

Deschutes & Ochoco National Forests Crooked River National Grassland

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DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

**Kelsey Non-Motorized Trail
Environmental Assessment
Bend/Fort Rock Ranger District
Deschutes National Forest
Deschutes County, Oregon**

Location

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PLANS, ANALYSES, ASSESSMENTS

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▶ Evaluate Our Service

We welcome your comments on our service and your suggestions for improvement.

Forest

Deschutes National Forest

1001 SW Emkay Drive
Bend, OR 97702

(541) 383-5300

Ochoco National Forest

3160 N.E. 3rd Street
Prineville, OR 97754

(541) 416-6500

Crooked River National Grassland

813 S.W. Hwy. 97
Madras, OR 97741

(541) 475-9272



The Kelsey Non-Motorized Trail Environmental Assessment (EA) may be reviewed in the Bend/Fort Rock District Ranger's Office located at 1230 N.E. Third Street, Suite A-262, Bend, Oregon. This environmental assessment describes a range of alternatives for the development of a non-motorized trail within the Bend/Fort Rock Ranger District.

The project area is located approximately five (5) miles south of the urban growth boundary of Bend, within Township 19 South, Range 11 East, Sections 15-17, 20, and 22-24, Willamette Meridian, Deschutes County, Oregon. The project area is located within a portion of the Newberry National Volcanic Monument (Monument) and the Upper Deschutes Wild and Scenic River Corridor. The project area is outside the range of the northern spotted owl.

Decision

I have decided to authorize implementation of **Alternative 3** of the Kelsey Non-Motorized Trail Environmental Assessment. This alternative is particularly responsive to the issues of non-motorized recreation use and opportunities and the protection of riparian and wildlife habitat. Alternative 3 is the preferred alternative that was identified in the 30-day public review and comment period notice published Wednesday, March 19, 2003 in The Bulletin.

Alternative 3 will designate approximately 8.4 miles of trail for non-motorized use from the north boundary of Sunriver to the Benham Falls day use area and from the Benham Falls day use area to Lava Lands Visitor Center. The trail portion from Sunriver to the Benham Falls day use area will be approximately 3.9 miles. Approximately 60 percent of the trail will parallel the Deschutes River east to west. The remainder of the trail, approximately 40 percent, will be constructed north to south and to the east of and outside riparian areas of the Deschutes River and within upland vegetation. The trail from the Benham Falls day use area to Lava Lands Visitor Center will be approximately 4.5 miles and will parallel the lava flow. A variety of standard mitigation measures have been included in order to ensure consistency with the Forest Plan (EA pages 10-12, Appendix A of the Official Record).

Decision Rationale

Alternative 3 provides the best combination of resource benefits and protection with the designation of a non-motorized trail. This alternative increases recreation and visual opportunities for visitors to the Monument between Lava Lands Visitor Center and the Benham Falls day use area. This alternative improves protection of riparian habitat by designating non-motorized recreation use away from riparian vegetation and soils. The trail is designed to reduce conflicts associated with non-motorized recreation use by locating the trail outside of potential calving habitat and a seasonal restriction on trail use would reduce conflicts with wintering elk..

Two (2) non-signed, user-created trails connect with the Benham Falls day use area, one from Sunriver and the other from Lava Lands

Visitor Center. Much of the trail from Sunriver to the day use area is located on roads that generally parallel the Deschutes River. A fisherman's trail also parallels most of the river. Several user-created trails are presently being used to access the river and are causing damage to riparian vegetation and soils. The user-created trail from Benham Falls day use Area to Lava Lands Visitor Center parallels the lava flow. The Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Management Plan provides direction for the establishment of a trail from Sunriver to the southern urban growth boundary of Bend.

The project area is within the Ryan Ranch Key Elk Habitat Area, as designated by the Forest Plan. The Forest Plan places special emphasis on minimizing conflicts with elk, particularly during the winter and in potential calving habitat. Areas along the Deschutes River provide high quality hiding cover and fawning/calving habitat, particularly in dense lodgepole pine stands between Sunriver and Benham Falls Day Use Area. The project area is also within the biological winter range of mule deer. Deer are known to winter in the area although the Forest Plan does not designate the area as Deer Habitat (winter range). Mule deer are observed in the area during all seasons.

The designation of a non-motorized trail will discourage the development of user-created trails. This will reduce damage to riparian vegetation and soils and to upland vegetation. Locating a portion of the Sunriver to Benham Falls trail outside of dense lodgepole pine stands adjacent to the Deschutes River will reduce conflicts between humans and elk use as well as other riparian associated wildlife.

Other Alternatives Considered in Detail

In addition to Alternative 3, two other alternatives were developed and analyzed but not selected.

Alternative 1 (No-Action). I did not select this alternative because it does not address the opportunities associated with Newberry National Volcanic Monument (Monument). Enhancement of visitor opportunities and experiences within the Monument would not occur. This alternative does not address the issues of the development of user-created trails within riparian and wildlife habitat. The primary user-created trail, located adjacent to the Deschutes River, would continue to provide non-designated access within riparian areas, elk wintering habitat, and potential calving habitat.

Alternative 2 (Proposed Action). This alternative would designate a non-motorized trail that would be approximately 9.0 miles in length. I did not select this alternative because the proposed trail would bisect an area of dense lodgepole pine, which is key elk habitat. Elk wintering and potential calving habitat and use would be particularly disrupted. This alternative is the least consistent with the Deschutes National Forest Land and Resource Management Plan for management of Key Elk Areas and would result in the greatest negative effect to riparian and potential elk calving habitat.

Consultation With Others

The Kelsey Non-Motorized Trail project was initially listed in the 1999 summer edition of the Central Oregon Schedule of Projects (SOP) as part of the original Kelsey project. The Schedule of Projects, which includes the Bend-Fort Rock Ranger District of the Deschutes National Forest, is sent quarterly with the status and descriptions of new, continuing, and completed projects. Approximately 3,200 individuals, organizations, and public agencies received this summer edition summary of projects.

A Forest Service public scoping letter requesting public involvement regarding proposed actions was provided to approximately 220 individuals, organizations, and public agencies that expressed an interest in the project development process. Included in the mailing was The Bulletin, the local newspaper that reported on the proposed actions. The scoping letter was also placed on the United States Forest Service (USFS) web site. Three written (3) scoping comments were received in support of the proposed designated non-motorized trail. No comments were received in opposition to the proposed project.

The Kelsey Non-Motorized Trail Environmental Assessment was sent to approximately 70 interested members of the public to solicit comments during a 30-day comment period, from March 19 to April 18, 2003, regarding the preferred alternative. Comments were received from one public agency that expressed support for the project, one individual that expressed opposition to the project, and one organization and one individual that expressed support for the project with opposition to a seasonal closure to public use. The agency response is located in Appendix Mc of the EA.

Finding of No Significant Impact

Sufficient information has been disclosed in the analysis to make a reasoned choice among alternatives and no significant impacts on the quality of the human environment have been identified. Information available from past actions of similar context and intensity in this area also indicates that no significant impacts would be anticipated.

Based on the site-specific environmental analysis documented in the environmental assessment, I have determined that this is not a major federal action that would significantly affect the quality of the human environment; therefore, an environmental impact statement is not needed. An analysis of the cumulative effects of planned resource activities indicated that the combined effects are environmentally acceptable for soil, water and all renewable forest resources. Based on the analysis, I expect only short duration adverse impacts from implementation of this alternative. All impacts are limited in scope and intensity and can be considered minor. This determination is based on the mitigation measures (EA pages 10-12) designed into the selected alternative and 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, fish, wildlife resources, inventoried roadless areas, old growth stands or other components of the environment (EA pages 12-27).

(2) No significant adverse effects to public health or safety have been identified (EA page 26).

(3) There will be no significant adverse impacts to wetlands, wild and scenic rivers, prime farmlands, old growth forests, range and forestland. No significant effects are anticipated to any other ecologically sensitive or critical areas (EA pages 12-27).

(4) The effects of implementation of this decision are not highly controversial (EA pages 12-27).

(5) Based on previous similar actions in the area, 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 (EA pages 12-27).

(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 (EA page 27).

(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. I find there to be no such cumulative significance (EA pages 12-27).

(8) Based on the pre-disturbance survey and record search of the project area, the project proposal will have "no adverse effect" (as defined in 36 CFR 800.4 (b)(1)) on any listed or eligible cultural resources (EA page 22).

(9) The biological evaluation and assessment for the area indicates that the proposed project will have no adverse impacts on any proposed, endangered, sensitive or threatened plant or animal species. Should any endangered or threatened species be found following the sale, the environmental analysis will be reviewed and revised 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 27).

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 (EA page 27).

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 (EA page

27).

There is no habitat within the planning area classified as "Essential" for anadromous fisheries.

This decision is subject to appeal pursuant to 36 CFR 215.7. Any written appeal must be fully consistent with 36 CFR 215.14 (Content of an Appeal). Two copies of a written notice of appeal must be postmarked and submitted to the Regional Forester, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon, 97208-3623 within 45 days of the date the legal notice of this decision appears in The Bulletin. For further information, contact David Frantz, Bend/Fort Rock Ranger District, 1230 NE Third, Bend, Oregon, 97701, (phone 541-383-4721, email dfrantz@fs.fed.us).

WALTER C. SCHLOER, JR.
District Ranger
Bend-Fort Rock Ranger District
Deschutes National Forest

Date

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