 public meeting. This was followed by a KVTZ lead story on the project, on the evening of June 22, which included contact information, an interview with the Interdisciplinary (ID) team leader and participants of the June 22 public meeting, and the July 11 time period for submitting written comments. A total of 35 people attended the June 22 meeting. No negative comments on the proposed action were received from any of the attendees of the meeting. The people and organizations contacted during collaboration and scoping with input of those who participated or responded and how their input was incorporated may be seen in Chapter 4 of the EA.

Issues

Issues identified during scoping are normally addressed by developing alternatives to the proposed action; however, no alternatives are required for this HFRA project (see above). Instead, the project team considered all the comments received during collaboration and scoping and refined the proposal presented in Chapter 2 to address the following issues:

Vegetation management, fuels treatment and access may spread noxious weeds. *An integrated weed management plan was prepared for the project and design elements aimed at preventing the introduction and spread of noxious weeds are incorporated into the proposed action (EA pages 22-23, 183-187, Appendix C).*

The segment of the Deschutes River that flows through the project area is 303(d) listed under the Clean Water Act. *Design elements aimed at ensuring that resource management activities are consistent with and supportive of water quality recovery such as exclusion of all RHCAs and sensitive areas from treatment are incorporated into the proposed action (EA pages 17-21, 153-171).*

The proposed use of ground-based equipment can potentially increase the amount and distribution of detrimental soil conditions within the individual activity areas proposed for mechanical treatments. The removal of trees from activity areas can potentially cause adverse changes in organic matter levels. *Project design elements, mitigation and restoration treatments were included in the proposed action to maintain soil productivity (EA pages 17-21, 53-78).*

The activities proposed in East Tumbull could have an effect on both plant and animal TES species and other wildlife species such as Management Indicator Species; Ecological Indicator Species; Species of Concern; and Resident and Migratory Landbirds. *Project design elements to minimize or eliminate effects to species such as timing of treatments and other mitigation measures are included in the proposed action (EA pages 17-24, 78-130).*

Vegetation management activities may negatively affect short-term visual quality. *Design elements aimed at maintaining the “sense of place” by reducing stand replacement wildland fire risk and enhancing scenic quality has been incorporated into the proposed action. Design elements aimed at ensuring that resource management activities are consistent with and supportive of scenic quality objectives are incorporated into the proposed action (EA pages 21-22, 143-150).*

Cultural Resources. *Design elements to avoid project related impacts to cultural resources have been incorporated into the proposed action (EA pages 21, 171-175).*

Smoke from prescribed fires and pile burning may intrude into the communities of Bend, Sunriver and Inn of the 7th Mountain or the Three Sisters Wilderness area, potentially causing impaired visibility, discomfort, and possible health hazards. *All prescribed burning would comply with the Clean Air Act and would be coordinated with the Oregon State Department of Environmental Quality and Oregon State Department of Forestry. All prescribed burning would be in compliance with State smoke management plans and ignition would occur only under prescribed conditions (EA pages 22-23, 29-43).*

Finding of No Significant Impact

I have determined through the East Tumbull Hazardous Fuels Reduction Project Environmental Assessment that this is not a major federal action individually or cumulatively that will significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination is based on the analysis of the context and intensity of the environmental effects, including the following factors:

(1) Beneficial and adverse direct, indirect and cumulative environmental impacts discussed in the Environmental Assessment have been disclosed within the appropriate context and intensity. No significant effects on the human environment have been identified. There will be no significant direct, indirect or cumulative effects to soil, water, fisheries, wildlife resources, roadless areas, or other components of the environment (see EA, pages 17-24, 29-187 for full discussion of beneficial and adverse effects).

(2) No significant adverse effects to public health or safety have been identified. None are unusual or unique to this project. Implementing Alternative 2 would have a beneficial effect on public health and safety (EA page 183).

(3) There will be no significant adverse impacts to wetlands, park lands, wild and scenic rivers, floodplains, prime farm lands, old growth forests, range and forest land, Pacific Yew, minority groups, civil rights, women or consumers. No effects are expected to historic properties or cultural and scientific resources (EA pages 171-175). Riparian areas, RHCAs, wetlands and all sensitive soil types and areas have been excluded from all management activities (EA pages 53-78, 153-171). All Wild and Scenic River Values associated with the Deschutes River would be protected. The combination of fuels reduction, road closures and other vegetation management activities would have a beneficial effect on river values (EA pages 135-143). There are no fish runs or essential fish habitat (Magnuson-Stevens Act) which could be affected by any of the alternatives and no consultation was required (EA pages 157-171). No significant adverse effects are anticipated to any other ecologically sensitive or critical areas (EA, pages 8, 29-193).

(4) The effects of implementation of this decision are not highly controversial and there has been no scientifically backed information that indicates substantial controversy about the effects disclosed in the East Tumbull Hazardous Fuels Reduction Project Environmental Assessment (EA page 183).

(5) Based on previous similar actions in the area and the resource professionals that worked on this project the probable effects of this decision on the human environment, as described in the Environmental Assessment, are well known and do not involve unique or unknown risks. Activities approved in this decision notice are routine projects similar to those that have been implemented under the Deschutes National Forest Land and Resource Management Plan over the past 16 years (EA page 183).

(6) This action does not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration. Activities approved in this decision notice are routine

projects similar to those that have been implemented under the Deschutes National Forest Land and Resource Management Plan over the past 16 years

(7) This decision is made with consideration of past, present and reasonably foreseeable future actions on National Forest land and other ownerships within potentially affected areas which could have a cumulatively significant effect on the quality of the human environment. Each resource section effects analysis contained in the East Tumbull Hazardous Fuels Reduction Project Environmental Assessment discusses cumulative effects; none were found to be significant (EA, pages 17-24, 29-187).

(8) Based on the pre-disturbance survey and record search, the project undertaking will have “no effect” (36 CFR 800.4 (a)-(c)) on any listed or eligible historic or cultural resources. The Forest Archaeologist has certified that the project complies with Section 106 of the National Historic Preservation Act, under the consultation terms of the 2004 Programmatic Agreement (PA) between the Advisory Council on Historic Preservation (ACHP), the State Historic Preservation Officer (SHPO) and USFS Region 6. This has resulted in a finding by the Forest Specialist of Avoided determination under Section 106 of the National Historic Preservation Act. In accordance with the PA, a copy of the documentation has been included in the appendices as supporting documentation (Appendix K-1).

(9) The effects on endangered or threatened species and their habitats are discussed in the Biological Assessments located in Appendices B, C and D and summarized in the EA on pages 125-130. There would be no effect/impact on any endangered, threatened, candidate or sensitive species that may inhabit the project area. Should any new information about endangered or threatened species become available they will receive full protection under the Endangered Species Act and consultation with the United States Fish and Wildlife Service will commence immediately, if necessary.

(10) This decision is in compliance with relevant federal, state and local laws, regulations and requirements designed for the protection of the environment. Effects from this action meet or exceed state water and air quality standards (EA, pages 42-43, 49-52, 77-78, 87-125, 129-130, 135, 141-143, 149-150, 151-152, 168-171, 174, 181, 182-183, 185-187).

Other Findings

This decision is consistent with the goals, objectives and direction contained in the Deschutes National Forest Land and Resource Management Plan (Forest Plan) and accompanying final environmental impact statement dated August 27, 1990 as amended by the Regional Forester's Forest Plan Amendment #2 and Inland Native Fish Strategy (EA pages 2-3, 42-43, 49-52, 77-78, 87-125, 129-130, 135, 141-143, 149-150, 151-152, 168-171, 174, 181, 182-183, 185-187).

Uneven-aged management systems utilized in this decision are appropriate for meeting the land management objectives identified in the Forest Plan and consistent with the seven vegetative manipulation requirements of 36 CFR 219.27 (b) (EA page 49-51, Appendix I).

This decision is in compliance with Executive Order 12989 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”. No minority or low-income populations would be disproportionately affected under any alternatives (pages 181-183).

Administrative Review Opportunity

A pre-decisional objection opportunity was offered on this project under 36 CFR 218. The Oregon Natural Resources Council (ONRC) and Blue Mountain Biodiversity Project (BMBDP) submitted preliminary

objections that were subsequently withdrawn after a resolution meeting with each organization. During the meeting they expressed support for the project and clarified that under the HFRA this was one of the only opportunities they had to meet to address their concerns. As a result of these meetings and to accelerate the development of LOS ponderosa pine conditions, I am including direction in the marking guidelines to favor retention of ponderosa pine trees less than 21 inches dbh that display yellow bark, characteristic of older trees, except in unusual circumstances. Where available, groupings of these smaller trees will be retained in the one to two unthinned clumps per acre, previously included in the project design in collaboration with ONRC. This project is not subject to appeal pursuant to 36 CFR 215.12(i).

Implementation Date

Implementation of this project can begin immediately.

Contact Person

For further information, contact Jim Schlaich Bend/Fort Rock Ranger District, 1230 NE Third, Bend, Oregon, 97701, (phone 541-383-4725) or Mark Macfarlane (phone 541-383-4769). An electronic version of the final EA can be accessed and viewed on the Deschutes National Forest website at <http://www.fs.fed.us/r6/centraloregon/projects/units/health.shtml>

PHIL CRUZ
District Ranger
Deschutes National Forest