



Decision Memo Snowshoe Project

**USDA Forest Service
Ochoco National Forest
Lookout Mountain Ranger District
Wheeler County, Oregon
Township 12 South, Range 20 East, WM**

Decision to be Implemented

I have decided to implement noncommercial small tree thinning and slash disposal on approximately 114 acres within the Bridge Creek Watershed on the Lookout Mountain Ranger District of the Ochoco National Forest. All activities will occur within the wildland-urban interface (WUI) identified in the 2007 Wheeler County Community Wildfire Protection Plan. The location of the project is approximately 28 air miles northeast of Prineville, Oregon.

Noncommercial thinning activities will remove excess small trees up to 12 inches in diameter to a specified density depending on site conditions and resource objectives. Hand tools such as chainsaws will be used. Generally trees less than 9 inches in diameter at breast height (dbh) will be cut; western juniper up to 12 inches dbh will also be cut. Slash produced from thinning will for the most part be hand piled and burned or lopped (cut into small pieces) and allowed to decompose in place. Slash may be made available as personal-use firewood where it is accessible by existing open roads.

No heavy machinery, such as bulldozers, will be used to implement any of the activities. Vehicle use in Riparian Habitat Conservation Areas (RHCAs) will be restricted to existing roads.

The purposes of these activities are to: 1) reduce the density of small trees, 2) reduce hazardous fuel loadings and the continuous arrangement of fuels in areas of high fire risk and, 3) maintain existing low wildfire hazard conditions. Reducing the density of small trees will improve the growth of the remaining trees and lessen the potential for successful attack by insects such as bark beetles. Reduction of hazardous fuels will lessen the potential for stand damage from intense wildfire and create conditions where firefighters can more safely and effectively control wildfires. Maintaining areas of currently low hazard will prevent them from becoming high hazard areas in the future.

My decision includes the following mitigation measures:

1. Activities in units 13 and 21 will be seasonally restricted from March 1 to September 30 to reduce potential effects to goshawk. This restriction may be waived if surveys determine the nests are not being used.

2. Hand piles will not be placed within a predetermined distance of known infestations of noxious weeds in units 1, 4, 9, 16, 21, and 26 to reduce the potential spread of weeds. Activities will be coordinated with the District botanist prior to implementation.

3. No thinning, handpiling, or burning will occur within Riparian Habitat Conservation Areas.

4. Within the visual foreground of US Highway 26 (generally 50 to 100 feet) low stump heights will be required and slash generated by thinning will be treated within one year.

Further information on this project can be found in the project file located at the Lookout Mountain Ranger District Office.

Reasons for Categorically Excluding this Project

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

I have concluded that this decision is appropriately categorically excluded from documentation in an environmental impact statement or environmental assessment because it is a routine activity within a category of exclusion and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this document and the entirety of the project record.

The decision is within FSH 1909.15 section 31.2, Category 6 that includes treatment to improve stand health and reduce fire hazard. The project is consistent with the Ochoco National Forest Land and Resource Management Plan.

Extraordinary Circumstances

In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the identified resource conditions identified in FSH 1909.15 Section 30.3(2) was made. The following section describes the potential effects to the resource conditions from the project activities.

Federally listed threatened or endangered Species or designated habitat or species proposed for Federal listing or proposed critical habitat

Mid-Columbia River steelhead trout are federally listed as a threatened aquatic species and occur within the Bridge Creek watershed. The nearest designated critical habitat for steelhead occurs approximately one mile downstream of the project area. A determination of *no effect* was reached for steelhead trout and critical habitat because no activities occur within critical habitat

or within Riparian Habitat Conservation Areas. More information is contained in the July 9, 2007, Biological Evaluation for Aquatic Species. No federally listed threatened or endangered animal or plant species occur within the project area.

Forest Service sensitive species

Plant species: Nine sensitive plant species are known to occur or have potential habitat within the project area. A determination of *May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species* was reached for all nine species. More information is contained in the January 30, 2008, Botany Report.

Aquatic Species: One sensitive aquatic species (redband trout) is known to occur within the watershed. A determination of *No Impact* to redband trout was reached because no activities would occur within Riparian Habitat Conservation Areas and changes to water quality and aquatic habitat are not likely. More information is contained in the July 9, 2007 Biological Evaluation for Aquatic Species.

Wildlife Species: There may be incidental use of the project area by northern bald eagles, however the nearest known nest site is approximately 9 miles to the southeast. There is no high quality foraging habitat in the area or essential habitat. There is some potential for eagles to be disturbed by project activities, but the proximity of the activities to US Highway 26 is likely to make any additional disturbance negligible compared to the existing disturbance associated with the highway. Therefore, a determination of *May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species* was reached for bald eagles.

The project area contains a limited amount of potential habitat for two other sensitive wildlife species (California wolverine and peregrine falcon). Use of the project area by these species is a possibility; however, the proximity of the project to the existing disturbance associated with US Highway 26 is likely to make any additional disturbance negligible. A determination of *May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species* was reached for both California wolverine and peregrine falcon. More information on wildlife species is contained in the August 20, 2007 Biological Evaluation for Wildlife.

Floodplains, wetlands, or municipal watersheds

Floodplains: No measurable effects to floodplains are anticipated as there are no activities proposed on or adjacent to floodplains. None of the proposed activities would reduce floodplain storage capacities.

Wetlands: There are no wetlands identified within the project area.

Municipal Watersheds: There are no municipal watersheds within the project area.

Congressionally designated areas such as wilderness, wild and scenic rivers, and national recreation areas

There are no congressionally designated areas within the project area. Mill Creek Wilderness Area is approximately 1 ½ miles west of the project area.

Inventoried Roadless Areas

There are no Inventoried Roadless Areas within the project area. All activities would occur immediately adjacent to US Highway 26.

Research Natural Areas

There are no existing or proposed Research Natural Areas in the project area. Ochoco Divide Research Natural Area is approximately ½ mile southeast of the project area.

American Indian and Alaska Native religious or cultural sites, archaeological sites, or historic properties of areas

Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. Three historic sites (Bear Creek and Cougar Creek Trails and a magnetic phone line route) are located within the project area. Burning and thinning activities in and near these sites have specifically been designed to protect the features that make them eligible for inclusion in the National Register of Historic Places, while at the same time reducing risk of loss due to wildfire. This project would not affect historic properties. Consultation on this finding occurred with the State Historic Preservation Office. More information is included in the October 2, 2007 Cultural Resource Report.

Public Involvement

This proposal has been listed in the quarterly Schedule of Proposed Actions since April 2007. The proposal was presented to the Crook County Natural Resources Planning Committee on February 26, 2007, and the project was previously sent out for public scoping in March 2007. Twenty-nine scoping letters were sent to members of the public, adjacent landowners, and other agencies for comment. The following tribal governments were also contacted by telephone and/or letter: Confederated Tribes of the Warm Springs Reservation, Burns Paiute Tribe, the Klamath Executive Committee, and Confederated Tribes of the Umatilla Indian Reservation.

Three letters, three e-mails, and one telephone call were received in response to scoping. While generally supportive of the proposal, the following concerns were raised:

Three comments were received concerning the need to reduce the risk of invasive plant establishment or spread. In response to these concerns the proposed activities were modified to 1) eliminate all use of heavy machinery, 2) eliminate treatment adjacent to high risk weed sites

and, 3) reduce the amount of ground disturbance by allowing activity slash to decompose on site instead of burning.

One commenter suggested that removal of dead trees be included as part of the proposal in order to reduce the risk of these trees falling on the highway, boundary fences, or hiking trails. Although not included as part of this proposal, dead trees alongside Highway 26 are routinely monitored in conjunction with Oregon Department of Transportation personnel and hazardous trees are removed as needed to enhance highway safety. The two units originally proposed adjacent to private land and boundary fences have been eliminated due to high weed risk.

One commenter expressed a concern that riparian areas be protected from actions that would reduce shade or cause sedimentation. No activities are proposed within Riparian Habitat Conservation Areas and no reductions in shade or increase in sedimentation are expected from this proposal.

One comment was received concerning adverse soil impacts from ground-based equipment use. As stated previously, use of heavy equipment has been eliminated from the proposal.

One comment referred to the need to survey the area for sensitive plants to ensure that endemic populations of sensitive species are not harmed. Surveys were conducted in 2007 and a determination of *May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species* was reached for all nine sensitive plant species known or suspected to occur in the area.

One comment suggested that seasonal restrictions be in place during nesting and fledgling seasons for native and neotropical migrant birds. Two units (13 and 21) already incorporate seasonal restrictions for goshawk. Additional restrictions have not been incorporated into the project design as the scale of the project is so small in relation to available habitat that displaced birds could find alternate sites. In addition there is already a high level of background disturbance due to this project's proximity to the highway. This project should not affect the viability of the local neotropical migrant bird population.

A notice announcing the opportunity to comment was published in *The Bulletin* newspaper, Bend Oregon on Friday, March 14, 2008. In addition, letters were mailed to 37 potentially interested and affected persons and organizations notifying them of the opportunity to comment. Two e-mails were received during the comment period. Both commenters appreciated the changes incorporated into the project to reduce the potential for spreading invasive exotic weeds and to protect soils and native vegetation. One commenter thought it would be helpful to incorporate additional seasonal restrictions to protect native and neotropical bird species but recognized that the project's proximity to Highway 26 already minimizes habitat desirability.

Findings Required by Other Laws

National Environmental Policy Act. NEPA establishes the format and content requirements of environmental analysis and documentation. This environmental analysis was undertaken to comply with NEPA.

National Forest Management Act. I have reviewed my decision for consistency with Forest Plan direction. My decision is consistent with the Forest Plan, as amended, as required by the National Forest Management Act. I have also reviewed my decision for consistency with 16 USC (United States Code) 1604(g)(3) and find that it is consistent.

The prescribed activities would occur within the Highway 26 visual corridor described in the Ochoco National Forest Land and Resource Management Plan. These activities are allowed in this land allocation. To meet visual quality objectives the project includes design elements such as requiring low stump heights and treatment of thinning slash within 1 year of cutting. Hand piling of slash is prescribed, in part, to reduce crown and bole scorch on the remaining trees and limit the amount of ground cover affected by burning. Machinery use would not occur, in part to avoid unnecessary soil disturbance that would potentially impact visual quality.

Pileated woodpecker and other Management Indicator Species (MIS). The proposed activities would remove small trees and is not expected to reduce the amount of pileated woodpecker habitat. Pileated woodpecker use of the area is not expected to change due to the proposed activities. Any additional disturbance is expected to be negligible in comparison to the existing level of disturbance associated with Highway 26. The northern flicker is the MIS for old-growth juniper. The project area does not contain any juniper woodland habitat.

The Forest Plan was amended in November 2005 by the Record of Decision (ROD) for the Pacific Northwest Region Invasive Plant Program. The ROD identifies that prevention of invasive plant introduction, establishment, and spread will be addressed in vegetation management plans. This vegetation management project addresses invasive plants. Pre-project surveys were completed and populations of invasive plants are known to occur within the project area. Unit boundaries were designed to avoid known populations, and restrictions on ignitions in proximity to known populations are prescribed to reduce potential spread. Use of machinery to remove and/or pile thinning slash was removed from the project proposal in large part due to concerns associated with invasive plants.

A Forest Plan amendment is not needed to implement this project.

National Historic Preservation Act. A cultural resource inventory has been completed for the proposed action. On October 7, 2007 the Ochoco National Forest completed the “Project Review for Heritage Resources under the Terms of the 2004 Programmatic Agreement” with the Oregon State Historic Preservation Officer (SHPO). Project activities have been designed to have No Effect to cultural resource sites through avoidance.

Endangered Species Act. Biological evaluations have been prepared to document the effects of project activities on threatened and endangered species in the project area. There are no endangered species known or suspected to occur on the Ochoco National Forest. Threatened species that are known or suspected to occur on the Ochoco National Forest include bull trout and mid-Columbia River steelhead trout. Potential effects to these species were analyzed (see the July 9, 2007, Biological Evaluation for Aquatic Species). The analysis documents that there

will be no effect to bull trout or to mid-Columbia River steelhead trout. Consultation with the U.S. Fish and Wildlife Service has been completed.

Clean Air Act. Any burning activities will be coordinated with the Oregon State Department of Environmental Quality and Department of Forestry. This project will comply with the Clean Air Act.

Clean Water Act. Project activities will comply with the Clean Water Act. Treatment activities will have no effect on stream temperature because the amount of stream shade will not be changed. No measurable increase in water temperature or increase in fine sediment is anticipated from the project. More detailed information is contained in the July 9, 2007, Biological Evaluation for Aquatic Species. Large woody material will not be removed from riparian areas. Reducing wildfire risk will help protect existing shade in the event that a wildfire in the area did occur.

Executive Order 13186 - Responsibilities of Federal Agencies to Protect Migratory Birds. Some activities may occur during the nesting season for neotropical migrant birds and some birds may be displaced during implementation. Two units (13 and 21) incorporate seasonal restrictions during the nesting season due to their proximity to a known goshawk nest. The other units do not have seasonal restrictions and if activities were to occur during the nesting season some birds may be displaced. However, the scale of this project is small in relation to the adjacent available habitat, and there is already a high amount of existing background disturbance due to adjacency to the highway. Because of this it has been determined that this project should not affect the viability of any local migrant bird populations.

Implementation

My decision may be implemented immediately.

Administrative Review or Appeal Opportunities

My decision is not subject to administrative review (appeal) pursuant to 36 CFR 215.12.

Contact Person

For additional information concerning this decision contact Robert Rawlings, Project Leader, at the Lookout Mountain Ranger District, 3160 NE Third Street, Prineville, OR 97754 or at (541) 416-6500.

/s/ Kevin Keown



Kevin Keown
Acting District Ranger

5/2/08

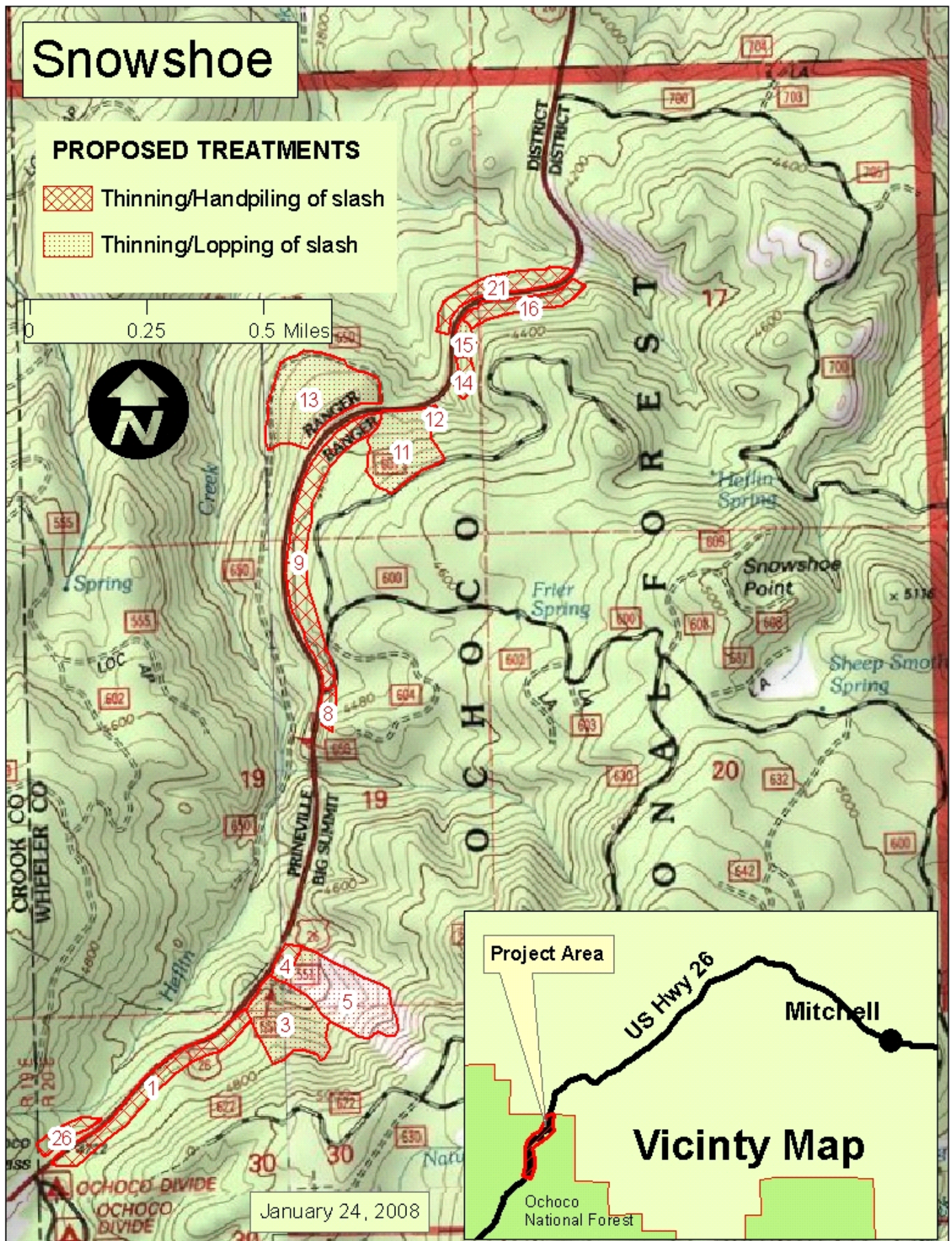
Date

Snowshoe

PROPOSED TREATMENTS

-  Thinning/Handpiling of slash
-  Thinning/Lopping of slash

0 0.25 0.5 Miles



Project Area

US Hwy 26

Mitchell

Vicinity Map

Ochoco
National Forest

January 24, 2008