

USDA Forest Service
Deschutes National Forest
Crescent Ranger District
Klamath County, OR

**Decision Notice
and
Finding of No Significant Impact (FONSI)

Baja 58 Project
(Fiscal Year 2001 Portion)**

Location

The Baja 58 project area is located approximately 50 miles south of Bend, Oregon, encompassing the southern third of the District. (T23S, T24S, T25S, T26S, R5 1/2E, R6E, R6 1/2E, R7E, R8E, R9E. Refer to the attached decision notice Map DN-1 for vicinity of the project area and Map DN-2 for project area boundaries and local reference points.

The project area includes 175,750 acres, of which 151,100 acres are national forest system lands. The project area contains six subwatersheds: Walker Ridge, Upper Little Deschutes, Hemlock, Big Marsh, Middle Little Deschutes, and Crescent Lake.

Decision

In September 1998, a decision was made to proceed with Alternative 3 as modified by that decision notice. As discussed in that decision at that time, not all of the vegetation management activities included in Alternative 3 were made part of the 1998 decision because of the need to complete necessary sensitive plant survey work. That work has been completed, and the information added to the project record. In addition, the impacts of this project to the Canada lynx (listed as threatened in April 2000) have been analyzed and considered.

Based on the analysis documented in the environmental assessment (EA), which has been supplemented by the plant survey result, and by an amended biological assessment, I have decided to implement the remaining portions of the modified Alternative 3 outside the range of the northern spotted owl (Refer to Map 1, and Selected Unit Table). This decision comprises the following actions:

- **Understory thin approximately 2,762 acres. Approximately 104 acres of this are in small tree thinning areas (PCT/or Post-Pole sales), with the remaining 2,658 acres in larger sized commercial timber sale opportunities.**
- **Prescribe burn fire-tolerant stands to reduce density and/or move stands toward a single story structure. This decision includes approximately 904 acres of this treatment.**
- **Salvage 126 acres.**
- **An additional 40 acres of salvage have been included in this decision that were not included in the EA in 1998. The added area lies between two other salvage units that were included in the 1998 decision. This**

unit lies approximately 1.5 miles southwest of the Two Rivers North subdivision (T. 25S, R.7E, sections 10 and 11). Because this area was not included in the original alternatives, no opportunity to comment had been provided, but a comment period occurred separately in 1999. The only comment received came in support of this addition. The addition of this area falls within the effects analysis contained in the environmental assessment.

- Construct/reconstruct 0.8 miles of road (low standard, temporary road).
- Harvest total green volume of approximately 5.4 million board feet (MMBF) and 0.3 MMBF of salvage (estimated total volume is 5.7 MMBF).

This decision does not change other decisions made in September 1998 regarding vegetation treatments, road closures, riparian reserve boundaries and other actions.

This decision also updates the EA by removing a mitigation measure that is no longer applicable. In the 1998 EA (page E-8), several protection measures for *Mimulus jepsonii* were included with the caveat that *Mimulus jepsonii* had been recommended for removal from the regional sensitive plant list. Interim management guidelines were included for Baja 58, but these measures no longer need to be applied because this species was in fact removed from the sensitive plant list in May 1999.

Rationale

I have chosen to include these treatments along with the portions of Alternative 3 selected in September 1998 in order to meet the intent and objectives for Alternative 3 (modified) in its entirety. Some benefits of Alternative 3 (modified) would still be realized if the additional areas included as part of this decision were not implemented, but the strategic benefits of Alternative 3 would be diminished.

Specifically, Alternative 3 as a whole treats more high-risk stands than Alternative 2, responding more completely to the need to reduce fuel loads and reduce stand densities. Similarly Alternative 3 moves the project area towards forest conditions that are more resistant to insect and disease, and stand-replacement fires, which will in turn take a larger step toward creating a more resilient landscape. This more resilient landscape provides long-term, stable habitat for a range of wildlife species.

I believe that treatments proposed provide a substantial benefit to wildlife by beginning the process of reducing risk of large-scale habitat loss. Treatments are also designed to provide for short- and long-term habitat needs for key wildlife species in certain areas. At the same time, I recognize that one of the main issues to arise during the analysis focused on cumulative adverse impacts to wildlife habitat. Public comment had particular concern with the cumulative impacts of Alternative 3. The modifications outlined in the 1998 decision respond directly to that concern so that after modification, Alternative 3 has avoided the areas of greatest concern to wildlife habitat, especially those areas currently needed to provide wildlife habitat for a variety of species that could be adversely impacted by cumulative impacts of this project when considered with other projects.

As discussed in the 1998 Decision Notice, concerns were raised during the public comment period regarding impacts of Alternative 3 to project area resources. On the other hand, concerns were also raised that Alternative 3 did not go far enough fast enough to provide the risk reduction that we seek. I have considered both the benefits and the impacts of the selected alternative and believe that it finds the needed balance. I believe that the selected alternative focuses on those areas most in need of treatment that will reduce risk, thus resulting in long term important benefits to these

resources. By reducing the amount of treatment in certain locations (especially in the southern part of the project area in the Walker Rim area), I believe the greatest benefit will occur, while reducing potential impacts.

Alternatives Considered

The environmental assessment describes three alternatives in detail:

- **Alternative 1 (No Action) proposes no management activities. The forest conditions would change according to natural disturbance processes such as insect and disease outbreaks and wildfire. Vegetation trends would continue to shift from stands dominated by large pine and Douglas fir to very dense stands dominated by poles and small diameter true fir. No merchantable wood products would be utilized. This alternative was not selected because it would not meet the objectives of reducing the risk of insects, disease, or large-scale fire. Densely stocked stands and those with high loadings of natural fuels would not be treated and these areas would continue to be at risk to insects, disease, and fire.**
- **Alternative 2 would implement various vegetation treatments on approximately 11,631 acres. The emphasis with Alternative 2 is to reduce the risk of insect, disease, and wildfire damage by treating as much of the high risk stands as possible while keeping the rate of change at a low to moderate level. This alternative avoids areas that are considered more sensitive to cumulative impacts to wildlife habitat, either because of recent harvests in the area, or because of the more sensitive nature of the proposed treatment areas. Also, this alternative attempts to provide a sustainable supply of timber products. The probable timber harvest is approximately 18.4 million board feet. This alternative was not selected because it avoids treating in several high-priority areas.**
- **Alternative 3 would implement similar vegetation treatments as Alternative 2, but over more area (15,245 acres). The emphasis of this alternative is to move the forest towards sustainable conditions and to more aggressively reduce the risk of insect, disease, and wildfire. The goal of salvage is also to utilize as much material as possible while it retains commercial value. More acres of lodgepole salvage would also be treated under this alternative. The probable timber harvest is approximately 26.7 million board feet.**

The selected alternative modifies Alternative 3 by removing specific areas of concern with regard to cumulative effects to wildlife. Refer to the 1998 Decision Notice for further discussion.

Public Involvement

Public involvement for this Environmental Assessment originally began with Public Scoping in the Spring of 1997. Copies of a Proposed Action and maps were mailed in November 1997 to interested individuals and groups with the intent of soliciting informational issues and concerns about the management proposals. The Proposed Action was also listed in the Schedule of Projects for the Ochoco and Deschutes National Forests and the Prineville District of the Bureau of Land Management. Four comments were received as a result of public scoping. No alternative-driving issues were identified as a result of these comments.

In August 1998, the project's environmental assessment was made available for public review. A public notice was published in the Bend Bulletin on August 12, 1998. The comment period lasted until September 11, 1998. Four comment letters were received, as well as two phone calls. Details of the comments received and specific response to the comments is found in the environmental assessment, Appendix C. Modifications to environmental assessment are also described in that appendix. Since September 1998 no substantial changes have been made to the Environmental Assessment and so no additional formal public involvement took place

In February 2000, I made a decision to implement this part of the Baja 58 project (Alternative 3 (modified), outside the owl range). Less than a month later, a final rule was published in the

Federal Register listing the Canada lynx as threatened under the Endangered Species Act. My February 2000 decision was appealed, calling attention to the need to conduct additional analysis to determine impacts of this project to the Canada lynx. The February 2000 decision was withdrawn in June 2000 in order to provide time for the necessary analysis. That analysis has been completed and added to the project record. The US Fish and Wildlife Service concurs with our biological conclusion that these actions may affect Canada lynx, but are not likely to adversely affect the species in the short term, and will provide long-term benefits. No changes in units resulted from this additional analysis and so no further public involvement was sought.

Finding of No Significant Impact

I have determined that implementing these additional areas of Alternative 3 (as modified) is not a major Federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement will not be prepared. This determination is based on the site-specific environmental analysis documented in the Environmental Assessment and supporting documents (e.g. the biological evaluation, biological assessment and USFWS biological opinion), which describe direct, indirect and cumulative impacts of this decision. This determination is also made with consideration of past, present, and reasonably foreseeable future actions on National Forest land and other ownership's within potentially affected areas that could have a cumulatively significant effect on the quality of the human environment.

I have found the context of the environmental impacts of this decision is limited to the local area and is not significant. I have also determined the severity of these impacts is not significant, considering the following factors of intensity:

1. **The analysis considered both beneficial and adverse effects (EA Chapter 3 pp. 3-1 to 3-43).**
2. **There are no known adverse impacts to public safety (EA Ch. 3 pp. 3-38, 3-39, 3-40; App E p. E-10). Prescribed burning will affect air quality for a short period in the immediate vicinity of the activity. Timber haul will be regulated and conform to Deschutes Road Use rules.**
3. **No unique characteristics of the geographic area such as cultural resources and wetlands will be adversely affected (EA Chapter 3 pp. 3-1 to 3-43).**
4. **The effects on the quality of the human environment are not likely to be highly controversial (EA Chapter 3 pp. 3-1 to 3-43).**
5. **The degree of possible effects on the human environment are not highly uncertain, nor are there unique or unknown risks involved (EA Chapter 3 pp. 3-1 to 3-43).**
6. **The actions should not set a precedent for future actions that may have significant effects, nor do these actions represent a decision in principle about a future consideration (EA Chapter 3 pp. 3-1 to 3-43).**
7. **These actions are not related to other actions that, when combined, will have significant impacts (EA Chapter 3 pp. 3-1 to 3-43).**
8. **The field surveys for sites, objects, etc., listed or eligible for listing in the National Register of Historic Places have been completed. All known sites have been mitigated by avoidance and no activity will take place which will contribute to the loss or destruction of significant scientific, cultural, or historic resources. Any sites found during operation of the timber sales and related activities will be protected. The Oregon State Historic Preservation Officer has concurred with our finding of no effect (EA Chapter 3 p. 3-28; App. E p. E-10).**
9. **As described in the Environmental Assessment, Biological Assessment, and USFWS Biological Opinion, activities will have no adverse impact to any threatened or endangered species of plant or animal. Actions to improved conditions in bald eagle habitat near Crescent Lake are expected to have a beneficial effect on bald eagles. Surveys for sensitive plants that are thought to occur in the project area have been conducted for units included in this decision. Timber harvest and other ground disturbing activities have been designed to avoid adverse impacts to known species (EA**

Chapter 3 pp. 3-2 to 3-13, 3-22 to 3-26; App. E pp. E-1 to E-7; BA as updated for Canada lynx, January 9, 2001).

10. **None of the actions implemented by this decision threatens a violation of the Federal, State, or local law, or requirements imposed for the protection of the environment. (For example, effects from this action will meet or exceed state water and air quality standards.) (EA Ch. 3 pp. 3-1 to 3-43)**

Other Findings

This decision is consistent with the Forest plan as amended by the Regional Forester's Forest Plan Amendment No. 2 and the Inland Native Fish Strategy (1995).

This decision falls within the transition period specified in the November 2000 National Forest System Land and Resource Management Planning regulations (36 CFR 219.35(d) found at 65 FR 67579). Therefore, this decision refers to the 1982 regulations for the following consistency findings.

- **This project complies with the consistency standards of 36 CFR 219.10(e). No timber will be harvested from lands not suited for timber production as defined in 36 CFR 219.14. Based on research and experience, all lands being harvested can be adequately restocked within 5 years of final harvest. All manipulation of vegetation will comply with the seven requirements of 36 CFR 219.27 (b).**
- **The harvest and post-harvest vegetation management activities are consistent with the strategy of prevention in accordance with the Pacific Northwest Region's Vegetation Management EIS (1988) and the mediated agreement (1989).**
- **Where applicable, the vegetation management treatments will be consistent with direction found in the ROD/FEIS for managing Pacific yew.**

Implementation Date

Timber sales resulting from this decision are scheduled for implementation beginning in the Spring/Summer of 2001.

Administrative Review

This decision is subject to administrative review (appeal) pursuant to 36 CFR 215. Any written notice of appeal of this decision must be fully consistent with 36 CFR 214.14 and must include the reasons for the appeal. A written notice of appeal must be filed with the Reviewing Officer within 45 days of the date legal notice of this decision appears in the Bulletin (Bend Oregon). File notice of appeal with:

Harv Forsgren
Regional Forester/USDA Forest Service
PO Box 3623
Portland OR 97208
Attention: 1570 Appeals

For information contact:

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Responsible Official: /s/ Rebecca Heath

Feb. 23, 2001

LESLIE A.C. WELDON

Date

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