

Deschutes Forest Plan Amendments

- 1 - **Cow Camp EA 8/92** - Minor adjust of mgmt. area boundaries for trail relocations.
- 2 - **Willamette Land Exchange 10/92** - Adjust mgmt. area boundaries for mgmt. of lands acquired in exchange.
- 3 - **Steam Plume EA 6/94** - Mgmt. area visuals modified to allow for geothermal site steam plume.
- 4 - **Northwest Forest Plan 4/13/94** – <http://www.or.blm.gov/Forest Plan/NWFPTitd.htm>
- 5 - **Screens EA 5/20/94, revised 6/5/95**- Interim Wildlife Standard
- 6 - **Cloverdale BEMA 5/95** - 565 acres of Deer Habitat changed to Bald Eagle Habitat
- 7 - **Walker Mtn. 7/95** - Adjustment to allow elec. site development to continue with limitations.
- 8 - **Matsutake EA 9/95** - Added mgmt. direction for collection of this forest product.
- 9 - **Inland Native Fish Strategy (INFISH) - 10/95** – <http://www.fs.fed.us/r6/fish>
- 10 - **Emerald EA 4/96** - Added 70 acres of GF to two OG mgmt. areas.
- 11 - **Pawn EA 5/96** - Added 14 acres to OG mgmt. area to replace area lost to blowdown.
- 12 - **Upper Deschutes Wild and Scenic River EIS & Management Plan 7/96**
- 13 - **Jack Canyon Vegetation Management Plan 2/97**- Amends S&Gs for the Metolius Special Forest MA to allow for created opening in green white fir stands, extended clean up periods, and a higher percentage of visual modification in the short term. The Metolius Scenic Views MA S&Gs were also amended to allow short term scenic and clean up adjustments. Changes were needed to deal with catastrophic conditions caused by insect damage. Long term management will return to the original S&Gs.
- 14 - **Santiam Corridor 8/96**- Same basic adjustments as made for Jack Canyon VMP above.
- 15 - **Paulina Fire 6/97** - Adjust Old Growth MA boundary; thinning & burning treatments to enhance future habitat for MIS.
- 16 - **Mokst & Cache RNAs 6/97** - Establish Research Natural Areas proposed in the Forest Plan.
- 17 - **Metolius Wild & Scenic River EIS & Management Plan 5/97**
- 18 - **Santiam LSR Restoration Project 4/98** Remove dead trees & treat dense stands at faster rate than current S&Gs to protect late-successional habitat
- 19 - **Pine Marten Communication Project EA 12/29/92** Adds new electronic site to Forest Plan
- 20 - **Baja 58 EA 8/98** Expands riparian reserve boundaries
- 21 - **Crown Land Exchange EIS 2/27/98** Consolidated land ownerships
- 22 - **Torrey/Charlton RNA 7/13/98** – Establish Research Natural Area

23 - Survey & Manage EA 2/26/99 - To change the Implementation Schedule for S&M and Protection Buffer Species.

24 - Wire Meadow SIA/Cascade Lakes EA 12/9/99 - Designate 46.7 acres as Special Interest Area

25 - Highway 20 Integrated Vegetation Management Project EA 5/21/98 - Amend for Scenic, Old Growth, Deer

26 - 7th Mountain Rock Pit Expansion EA - Amend for Eastside Screens (see Amendment # 5)

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT EFFECT

Amendment # 1

USDA - Forest Service

Cow Camp Fire
Environmental Assessment

Deschutes National Forest
Sisters Ranger District
Deschutes County, Oregon

It is my decision to implement Alternative #2 of the Cow Camp Fire Environmental Assessment. Implementation of this decision will result in a timber sale of approximately 870 M board feet harvested from approximately 140 acres within an analysis area of approximately 490 acres. There is no road construction or reconstruction necessary for the activity.

Alternative #2 manages standing wildlife habitat at maximum levels. All existing down habitat as well as all down material generated through harvest activities, will also be retained on site. Green tree replacements are retained where ever they are available and are generally sufficient in numbers.

This Decision includes the relocation of approximately 2.5 miles of the Metolius-Windigo trail. One-half mile will be relocated from private land to National Forest lands; 2 miles will be relocated within National Forest lands.

The Record of Decision for the 1990 Deschutes National Forest Land and Resource Management Plan protects the Metolius-Windigo trail along with other specified trails with a visual corridor similar to that provided for roads. These trail locations were incorporated into the Visual Management Area to insure protection. Where protection cannot be afforded by a permanent corridor the solution offered in the ROD is to relocate the existing trail. Any change in the location of the trails which requires moving Management Area boundaries also requires a Plan amendment.

I have decided to amend the 1990 Deschutes Land and Resource Management Plan to include the relocation of the trail as identified in Alternative 2 of the Environmental Assessment. Established Forest procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedures included review by the Forest Interdisciplinary Team. The amendment is site specific and the effects are local to the project area. The amendment amounts to a minor adjustment of Management Area boundaries which does not significantly change Plan multiple-use goals and objectives and therefore is a insignificant Plan amendment.

Moving the trail from private land affords protection for, and guarantees access to the trail. The proposed trail location balances the advantage of interpretive opportunities associated with the fire and scenic views of the Cascade mountain range and other topographic features with the effects of relocation on timber harvest. Approximately 160 acres previously managed as General Forest will now be managed as Scenic Views. The effects of the trail location on timber harvest is minimized by relocating a portion of the trail adjacent to an existing visual corridor. In addition, the trail location removes it from existing roads and now offers a more natural appearing trail route. All trees needed to meet partial retention visual quality objectives within the visual corridor of the trail or to meet wildlife habitat requirements, will be retained. All other trees greater than 9 inches d.b.h. and that are either dead or display characteristics which indicate they will die within the year are proposed for harvest.

The proposed location takes advantage of interpretive opportunities associated with the fire and offers scenic views of the Cascade mountain range and other topographic features. In addition, it eliminates previous trail locations from roads and now offers a primitive trail route. This alternative manages the trail consistent with partial retention visual quality standards. The 1990 Deschutes Land and Resource Management Plan will be amended to include the relocation of the trail as identified in Alternative 2 of the Environmental Assessment.

All trees needed to meet partial retention visual quality objectives within the visual corridor of the trail or to meet wildlife habitat requirements, will be retained. All other trees greater than 9 inches d.b.h. and that are either dead or display characteristics which indicate they will die within the year are proposed for harvest.

Volumes and acreages discussed in the Environmental Assessment are approximate. During on-the-ground layout and implementation, minor adjustments may occur as dictated by site specific conditions. Adjustments will be compared with the project objectives for significance and will be analyzed and documented as appropriate through the provisions of the National Environmental Policy Act (Public Law 91-190).

During the scoping phase of this project, approximately 37 letters were sent to known and potentially interested citizens and/or groups describing the Forest Service recommendation for mitigating the effects of this forest fire. Ten responses/comments were received, each containing various comments/suggestions. The most frequent comments centered around the following:

- Leave more than the minimally required amount of wildlife habitat;
- Manage for a no-cut buffer adjacent to the Metolius-Windigo (M-W) trail;
- Provide interpretive signing within the fire for educational purposes;
- Provide for reforestation of the fire;
- Retain all trees which have a chance for survival;
- Monitor all project related activities to ensure compliance with the decision;
- Provide for a variety of size classes for standing wildlife habitat.

Based on public comments and through Interdisciplinary (I.D.) Team discussions, key issues and specific objectives were developed. The key issue was considered to be managing the M-W trail for short and long term scenic quality and interpretive values.

Other alternatives considered are as follows:

Alternative #1, would leave the fire area just as it is. The dead trees would continue to deteriorate and be available for wildlife habitat. The M-W trail would remain in its existing location. Reforestation would occur as seed becomes available from the live trees within the burn and if grass and other competing vegetation does not impede germination and growth.

Alternative #3, restricts harvest within the visual corridor of the M-W trail. It harvests approximately 780 M board feet. It eliminates roads, provides for fire interpretation and reforestation of the fire all in the same manner as alternative #2.

The project conforms to applicable laws and regulations pertaining to forest management and follows standards and guidelines contained in the 1990 Deschutes Land and Resource Management Plan and the National Forest Management Act.

Land within the fire was analyzed for management under the standards and guidelines contained in the General Forest allocation, Management Area 8.

Alternative #2, with the specified mitigation, coordination and monitoring measures provides for the best combination of physical, biological, social and economic benefits. This determination is based on the following factors:

1. The Metolius-Windigo will be moved on to National Forest land and managed to Partial Retention standards to provide unique forest fire interpretation opportunities. Only a minor amount of harvest activity will occur within the trail corridor;
2. Planting will occur throughout the majority of the fire area;
3. Roads not needed for forest management will be eliminated from the transportation system;
4. Wildlife habitat will be inventoried, identified and preserved;
5. Approximately 870 M board feet of commercial sawtimber will become available for harvest and utilization.

The Environmental Assessment indicates no significant effects on the quality of the human environment as a result of project implementation. Therefore, an Environmental Impact Statement will not be prepared. This determination is based on considering the context of the action and the following intensity factors:

1. Adverse and beneficial effects are not considered to be of significant proportions;

2. There are no significant effects to public health. The action alternatives involve the use of equipment which has short-term and very site-specific decrease in air quality;
3. This decision does not significantly affect unique characteristics of the geographic area;
4. The effects on the quality of the environment are not highly controversial. This was based on public responses to the recommended action and the NEPA interdisciplinary team's disclosure of effects summarized in Chapter IV of the EA;
5. There are no significant effects which are considered highly uncertain or involve unique or unknown risks. There is no technology being applied which could result in any highly uncertain or unknown risks;
6. The decision does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration;
7. There are no significant cumulative effects based on the implementation of mitigation measures incorporated into this decision;
8. This decision does not adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places or will not cause loss or destruction of significant, cultural or historical resources;
9. The decision does not adversely affect the habitat or any endangered or threatened species that has been determined to be critical under the Endangered Species Act of 1973;
10. This decision complies with all Federal, State and local laws and requirements for the protection of the environment;
11. Northern spotted owls were not discovered within 1/2 mile of the project area nor is the project area within suitable habitat. This Decision is consistent with current spotted owl direction as of the date of this Decision;
12. No adverse effects will result to Pacific Yew or its habitat.

Implementation of this decision shall not occur within 7 days following publication of the legal notice of this decision in The Bulletin.

This decision is subject to administrative review under 36 CFR 217. Within 45 days of publication of notice of this decision in The Bulletin, a written Notice of Appeal of this decision must be fully consistent with 36 CFR 217.9 (Content of Notice of Appeal) and must include the reason for appeal. A written notice of appeal, in duplicate, must be filed with John Lowe, Regional Forester, U.S.D.A. Forest Service, P.O. Box 3623, Portland, OR 97208 within 45 days of the date legal notice of this decision appears in The Bulletin.

For further information concerning this project, contact Dick Cozby at the Sisters Ranger District at (503) 549-2111 or PO Box 249, Sisters, Oregon 97759.

Responsible Official: _____

Jose Cruz
Jose Cruz
Forest Supervisor
Deschutes National Forest
1645 Highway 20 East
Bend, OR 97701

8-20-91

Date

**DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT**

USDA - Forest Service

Forest Plan Amendment #2

**Deschutes National Forest
Deschutes, Jefferson, Klamath and Lake Counties, Oregon**

The Environmental Assessment (EA) for the Proposed Land Exchange Between Willamette Industries, Inc. and Deschutes National Forest Sisters Ranger District/Willamette National Forest Sweet Home Ranger District is available for public review at the Deschutes National Forest Supervisor's Office in Bend, Oregon. The EA analyzes alternatives to the proposed land exchange. An amendment to the Deschutes National Forest Land and Resource Management Plan (Management Area Boundaries) is included in the analysis to address future management of lands acquired in the exchange.

The responsible official for the land exchange decision is the Director of Lands and Minerals, USDA Forest Service, Pacific Northwest Region. The responsible official for the amendment to the Deschutes National Forest Land and Resource Management Plan is the Forest Supervisor, Deschutes National Forest. As a result, two separate decision notices are being issued for the EA.

Decision and Reasons for Decision

Alternative 2 , the proposed action, resulting in a balanced for value land for land exchange, has been selected for implementation by the Director of Lands and Minerals, USDA Forest Service, Pacific Northwest Region. It is my decision to amend the 1990 Deschutes National Forest Land and Resource Management Plan (LRMP) to include T.13S., R.8E., sec.33 W.M. within the Scenic Views Management Area and T.13S., R.11E., sec.6 W.M. within the Deer Habitat Management Area. The decision to amend the LRMP is due to the change in management area locations caused by the exchanging out of the Federal parcel, section 12 and acquiring the non-Federal parcels, sections 33 and 6.

Established Forest procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedures included review by the Forest Interdisciplinary Team. I have determined the amendment to be site specific with the effects limited to the project area. The amendment amounts to a minor adjustment of Management Area boundaries which does not significantly change Plan multiple-use goals and objectives and therefore is an insignificant Plan amendment. There are no other changes to the decisions made in the Record of Decision for the FEIS for the 1990 Deschutes National Forest LRMP.

The amendment will result in 69.85 acres of acquired land to be managed as Deer Habitat and 670.92 acres of acquired land to be managed as Scenic Views. The decision is based on the existing management areas that surround the acquired lands along with the resource values found on the acquired lands including visual sensitivity. The land exchange would result in the disposal of 640 acres of land in the General Forest Management Area. There is no anticipated change to the overall Forest Plan multiple-use goals and objectives, and the decrease to timber related outputs is small enough to be classified as indeterminable. It is probable that the exchange will benefit commodity production goals for private lands.

Achieving the Desired Future Condition for Deer Habitat requires a large enough area so that meaningful habitat conditions can be determined. Managing the acquired land as Deer Habitat will help provide more contiguous lands that can be collectively and consistently managed for this resource.

Landscapes seen from selected travel routes and viewpoints such as the Highway 20 Scenic Byway, will be managed to maintain or enhance their appearance. Managing the acquired land as Scenic Views will provide the opportunity to manage the Mt. Washington scenic area, as seen from the pull-out area on Highway 20, as a contiguous parcel without concern for how activities on private land will affect the view.

The Standards and Guidelines in the Forest Land and Resource Management Plan for land adjustments is to provide the optimum pattern of land ownership within the National Forest considering resource goals and efficiency of managing the Forest. The parcel identified to exchange is located within Group 3-C of the Land Classification Plan (areas of mixed private and Federal ownership). The objective of this classification is to rearrange ownership patterns to benefit commodity production goals for public and private lands and to utilize National Forest lands to acquire higher priority lands for National Forest use.

Alternatives Considered

Another alternative considered was Alternative 1, the No Action Alternative, which would retain the existing land ownership pattern. No land exchange nor Forest Plan Amendment would take place. The Federal land would continue to be managed as directed by the Deschutes National Forest Land and Resource Management Plan as General Forest (Management Area 8). Non-Federal lands would continue to be managed under existing company policies and applicable State and Federal laws and regulations.

Public Involvement

Information regarding the land exchange has been available through two separate publications in four newspapers of circulation in the affected counties. Response to a scoping letter sent to over 70 interested parties resulted in one letter centered on the issue of how the land acquired on the Willamette National Forest would be allocated. Neither the newspaper publications nor the scoping letter specifically stated the decision to exchange lands would result in a Forest Plan Amendment. However, the sole comment received from the Oregon Natural Resources Council (ONRC), Western Regional Office, focused on land management allocations. The issue of management allocation of the acquired land was addressed in the assessment. ONRC's concern was that the acquired land on the Willamette National Forest should be managed for non-commodity uses such as recreation, wildlife habitat or a riparian zone. The Willamette National Forest will conduct a separate analysis to amend their Plan. This decision to amend the Deschutes National Forest LRMP, responds to the issue raised through public involvement.

Finding of No Significant Impact (FONSI)

I have determined that this amendment to the Deschutes National Forest LRMP is not a major Federal action that would significantly affect the quality of the human environment (40 CFR 1508.27). Therefore, an Environmental Impact Statement is not necessary. The determination is based on considering the context of the action as discussed in the assessment and supporting documents. This Forest Plan Amendment will affect approximately 741 acres of newly acquired lands located on the Sisters Ranger District. Since 640 acres of land located on Sisters Ranger District would be exchanged to private ownership, the net acreage gain is approximately 101 acres. Management allocations change from General Forest (Management Area 8) to Scenic Views (Management Area 9) and Deer Habitat (Management Area 7). This decision affects only the newly acquired lands for as long as they are in Federal ownership or until other considerations and factors have been considered and analyzed. I have also determined that the severity of the effects is not significant by considering the following factors of intensity:

1. There will be no significant expected irreversible or irretrievable commitment of resources. Sufficient information has been disclosed in the analysis to make a reasoned choice among alternatives and no significant impacts on the human environment have been identified. (EA pg.23)
2. This decision does not have adverse and beneficial effects which are significant. (EA Chapter 4)
3. There are no significant effects to public health and safety. (EA pg. 23)
4. This decision does not significantly affect unique characteristics of the geographic area. (EA pg. 22-24)
5. The effects on the quality of the environment are not highly controversial. (EA Chapter 4)
6. There are no significant effects which are highly uncertain or involve unique or unknown risks. (EA Chapter 4)
7. This decision does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. (EA Chapter 4)
8. 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 as well as for other ownerships within the potentially affected areas. (EA Chapter 4)
9. This decision does not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant, cultural or historical resources. (EA pg. 24; Cultural Resource Inventory Report 5-15-92)

10. This decision does not adversely effect an endangered or threatened species or habitat that has been determined to be critical under the Endangered Species Act of 1973. (EA pg. 19,21; Biological Evaluation--Spotted Owls 8-26-92; Biological Evaluation--Animals 8-27-92; Biological Evaluation-Sensitive Plants 7-29-92)

11. This decision complies with all Federal, State, and local laws and requirements for the protection of the environment. (EA pg.23-24)

Findings required by other laws and regulations

Established Forest procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. This decision is consistent with the elements of the decision for the Deschutes Land and Resource Management Plan as specified in the Record of Decision.

Project implementation, may take place seven days after publication of Legal Notice in The Bulletin.

This decision may be appealed pursuant to 36 CFR 217 by filing a written notice of appeal with John E. Lowe, Regional Forester, Pacific Northwest Region, P.O. Box 3623, Portland, OR 97208, within 45 days from the date of publication of the Legal Notice. The Notice of Appeal must meet the content requirements pursuant to 36 CFR 217.9 including sufficient narrative evidence and argument to show why this decision should be changed or reversed.

For further information, contact Donna Owens, Deschutes National Forest, 1645 Highway 20 East, Bend, OR 97701. Telephone 503-383-5580.

Dated this 9 day of October, 1992

Responsible Official:

Sally Callin

for Jose Cruz
Forest Supervisor
Deschutes National Forest

Steam Plume Amendment
to

II-8-1-C 001

Amendment # 3

Deschutes National Forest Land and Resource Management Plan

Decision Document: - Final Environmental Impact Statement Record of Decision (ROD) signed June 30, 1994 for Newberry Geothermal Pilot Project.

The following paragraph is in the part of the ROD that describes what the decision is:

With this ROD, I am also approving a non-significant Forest Plan amendment to specifically address the visual quality of the steam plumes for this facility. The text for the amendment to be added to Standard and Guideline M9-83 of the Forest Plan is, "For steam plumes associated with the Newberry Geothermal Pilot Project and emanating from this management area (M9), "modification" is allowed as a visual quality objective." Attachment C of this ROD provides background information and rationale for this amendment.

This is the Attachment:

Attachment C - Non-significant Amendment to the Forest Plan

An examination of the Forest Plan, simulated views of the proposed project and visual quality analysis of the drill pads, power plant, pipelines, electrical transmission lines, transportation routes and steam plumes disclosed an inconsistency between visual quality objectives in the Forest Plan and proposed activities. The Forest Plan Standards and Guidelines regarding visual quality objectives and geothermal activities focused entirely on the visual effects of the associated surface structures and roads. The steam plume was not clearly and concisely addressed, although it was briefly mentioned in the Forest Plan EIS. Because of this omission, it may be considered that the steam plume may not meet the visual quality objective as stated in Standard and Guideline M9-83, as it would be visible from a few locations and may draw some visual attention. The visual quality objective of partial retention could not always be met, given the nature of steam plumes. If this standard and guideline had to be applied, it would be in conflict with lease rights, Forest Plan goals, and the intent of the Monument legislation. The Forest Interdisciplinary Team has recommended that standard M9-83 be changed by a nonsignificant Forest Plan amendment to allow steam plumes to exceed the partial retention standard.

This decision is based in part on the Forest Plan's Desired Future Condition which states that geothermal leases and permits have been issued in a timely way. This action also meets the Forest goal to provide for exploration, development, and production of energy resources on the Forest while maintaining compatibility with other resource values.

The Forest Plan recognized that there may need to be exceptions to the visual standards because many of the visible areas are linear in shape and must be occasionally crossed. The geothermal project facilities located on the ground will continue to meet the visual quality objective of partial retention and only the visual quality objective of the steam plume has been affected.

This change is determined to be a non-significant amendment to the Forest Plan for the following reasons:

1. The amendment is site specific and the effects are local to the project area. The amendment applies to the steam plumes within the geothermal pilot project area only, not to surface facilities or developments. It does not result in any changes to projected goods or services or other outputs of the Forest Plan.
2. The amendment results in neither an increase or decrease in acreage of types of VQO's, General Forest Management Areas or Scenic View Management Areas since the amendment applies only to the steam plume within the geothermal pilot project area. Any associated geothermal facilities will continue to be planned to meet and mitigate visual quality objectives as mentioned in the Forest Plan. This recommendation is based on the existing management areas that surround the acquired lands along with the resource values, including visual sensitivity.
3. The changes will not adversely affect the overall goals and outputs of the Forest Plan. The amendment supports the previously stated Forest goal and improves consistency of the Forest Plan with the Geothermal Steam Act and the Monument Legislation. The amendment facilitates implementation of the project and the resulting benefits of the contribution of this alternative power source to offsetting electrical power demands and the reduction of adverse effects associated with other energy sources presently used in the Pacific Northwest.

In view of the above, and in order to allow proceeding with the geothermal project, this non-significant site specific amendment is made to the Forest Plan.

This amendment will not be implemented until the ROD appeal period is over and or any appeals are settled.

See ROD

II-B-1-d 001
Amendment #4

Record of Decision

for Amendments to Forest Service and Bureau
of Land Management Planning Documents
Within the Range of the Northern Spotted Owl

Standards and Guidelines

for Management of Habitat for Late-
Successional and Old-Growth Forest Related
Species Within the Range of the Northern
Spotted Owl

<http://www.or.blm.gov/ForestPlan/NWFPT:TL.htm>



United States
Department of
Agriculture

Forest Service



United States
Department of
the Interior



Bureau of Land
Management



April 1994

Decision Notice
for the
Revised

Continuation of Interim Management Direction
Establishing Riparian, Ecosystem
and Wildlife Standards for Timber Sales

United States Forest Service
Region 6
Colville, Deschutes, Fremont, Malheur, Ochoco,
Okanogan, Umatilla, Wallowa-Whitman and Winema
National Forests in Oregon and Washington

Introduction:

This Decision Notice identifies that revised vegetative structural stages of the interim ecosystem standard and a clarified interim wildlife standard, as specified in the attached Regional Forester's Forest Plan Amendment #2, will replace the 1994 versions of each standard as adopted on May 20, 1994. The revised structural stages and clarified wildlife standard will amend nine national forest plans on the east side of the Cascade Mountains (listed above), pending completion of the environmental impact statement as part of the Eastside Ecosystem Management Strategy, Pacific Northwest Region (Eastside EIS). The environmental assessment (EA) for this revision does not analyze or disclose site-specific environmental impacts. Neither does it disclose environmental impacts of the 1994 interim direction already disclosed in the May 20, 1994, EA. Site-specific analyses and appropriate National Environmental Policy Act (NEPA) documentation will occur on the project level to insure compliance with applicable laws.

This revised interim direction will apply to the design and preparation of all timber sales on eastside forests, except personal use firewood sales, post and poles sales, sales to protect health and safety, and sales to modify vegetation within recreation special uses areas. Five other types of sales are exempt from the revised interim ecosystem standard only: precommercial thinning sales; sales of material sold as fiber; sales of dead material that is less than 7 inch dbh with incidental green volume; salvage sales with incidental green volume located outside currently mapped old growth; and commercial thinning and understory removal sales located outside mapped old growth.

This Decision Notice amends the Forest Plans for the Colville, Deschutes, Fremont, Malheur, Ochoco, Okanogan, Umatilla, Wallowa-Whitman and Winema National Forests in Oregon and Washington.

Background:

The 1994 interim management direction was the result of an interdisciplinary analysis conducted to determine the best approach for maintaining future planning options concerning wildlife habitat associated with Late and Old structural stages, fish habitat, and old forest abundance. The 1994 interim direction established a three-step analysis during timber sale preparation to defer harvest of certain Late and Old structure timber stands unless certain conditions were met. Specifically, timber harvesting was deferred in riparian areas and limited in areas of Late and Old structure stands. The 1994 interim direction was and remains intentionally restrictive, reflecting a conservative interpretation of riparian, wildlife, and ecosystem needs for the short-term.

Concern about the adequacy and propriety of the Historic Range of Variability (HRV) process and the rigidity of the complete deferral of timber activities in the riparian areas existed before and after the adoption of the 1994 interim direction. A regional review team has monitored the effectiveness and understanding of implementing the 1994 interim direction since its adoption, primarily through field trips to the National Forests since May 1994 and forest reports to the Regional Forester. App. C. Administrative appeals of the 1994 interim direction reflected the controversy over some of the components. App. E.

Coupled with the extension of preparation time for the Eastside EIS from November 1994 and sometime in 1996, Regional Forester John E. Lowe directed the regional review team to report on available options to correct ineffectiveness, misperceptions of implementation and the expanded time frame.

The review team produced a monitoring report with seven findings. From the findings, the Regional Forester directed an analysis be done to revise the interim direction, focusing on Findings 1 and 2: revision of the structural stage descriptions in the HRV and the options of relieving stress on old growth stands, respectively. Clarifying language has been proposed for the interim wildlife standard to respond to Finding 4, but no revision

¹ Finding 1: Some HRV stand descriptions are in conflict with eastside vegetative types; Finding 2: Some old-growth features are at risk under the interim direction; Finding 3: Fixed riparian widths are not appropriate on dynamic systems; Finding 4: Wildlife requirements are not appropriate in all situations; Finding 5: New and ongoing research cannot be implemented under the interim direction; Finding 6: Other timber sale preparation issues; and Finding 7: Successful methods of implementing interim direction.

to the riparian standard or the HRV process is under consideration.

As the review team's report indicated, implementation of this conservative approach warrants re-evaluation, but the original intent of the 1994 interim management direction, i.e. to preserve future planning options until completion of the Eastside EIS, remains intact. No change in forest plan land allocation for management areas is proposed. Current risks to species, ecological groupings of species, and habitats will be assessed in the Eastside EIS which will provide a long-term strategy for ecosystem management on the eastside forests.

Alternatives Considered:

Alternative 1 - No Action. This alternative would keep in place the May 20, 1994 interim direction for timber sale preparation until superceded by the Eastside EIS. Site-specific projects would undergo NEPA analysis and consultation with National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service, if required.

Alternative 2 - Selected Action. This alternative would revise the vegetative structural stages used in the interim ecosystem standard to determine HRV to better represent the eastside forest settings. The interim wildlife standard would be clarified to reflect the revised structural stages and to address past misunderstanding of the standard's implementation.

The revision would establish seven categories of structural stages rather than the existing four categories in the 1994 interim direction.² The proposed seven categories would require HRV to be determined based on the following structural stages:

1. Stand Initiation
2. Stem Exclusion; open canopy
3. Stem Exclusion; closed canopy
4. Understory Reinitiation
5. Multi-strata without Large Trees
6. Multi-strata with Large Trees; and
7. Single-stratum with Large Trees.

²The 1994 interim ecosystem standard currently requires the Historic Range of Variability to be determined using the following four categories: 1) EARLY: early seral stages; 2) MIDDLE: An understory re-initiation phase and beginning of old-growth phase; 3) LATE: late seral stages; overstory vigor declines; and 4) OLD: old structure stage, overstory decadent, sem decay and top breakage. See App. A for the complete description.

The latter two structural stages, Multi-strata with Large Trees; and Single-stratum with Large Trees, will be comprised of timber stands previously classed as Late or Old.

With the revision of the vegetative structural stages comes the need to clarify the interim wildlife standard's relationship to it. Additionally, the regional review team's monitoring report identified misunderstanding in implementing the interim wildlife standard. The intent, objectives, and assumptions used and applied to the 1994 interim wildlife standard are not revised.

As a result, the interim wildlife standard now explains that Late and Old structural stages can be either Multi-strata with Large Trees or Single-Stratum with Large Trees. Instructions are provided on how to proceed from HRV analysis under the interim ecosystem standards to either Scenario A or B in the interim wildlife standard. Intent statements are included for connectivity requirements, snags, green tree replacements and down logs requirements, and the goshawk requirements in Scenario A and for Scenario B, generally. The statements are intended to assist in implementing the interim standard and do not revise it. None of the clarifying statements changes the availability or deferral of Late and Old-forest associated wildlife habitat.

Decision:

My decision is to select Alternative 2, set forth in full in the attached Regional Forester's Forest Plan Amendment #2. This decision revises the vegetative structural stages used to determine HRV to better reflect eastside forest settings. It also adopts clarifying statements within the interim wildlife standard to relate to the revised structural stages and assist in implementation. The 1994 interim direction will continue to apply to timber sales previously announced in the eastside Forests' Schedules of Proposed Actions. This Decision will apply to timber sales not yet proposed.

Rationale:

I have chosen Alternative 2 because the revised vegetative structural stages and the clarified wildlife statements are the best solution to respond to the difficulties encountered in the first eight months of implementing the 1994 interim direction, the extended preparation time for the Eastside EIS, and the continuing threats to forest health by insects, disease and fuel accumulation, while still being assured that management options remain during the development of the Eastside EIS. The revised structural stages in the interim ecosystem standard, coupled with the clarified interim wildlife standard, will not reduce the abundance of old-forest structure below historic levels; thus options are preserved for a long-term strategy. Alternative 2 will allow some timber harvest, limited to thinnings, group or individual tree selection, in stands where old-forest conditions, either Multi-strata with Large Trees or Single-stratum with Large

Trees, are at or above HRV and timber harvest must maintain or enhance old-forest conditions.

The implementation difficulties are reflected in the regional review team monitoring report, specifically Findings 1, 2 and 4.³ The integrity of the 1994 interim direction is strengthened by this revision because the structural stages more accurately reflect the warm/dry and hot/dry environs of the eastside forests. The new structural stages will allow a more accurate portrayal of HRV and facilitate my intent to implement ecosystem management. The increasing fuel loads, mortality and decay in our forests concern me gravely and without this revision, we were simply unable to begin a process of returning our forests to a healthier condition by reducing the risk of catastrophic wildfire, reducing stress and working toward a historic balance of structural stages. Thus, revision is appropriate.

Of great importance is that the revised vegetative structural stages can accommodate specific application across each of the eastside forests. What is a "large tree" or "common occurrence of large trees" on the Fremont National Forest in Oregon is not necessarily the same on the Okanogan National Forest in Washington and the revised classification allows this appropriate distinction. Forest Supervisors retain the option to amend their individual forest plans when site-specific conditions warrant a deviation from these revised interim standards.

Similarly important is that the requirements of the interim wildlife standard do not change, although interpretations and intent statements have been added. Because of this, any timber sale prepared according to this revision will not remove any stands of Multi-strata with Large Trees or Single-stratum with Large Trees (both are Late and Old structure) below the HRV for each stage for a given biophysical environment. What can occur, and only when the abundance of the structural stage is at or above HRV, are thinning, group or individual tree selection sales of the understory, and only then if the removal maintains or enhances the old-forest conditions. This opportunity allows us to reduce stress on the big trees by treating the understory, while also relieving some of the fuels accumulation.

Public involvement:

During the week of March 10, 1995, notices were published in twenty newspapers of local circulation explaining the Forest Service's proposal to revise the environmental assessment which

³ Finding 1: Some HRV stand descriptions are in conflict with eastside vegetative types; Finding 2: Some old-growth features are at risk under the interim direction; and Finding 4: Wildlife requirements are not appropriate in all situations.

led to the May 20, 1994, decision to implement the 1994 interim direction. The notice explained the intent was to revise the HRV to allow more flexibility in implementation and the possibility of some changes in the interim wildlife standard in response. Comments were due to the Forest Service by April 10, 1995. The draft revision and clarifications were sent to the mailing list on April 7 and the comment period was extended to April 20, 1995.

In addition, a March 10, scoping letter was sent to 78 addressees, generating 29 letters with over 150 individual comments. Categories of comments included; fisheries and riparian, HRV, wildlife, and economic or procedural issues.

The largest single category of comments were the fish and riparian issues. Because no change was proposed to the 1994 interim riparian standard, these comments were considered outside the scope of the analysis.

Comments on the HRV ranged from the validity of HRV as a measure of natural conditions to the scope of the analysis or time frames used. Additional concerns were that adjustments of the HRV might allow unsound projects, yet others believed a revision would make no appreciable change in the opportunity to harvest timber.

The interim wildlife standard prompted a significant number of comments. Several comments challenged the green tree replacements methodology. Others believed the revised vegetative structural stages would affect wildlife corridors and cause forest fragmentation.

As with Amendment #1, many commenters believed a revision would cause a reduction of timber volume available for harvest. Other commenters reported their satisfaction with the effect of deferring timber harvest as required by the 1994 interim direction and were cautious about any revision to allow more flexibility and likely higher timber harvest.

Finding of No Significant Impact:

I have determined that overall, the action to be taken under this Decision is not a major federal action and will not significantly affect, either individually or cumulatively, the quality of the human environment. Insofar as this Decision limits where and how timber sales can occur, but does not approve, require, nor mandate any particular timber sale or associated ground-disturbing activity, this Decision makes no irreversible or irretrievable commitment of resources. Further site-specific NEPA analysis is required for each timber sale affected by this Decision. Any irreversible or irretrievable commitment of resources and the significance of any environmental impact will be identified and assessed at that time.

I have considered the following factors in this determination:

1. This Decision is programmatic, rather than site or project specific and revises existing interim direction for timber sales on portions of eight national forest in eastern Oregon and Washington. The effects are local, rather than statewide, regionwide or nationwide.
2. The effect of the revised vegetative structural stages in the interim ecosystem standard is limited in time and scope because it will be in effect only until a longer term strategy is adopted in the Eastside EIS in 1996. Of the activities undertaken on these eastside national forests, only timber sales are affected. Furthermore, the revision is only to the vegetative structural stages in the interim ecosystem standard, leaving in place the existing process by which to determine historic range of variability, as well as the 1994 interim riparian and wildlife standards.
3. No known unusual circumstances exist because the Decision does not impose any highly uncertain, unique or unknown environmental risks. The revision is based on professional scientific interpretation of research and forest conditions. The revision is, in fact, based on the vegetative structural stages being used in the Eastside EIS, developed scientifically and specifically for the eastside forests.

No unique characteristic of the eastside national forests would be adversely affected by the revision.

No adverse effects to any historical places or loss of scientific, cultural or historic resource would occur because no ground-disturbing activities are approved, required or mandated by this Decision and existing forest plan standards adequately address mitigation measures for these resources.

4. The revision does not produce any significant irreversible, irretrievable or cumulative effects for the following reasons: 1) no ground-disturbing activities are approved, required, or

mandated by this Decision; 2) the Biological Evaluation for threatened, endangered and sensitive species concluded the proposed action would have no effect; 3) site-specific consultation will occur with Fish and Wildlife Service and the National Marine Fisheries Service under the provision of the Endangered Species Act; and 4) the purposes of the revision is to more accurately reflect the eastside forest vegetative structural stages, which in turn will lead to a more accurate determination of HRV.

This Decision is not related to other actions with individually insignificant but cumulatively significant impacts because the revised ecosystem standard is programmatic, does not approve, require, or mandate any timber sale, is in effect only until the Eastside EIS is completed, and is designed to more accurately reflect the vegetative structural stages of the eastside forests.

5. This Decision will not threaten to violate federal, state, or local requirements imposed for the protection of the environment because no ground-disturbing activities are approved, required, or mandated by this Decision and any timber sale planned using the revised vegetative structural stages standard will receive appropriate NEPA analysis.

6. The revised vegetative structural stages 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 federal action, rather than any opposition to its adoption. The scientific basis for these revised structural stages have been evaluated by Forest Service ecologists, silviculturists, wildlife biologists and research scientists.

7. This Decision will not set a precedent for future actions likely to result in significant environmental consequences, nor will it represent a decision in principle about future considerations because the Eastside EIS will develop an ecosystem management strategy that will supercede this Decision. Furthermore, the revision is based on the scientific developments for vegetative structural stages for the Eastside EIS.

Therefore, I have concluded that no significant adverse or beneficial effects on the physical, biological or human environment will occur, thus no environmental impact statement will be prepared.

NFMA Finding of Non-Significant Amendments:

I find that adoption of the revised vegetative structural stages will not significantly change the forest-wide impacts disclosed in the forest plan Environmental Impact Statements for the above listed National Forests. Pursuant to 16 U.S.C 1604(f)(4), 36 C.F.R. 219.10(f), Forest Service Manual 1922.5, and Forest Service Handbook 1909.12, Chapter 5.32, I have determined that these forest plan amendments are not significant based on the following factors:

Timing: As pointed out in the EA, the revised vegetative structural stages in the interim ecosystem standard, along with the remaining 1994 interim standards for riparian and wildlife, will only be in effect until the Eastside EIS is completed in 1996. The effect of the revised structural stages is to more accurately describe the eastside forest settings in determining the HRV of any given biophysical environment. The revised structural stages are expected to be superceded by similar classification system in the Eastside EIS. Therefore, the timing of the amendments does not make them significant for the current forest plans.

Location and Size: During the life of the revised vegetative structural stages, it is expected only small portions of each eastside forest will be affected. The standard only applies to timber sales preparation. Therefore, only those areas that would have timber sale activities are directly affected. Approximately 50,000 acres could be planned for timber sales over the next year, out of over 11 million acres of national forest lands on the eastside forests.

Goals, Objectives, and Outputs: The revised vegetative structural stages apply to the classification of vegetation for the preparation of timber sales. They do not alter the long-term relationship between levels of goods and services projected by the forest plans. I do not expect any significant change in timber outputs over what might be available if the sales were designed without the amendment. Any increase in volume would not exceed the projected levels over the planning period. The revised vegetative structural stages are necessary to preserve options for long-term ecosystem strategies and to meet other forest plan goals such as diversity and healthy ecosystems.

Management Prescription: The revised ecosystem standard does not change the desired future condition for land and resources from that contemplated by the existing management direction in the forest plans in the short-term. It does not affect the whole planning area, but only those portions of the land where timber harvest is contemplated in old-forest structure. The revised ecosystem standard does not change forest plan allocations or management areas.

Appeal Rights: Implementation of this Decision shall not occur until seven days following the publication of the legal notice of the Decision in the newspaper of record.

The decision to revise the vegetative structural stages of the 1994 ecosystem standard through a non-significant forest plan amendments is subject to appeal pursuant to 36 C.F.R. 217, not 36 C.F.R. 215.⁴ Any written Notice of Appeal must be fully consistent with 36 C.F.R. 217.9 (Content of Appeal) and must include the reason for appeal. A written notice of appeal, in duplicate must be filed with Jack Ward Thomas, Chief, USDA Forest Service, Reviewing Office, within 45 days of the date that legal notice of this Decision appears in the newspaper of record.

For further information, contact Jim Schuler, Regional Appeals Coordinator, Regional Office, Portland, Oregon, (503)326-2322. The revised environmental assessment for the Continuation of Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales is available for public review at the following offices:

Regional Office, 333 S.W. First Avenue, Portland, OR
Colville National Forest, 765 S. Main, Colville, WA
Deschutes National Forest, 1645 Highway 20 E., Bend, OR
Fremont National Forest, 524 North G St., Lakeview, OR
Malheur National Forest, 139 N.E. Dayton St., John Day, OR
Ochoco National Forest, 3000 E.3rd, Prineville, OR
Okanogan National Forest, 1240 Second Ave. S., Okanogan, WA
Umatilla National Forest, 2517 S.W. Hailey Ave., Pendleton, OR
Wallowa-Whitman National Forest, 1550 Dewey Ave., Baker City, OR
Winema National Forest, 2819 Dahlia, Klamath Falls, OR

JOHN E. LOWE
Regional Forester
333 S.W. First Avenue
P.O. Box 3623
Portland, OR 97208-3623

Date

⁴The regulation at 36 C.F.R. 215.1 indicates that 215 only applies to "projects and activities implementing forest plans." Pursuant to 36 C.F.R. 215.4(e), the decision to make non-significant amendments to forest plans is expressly subject to appeal under 36 C.F.R. 217.

II-B-1-F 001
Amendment #6

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT EFFECT

USDA - Forest Service

Cloverdale Bald Eagle Site
1990 Deschutes National Forest Land and Resource Management Plan
Amendment #6
A Management Area Allocation Change
Deer Habitat to Bald Eagle Management

DECISION

It is my decision to implement Alternative 2 of the Cloverdale Bald Eagle Site Environmental Assessment. Implementation of this decision will result in an amendment to the 1990 Deschutes National Forest Land and Resource Management Plan to change the management prescription of approximately 565 acres of National Forest System land from Deer Habitat (MA 7) to a Bald Eagle Management Area (MA 3). No ground disturbing implementation proposals are included with this amendment.

The Record of Decision for the 1990 Deschutes National Forest Land and Resource Management Plan created a mechanism to incorporate new bald eagle habitat into new bald eagle management areas.

As a first step, when a bald eagle is encountered, the habitat around that area is evaluated to determine if it is essential or incidental. The second step is to evaluate the current management objectives for the area and determine how well those current objectives align with bald eagle recovery objectives.

The habitat in the Cloverdale Bald Eagle Site has been found to be essential, and analysis has indicated that this essential habitat can best be protected by changing the site to Bald Eagle Management Area.

LOCATION

The Bald Eagle Management Area (BEMA) is located entirely within the Deschutes National Forest, along Highway 20 in Deschutes County, about three miles southeast of Sisters, Oregon. The legal description is: T. 15 S., R. 10 E., and parts of S. 15, 16, 21, and 23.

The national forest system land of the Cloverdale BEMA includes two areas. BEMA-1 is about 102 acres and is north of Highway 20. BEMA-2 is about 463 acres and is south of Highway 20. A map showing the location of the proposed BEMA is attached (Figure DN-1).

NEED FOR ACTION

Because the Cloverdale area bald eagle habitat has been determined to be essential habitat, an evaluation was required to determine if current

management area objectives, standards and guidelines provide the best protection for this essential habitat.

ISSUES

Issues were derived from comments raised with regard to how changing the management area may affect the following site-specific resources:

1. **Wildlife** -- The proposed BEMA and future management strategies should maintain the important deer winter range and migration corridor.
2. **Squaw Creek Irrigation District** -- A proposed BEMA designation should allow the Squaw Creek Irrigation District to administer and maintain ditches, canals and ponds.
3. **Recreation** -- The proposed BEMA and future management strategies would restrict recreation activities such as hunting, and dispersed camping.
4. **Transportation** -- The proposed BEMA designation and future management strategies would impact the State of Oregon plans to widen Highway 20.

The effect that a BEMA designation would have on private lands was raised as a concern during scoping; however, as with the original Forest Plan analysis, activities on adjacent private lands would not be directly affected by any proposal because the Forest Plan governs National Forest System lands, and does not include private lands.

None of these issues was determined to be significant.

ALTERNATIVES

The interdisciplinary team (IDT) developed a no action alternative (Alternative 1) and one action alternative. At the heart of the evaluation of alternatives was the question of whether or not current management direction can sufficiently provide for protection of bald eagle habitat.

Alternative 1, no action, was not selected because although Deer Habitat management goals provide indirect protection of the bald eagle habitat, no coordinated planning would be available to guide the various activities within the management area. This guidance assures protection of the bald eagle essential habitat.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that this decision does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment in either context or intensity; therefore, an Environmental Impact Statement is not needed. These effects include direct, indirect and cumulative effects as described in the environmental assessment and supporting documents.

I have found that the context of the environmental impacts of this decision is limited to the local area and is not significant. I have also determined that

the severity of these impacts are not significant by considering the following factors of intensity:

1. The analysis considered both beneficial and adverse effects.
2. There are no known adverse impacts to public safety.
3. No unique characteristics of the geographic area such as cultural resources and wetlands will be adversely affected.
4. The effects on the quality of the human environment are not likely to be highly controversial.
5. The degree of the possible effects on the human environment are not highly uncertain, nor are unique or unknown risks involved.
6. The actions should not set a precedent for future actions which may have significant effects, nor do these actions represent a decision in principle about a future consideration.
7. These actions are not related to other actions that when combined will have significant impacts.
8. Changing the management area for the Cloverdale Bald Eagle Site will not affect sites or objects listed or eligible for listing in the National Register of Historic Places.
9. No activity will occur that adversely impacts threatened, endangered, or sensitive species or habitat that has been determined critical for the protection of these species.
10. None of the proposed actions implemented by this decision threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

OTHER FINDINGS

Established Forest procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedures included review by the Forest Interdisciplinary Team.

This amendment is not significant because it is small in scope, limited to the 565 acres within the area of essential bald eagle habitat. The change in management prescription for this area causes no significant changes in the multiple-use goals and objectives for long-term resource management. The amendment amounts to a minor adjustment of Management Area boundaries which does not significantly change Plan multiple-use goals and objectives. It is therefore not a significant Forest Plan amendment.

IMPLEMENTATION DATE

Project implementation may take place seven days after publication of legal notice in The Bulletin.

This decision may be appealed pursuant to 36 CFR 217 by filing a written notice of appeal with John E. Lowe, Regional Forester, Pacific Northwest Region, PO Box 3623, Portland, OR 97208 within 45 days from the date of publication of the Legal Notice. The Notice of Appeal must meet the content requirements pursuant to 36 CFR 217.9 including sufficient narrative evidence and argument to show why this decision should be changed or reversed (36 CFR 217.9).

For further information, contact Ron Archuleta, Sisters Ranger District Wildlife Biologist, P.O. Box 249, Sisters, OR 97759. Telephone: (503) 549-2111.

Responsible Official: /s/ Sally Collins
SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Highway 20 East
Bend, OR 97701

May 5, 1995
Date

* Published in The Bulletin one time only, on May 10, 1995.

**DECISION NOTICE
FINDING OF NO SIGNIFICANT IMPACT**

**USDA FOREST SERVICE R-6
DESCHUTES NATIONAL FOREST
CRESCENT RANGER DISTRICT
KLAMATH COUNTY, OREGON**

**WALKER MOUNTAIN ELECTRONIC SITE
ENVIRONMENTAL ASSESSMENT REVISION**

FOREST PLAN AMENDMENT #7

An Environmental Assessment has been prepared for the Walker Mountain Electronic site and is available for public review at the Deschutes National Forest Supervisor's Office, 1645 Highway 20 East, Bend, Oregon 97701 and at the Crescent Ranger District, Highway 97, Crescent, Oregon 97733. The assessment was prepared by an interdisciplinary team (IDT) and discusses the proposed revision of the 1982 environmental assessment, which reviews the environmental documentation, the existing condition of the site, and the issues which have a bearing on the continued development and use of Walker Mountain, to determine if the environmental analysis needs to be corrected, supplemented or revised.

PURPOSE AND NEED

The purpose of this environmental assessment is to revise the 1982 Walker Mountain Electronic Site Development EA, protect Historical Properties, meet visual quality objectives, allow for the continued use of the electronic site, and to ensure compliance with the 1990 Deschutes LRMP.

The need for action results from the 1991 Determination of Eligibility of Historic Properties on Walker Mountain and the potential for continued development to adversely affect them.

LOCATION

The analysis area is located on the Crescent Ranger District, Deschutes National Forest, 18 miles south of the Crescent Ranger Station, on top of Walker Mountain, T.26 S., R.8 E., Section 24, Willamette Meridian, Klamath County, Oregon.

PUBLIC INVOLVEMENT & CONCERNS

A public involvement process was conducted for this project. The Forest Service solicited comments on electronic communications site development at Walker Mountain in several ways. The Deschutes National Forest published the proposal in its Schedule of Proposed Actions beginning in August 1993. On July 21, 1993, a communications site plan outline was sent to interested individuals and user groups, State, Federal, County and Tribal Agencies. Neither of these notices resulted in comments by concerned publics or agencies. The Forest Service also sent communications site plan outlines to Walker Mountain permit holders. Comments were received from Western Radio Inc.

On November 8, 1993, the Forest Service held a meeting with communications site users, planners and cultural resource specialists. Representatives from the Forest Service explained the historical significance of the site and presented possible stipulations for a Memorandum of Understanding (MOA) with the State Historic Preservation Office (SHPO)

The Forest Service entered consultation with SHPO and developed a MOA for the continued use of the site where adverse affects to the historic properties will be avoided.

ISSUES

Comments received from the public, current special-use permit holders of the site, state and federal agencies, and resource specialists were used to identify which issues would formulate alternatives for the Walker Mountain Electronic Site.

The issues identified include: The presence of Historical Properties, Scenic Quality and the potential for interference. The issues which were tracked include: the Historic Properties and visual quality. The concern regarding interference between communications facilities was not considered in this EA, but is addressed in the 1994 Management Plan, Technical Standards and Forest Service Manual. The Special Use Permit provides direction regarding resolution of interference issues. The issues of Historic Properties and visual Quality were used to develop alternatives, were addressed by elements common to all action alternatives, or were dealt with by mitigation measures. The issues that were determined to have a bearing on this EA are:

ISSUE 1) HISTORICAL PROPERTIES

The lookout tower, stone/log building and garage have been determined eligible for the Register of Historic Places. The continued development of the communications site without additional management requirements will adversely affect these historic properties.

ISSUE 2) VISUAL QUALITY

Sections of the planning area are visible from Highways 58 and 97. There is a concern that management activities may reduce the visual quality of the area as observed from major transportation routes.

The clutter of communications buildings and towers seem to have compromised the rustic setting, at least the part of the site in the vicinity of the lookout tower.

ALTERNATIVES CONSIDERED

ALTERNATIVE A

This alternative would manage the site under the guidelines established in 1982 EA as adopted by the Forest Plan. Development would continue until zones A, B and C are fully occupied (see appendix for 1982 EA).

ALTERNATIVE B

This alternative would re-define the area of the site available for development and limit the number of towers and buildings permitted at the site. Zones A and C would no longer be available for electronic site development. The communications facilities in zone A will be phased out and moved to zone B. This alternative will incorporate the re-defined site development boundaries identified in the 1994 Memorandum of Agreement with the State

Historic Preservation Office (see appendix). The elements of the management plan that are pertinent to the site re-definition and limiting of continued development are as follows:

The number of towers and buildings would be limited to 16 and 8 respectively.

Tower heights will not exceed 100 feet.

Visual quality analysis will be required prior to increasing the height or changing locations of existing towers.

Within zone A visual elements that detract from the character of the historic properties will be phased out and activities and construction which would further diminish this historic character will not be permitted.

Trees will not be removed unless absolutely necessary for safety, fire hazard or obstruction of beam paths. In all cases topping is preferable to removal.

DECISION AND REASONS FOR THE DECISION

Based on how the alternatives respond to the issues and how the selected alternative will meet future needs, I have decided to implement Alternative B with its associated mitigation measures for implementation. Implementation of the alternative will result in a nonsignificant amendment to the Deschutes National Forest's Land and Resource Management Plan (LRMP). This amendment will consist of adjustments to the designated area on Walker Mountain where electronic site development may continue and establish limits for continued use and development. Specifically, Appendix 7 page 1 of the LRMP, Electronic Site Designation, will adopt the enclosed EA for the continued designation and use of Walker Mountain as an electronic site.

I have selected this alternative since it best responds to the need for protection of Historic Properties, it ensures that visual quality objectives are met, and it allows for the continued orderly development and use of Walker Mountain as an electronic site.

Forest Plan Consistency and National Forest Management Act Findings

The site-specific analysis documented in the environmental assessment for the Revised Walker Mountain Communication Site confirms that:

- The selected alternative is consistent with the management direction in the Forest Plan.
- The actions in the selected alternative are consistent with Forest Plan management area standards and guidelines, and move the management areas and resources within the project area toward the desired future conditions described in the Forest Plan.

Management of Competing and Unwanted Vegetation

I have reviewed the alternatives for future management of potential associated (competing and unwanted) vegetation for this project, and have determined that no circumstances exist that would create a need for herbicide use. Hence, I have decided that no herbicides will be used as a result of implementing this project. In the event that future circumstances arise that would result in a need for herbicide use, I hereby direct that a full environmental analysis, tiered to this environmental assessment, be completed with full public involvement.

All manipulation of vegetation will comply with the seven requirements of 36 CFR 219.27 (b). Vegetation management practices prescribed in this document should not require control of associated vegetation by herbicide.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that implementing Alternative B is not a major Federal action, and the content and intensity of the effects from it would result in no significant effect on the human environment (40 CFR 1508.27). Therefore, an environmental impact statement is not needed. This determination is based on consideration of the information contained in the environmental assessment (EA) and supporting documents, and on the following factors:

1. The physical and biological effects are limited to the project area, which has no special uniqueness, such as park lands. The action does not set a precedent for other projects that may have significant effects.
2. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. Based on the public scoping for this project, the effects of the proposed action are not likely to be controversial.
3. There are no known significant irreversible or irretrievable commitments of resources resulting from the proposed action. Sufficient information is available to make a reasoned choice among alternatives based on the analysis information in the environmental assessment and past actions of similar intensity in this area. Irreversible and irretrievable commitments are also discussed in the FEIS for the Deschutes Forest Plan.
4. There are no known significant cumulative effects from this project and other projects implemented or planned on areas separate from the project area.
5. There are no known significant effects to human health and safety.
6. Historical Properties are present and may be adversely affected without implementing the mitigations identified in the Memorandum of Understanding developed between the Forest Service and the State Historic Preservation Office. The effects on cultural and historic resources will be mitigated through the implementation of the selected alternative. Alternative B implements the MOA, through the MOA, development standards would apply to current and future management regarding Walker Mountain Communication Site. The Advisory Council for Historic Preservation has accepted the MOA, the requirements of Section 106 of the National Historic Preservation Act and other pertinent Federal laws have been satisfied.
7. There are no known significant adverse impacts to wetlands, floodplains, prime farmlands, rangeland, or forest land.
8. There are no known significant adverse impacts to minority groups, civil rights, women, or consumers. No impacts to American Indian social, economic, or subsistence rights are anticipated, nor to the American Indian Religious Freedom Act.
9. The proposed action does not affect any proposed, threatened, endangered, or sensitive species of plants or animals. Biological evaluations are available in the analysis file for this project.
10. The proposed action is in compliance with relevant federal, state, and local laws, regulations, and requirements designed for the protection of the environment. The proposed action would meet state water and air quality standards.

11. No Pacific Yew occurs within the project area.
12. No suitable Northern Spotted Owl habitat will be affected by the proposal or related activities. There are no proposed Habitat Conservation Areas in this project analysis area. The location of the electronic site is not within the range of the northern spotted owl.

IMPLEMENTATION DATE

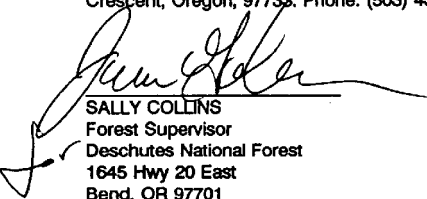
Implementation of decisions made by the Forest Supervisor, which are subject to appeal pursuant to 36 CFR 217, shall not occur for 7 calendar days following publication of the legal notice of this decision. The appeal period closes 45 days after publication of a legal notice of this decision in the *Bulletin* newspaper, published in Bend, Oregon.

APPEAL RIGHTS

This decision may be appealed pursuant to 36 CFR 217 by filing a written notice of appeal with John Lowe, Regional Forester, Pacific Northwest Region within 45 days from the date of publication of the Legal Notice. The Notice of Appeal must meet the content requirements pursuant to 36 CFR 217.9 including sufficient narrative evidence and argument to show why this decision should be changed or reversed.

Regional Forester
ATTN: 1570 Appeals
P.O. Box 3623
Portland, Oregon 97208-3623

For further information, contact Dan Michola, NEPA Coordinator, Crescent Ranger District, P.O. Box 208, Crescent, Oregon, 97733. Phone: (503) 433-2234.



SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Hwy 20 East
Bend, OR 97701

7/20/85
Date



DECISION NOTICE
FINDING OF NO SIGNIFICANT IMPACT

USDA FOREST SERVICE R-6
DESCHUTES NATIONAL FOREST
WINEMA NATIONAL FOREST
DESCHUTES, JEFFERSON LAKE AND KLAMATH COUNTIES, OR

**MATSUTAKE MUSHROOM MANAGEMENT
ENVIRONMENTAL ASSESSMENT**

DESCHUTES NATIONAL FOREST PLAN AMENDMENT #8

WINEMA NATIONAL FOREST PLAN AMENDMENT #6

An Environmental Assessment has been prepared for the collection of matsutake mushrooms as a commercial and personal use forest product. The environmental assessment is available for public review at the Deschutes National Forest Supervisor's Office, 1645 Highway 20 East, Bend, Oregon 97701, the Crescent Ranger District, Highway 97, Crescent, Oregon 97733, The Winema National Forest Supervisors Office, 2819 Dahlia, Klamath Falls, Oregon 97601 and the Chemult Ranger District, Chemult, Oregon 97731.

The assessment was prepared by an interdisciplinary team (IDT) and discusses the proposed amendments to the Deschutes and Winema Forest Plans.

BACKGROUND

Matsutake mushrooms are locally abundant in many areas of the Deschutes and Winema National Forests. Matsutake mushrooms are sought after by commercial harvesters and recreational pickers. The harvest of these mushrooms is currently managed through the issuance of permits, administration of permit conditions and enforcement of local, state and federal laws. In the late summer and early fall, thousands of mushroom pickers arrive on the Deschutes and Winema National Forests to participate in the harvest of this cash crop.

PURPOSE AND NEED

The purpose of this environmental assessment is to establish management direction that reduces conflicts between user groups and reduces or eliminates adverse environmental effects. The need to provide additional management direction is demonstrated by the demand for matsutake mushrooms, resource concerns, public comments received and the issues identified.

This environmental assessment will address existing issues and resource concerns associated with the collection of matsutake mushrooms on the Deschutes and Winema National Forests.



LOCATION

The geographic area of consideration of this environmental assessment is the Deschutes and Winema National Forests in Central and South Central Oregon.

PUBLIC INVOLVEMENT & CONCERNS

Public involvement regarding the management of matsutake mushrooms has been on-going for several years. Most recently the Deschutes and Winema National Forests developed a proposed action which identified preliminary issues and proposed establishing goals and objectives, and standards and guidelines for managing the matsutake mushroom program. This proposed action was mailed to over 1200 addresses to groups, agencies and interested individuals.

ISSUES

Comments received from the public, state and federal agencies, and resource specialists were used to identify which issues would formulate alternatives for the Matsutake Mushroom Management Environmental Assessment.

The issues identified include:

- Availability of Matsutake Mushrooms**
- Customer Service**
- Cultural Resources**
- Conflicts Between Harvesters and Recreational Users**
- Use of Developed and Dispersed Campgrounds**
- Economics**
- Native American Traditional Use and Subsistence Activities**
- Matsutake Sustainability**
- Personal and Recreation Collection**
- Proposed Endangered, Threatened, Sensitive Plants**
- Wildlife Including Proposed, Endangered and Threatened Species**
- Fire Management**
- Incomplete and Unavailable Information**
- Harvest Season**
- Education**
- Deer Hunting**
- Local Preference**
- Forest Ecosystems**

ALTERNATIVES CONSIDERED


ALTERNATIVE A

This alternative would manage the program under the administrative guidelines established in 1994 Matsutake Mushroom Management Plan. Harvesting of mushrooms would continue without mechanisms in place to limit or restrict use to protect resources and reduce conflict.

ALTERNATIVE B

This alternative would establish Goals and Objectives, and Standards and Guidelines to be incorporated into the Deschutes and Winema National Forest's Land and Resource Management Plans. These





amendments would provide management direction which would reduce conflicts between users and provide protection for resources.

ALTERNATIVE C

This alternative would discontinue allowing the commercial harvest of matsutake mushrooms.

DECISION AND REASONS FOR THE DECISION

Based on how the alternatives respond to the issues and how the selected alternative will meet future needs, I have decided to implement Alternative B with its associated Goals and Objectives, and Standards and Guidelines. Implementation of the alternative will result in non significant amendments to the Deschutes and Winema National Forest's Land and Resource Management Plans (LRMP). This amendment provides additional management direction for the purpose of continuing to provide this valuable special forest product in an economically sound, environmentally sensitive and a socially responsive manner.

I have selected this alternative since it best responds to the need for additional resource protection, it provides mechanisms to reduce conflicts and it allows the agency to respond to issues when thresholds are being approached.

Forest Plan Consistency and National Forest Management Act Findings

The programmatic analysis documented in the environmental assessment for the Matsutake Mushroom Management confirms that:

- The selected alternative is consistent with the management direction in the Forest Plan as amended by the Record of Decision for the Northwest Forest Plan, The Decision Notice for the Inland Native Fish Strategy and the East Side Screens.
- The actions in the selected alternative are consistent with Forest Plan management area standards and guidelines, and move the management areas and resources within these National Forests toward the desired future conditions described in the Forest Plan.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that implementing Alternative B is not a major Federal action, and the content and intensity of the effects from it would result in no significant effect on the human environment (40 CFR 1508.27). Therefore, an environmental impact statement is not needed. This determination is based on consideration of the information contained in the environmental assessment (EA) and supporting documents, and on the following factors:

1. The physical and biological effects are limited to the project area, which has no special uniqueness, such as park lands. The action does not set a precedent for other projects that may have significant effects.
2. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. Based on the public scoping for this project, the effects of the proposed action are not likely to be controversial.
3. There are no known significant irreversible or irretrievable commitments of resources resulting from the proposed action. Sufficient information is available to make a reasoned choice among alternatives based on the analysis information in the environmental assessment and past



actions of similar intensity in this area. Irreversible and irretrievable commitments are also discussed in the FEIS for the Deschutes Forest Plan.

4. There are no known significant cumulative effects from this additional management direction being implemented.
5. There are no known significant effects to human health and safety.
6. Historical properties and cultural resources are present and may be adversely affected without implementing the standards and guidelines identified in Alternative B.
7. There are no known significant adverse impacts to wetlands, floodplains, prime farmlands, rangeland, or forest land.
8. There are no known significant adverse impacts to minority groups, civil rights, women, or consumers. No impacts to American Indian social, economic, or subsistence rights are anticipated, nor to the American Indian Religious Freedom Act.
9. The proposed action does not affect any proposed, threatened, endangered, or sensitive species of plants or animals. Biological evaluations are available in the analysis file for this project.
10. The proposed action is in compliance with relevant federal, state, and local laws, regulations, and requirements designed for the protection of the environment. The proposed action would meet state water and air quality standards.
11. No Pacific Yew would be adversely affected by this alternative.
12. Suitable Northern Spotted Owl habitat occurs within the area of consideration. Standards and guidelines identified in Alternative B will provide protection of Northern Spotted Owls and their Habitat. A Biological Evaluation has been completed and there has been a finding of No Adverse Affect by implementing Alternative B.

IMPLEMENTATION DATE

Implementation of decisions made by the Forest Supervisors, which are subject to appeal pursuant to 36 CFR 217, shall not occur for 7 calendar days following publication of the legal notice of this decision. The appeal period closes 45 days after publication of a legal notice of this decision in the *Bulletin and Herald and News* newspapers, published in Bend and Klamath Falls, Oregon.

APPEAL RIGHTS

This decision may be appealed pursuant to 36 CFR 217 by filing a written notice of appeal with John Lowe, Regional Forester, Pacific Northwest Region within 45 days from the date of publication of the Legal Notice. The Notice of Appeal must meet the content requirements pursuant to 36 CFR 217.9 including sufficient narrative evidence and argument to show why this decision should be changed or reversed.





Regional Forester
ATTN: 1570 Appeals
P.O. Box 3623
Portland, Oregon 97208-3623

For further information, contact Dan Michola, NEPA Coordinator, Crescent Ranger District, P.O. Box 208, Crescent, Oregon, 97733. Phone: (503) 433-2234.

SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Hwy 20 East
Bend, OR 97701

BOB CASTANEDA
Forest Supervisor
Winema National Forest
2819 Dahlia
Klamath Falls, OR 97601

Effective 9-13-95
in paper



INLAND NATIVE FISH STRATEGY

Environmental Assessment

Amendment #9

United States
Department of
Agriculture

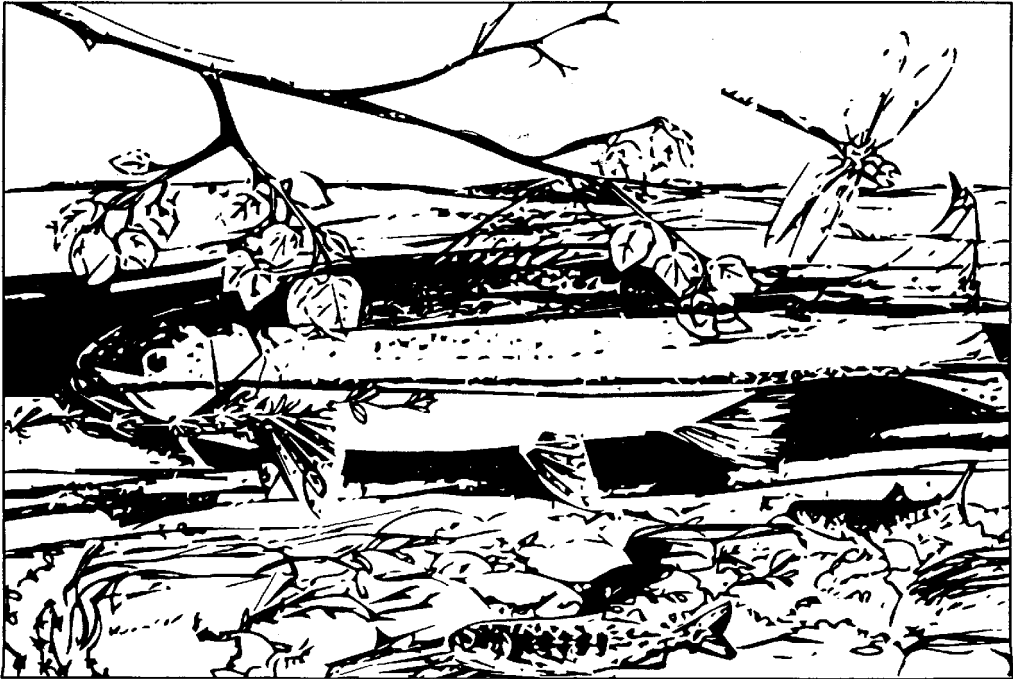
Forest Service

Decision Notice and Finding of No Significant Impact



1995

<http://www.Fs.Fed.us/t6/fish>



Intermountain, Northern, and Pacific Northwest Regions

II-B-1-J 002

Decision Notice
and
Finding of No Significant Impact
for
Emerald Environmental Assessment
and
Forest Plan Amendment #10

Deschutes National Forest
Bend-Fort Rock Ranger District
Deschutes and Lake Counties, Oregon

Location

The Emerald Planning Area covers approximately 19,000 acres east of Highway 97 on the Bend-Fort Rock Ranger District. The area is bounded by Surveyors Lava Flow to the north, Road 2430 (below Green Butte) to the south, Roads 2225 and 2430-200 to the east and Road 2121 to the west. A small portion of the planning area adjoins Newberry National Volcanic Monument to the north. Road 22 from LaPine bisects the area. The area is east of the Northwest Forest Plan (President's Plan) boundary line. The planning area is in the Ft. Rock and Long Prairie Subwatersheds. Located within the planning area are three Old Growth Management Areas (MA-15) identified as #101, F-10, and #127.

Decision

It is my decision to implement Alternative E of the Emerald Environmental Assessment. Implementation of this decision will result in an amendment to the 1990 Deschutes National Forest Land and Resource Management Plan to change boundaries on two Old Growth Management Areas #101 and #127, changing approximately 70 acres of General Forest Management Area (MA-8) to Old Growth Management Area (MA-15). No ground disturbing implementation proposals are included with this amendment.

These boundary changes would facilitate management by following identifiable features on the ground and reduce fragmentation. The northernmost old growth area would include a late structural stage stand while excluding a previously harvested area.

Five alternatives were analyzed in the EA, four of which contained this action (Alternatives B, C, D, and E). Alternative A is the no action alternative.

Alternatives Considered But Not Chosen

Alternative A - No Forest Plan Amendment would occur. The current boundary would stay the same, lacking identifiable features on the ground. Two plantations would remain included within the boundary and an adjacent later structural stand would be excluded.

Public Participation

The 30 day notice and comment period for this portion of the preferred alternative ended April 9, 1996. Responses were received from Ochoco Lumber and Central Oregon Motorcycle and ATV Club. The information used from these comments and how it was incorporated into the analysis can be found in Attachment 11 of the Emerald Environmental Assessment.

Finding of No Significant Impact

Based on the site-specific analysis documented in the Environmental Assessment, I have determined that this decision does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement will not be necessary.

Beneficial and adverse direct, indirect, and cumulative environmental impacts discussed in the Environmental Assessment have been disclosed within the appropriate context. No significant effects to the human environment have been identified. This determination is based on the following factors:

(1) An analysis of the cumulative effects of the boundary change indicated that the combined effects are neither significantly adverse nor beneficial to the environment.

Based on the analysis, I expect no adverse or short duration impacts from implementation of this alternative (EA, pages 48).

(2) No significant adverse effects to public health or safety have been identified (EA, page 55).

(3) There will be no significant adverse impacts to unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (EA, page 53).

(4) The degree to which the effects on the quality of the human environment is not significant and this action is not likely to be highly controversial.

(5) 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, page 34).

(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, Purpose and Need, page 1).

(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, Landscape Analysis, page 3; Watershed Analysis, Attachment 10).

(8) The Forest Archeologist applied criteria of effect and adverse effect as found in 36 CFR 800.9, and determined that implementation of this decision would have no adverse effect to districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources (EA, page 53).

(9) The Biological Evaluation for the area indicates that the proposed project will have no significant adverse impacts on any Proposed, Endangered, Sensitive or Threatened plant or animal species or it's habitat that has been determined to be critical under the Endangered Species Act of 1973 (EA, pages 34-47).

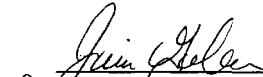
(11) This decision is in compliance with relevant Federal, State, and local laws, regulations, and requirements designed for the protection of the environment (EA, page 53; Attachment 10).

Other Findings

Established Forest procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedure included review by the Forest Interdisciplinary Team. I have determined the amendment to be site specific with the effects limited to the project area. The amendment amounts to a minor adjustment of two Old Growth (MA-15) Area boundaries (#101, #127) which does not significantly change Plan multiple-use goals and objectives and therefore is an insignificant Plan amendment. There are no other changes in the Record of Decision for the FEIS for the Deschutes National Forest Land and Resource Management Plan.

This action has been prepared pursuant to and is consistent with the goals, objectives, and direction contained in the Deschutes LRMP and accompanying final environmental impact statement dated August 27, 1990 as amended by the Regional Forester's Forest Plan Amendment #2.

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 Bend Bulletin. For further information, contact Chris Mickle, Bend-Fort Rock Ranger District, 1230 NE Third, Bend Oregon 97701, (phone 503-383-4721).


SALLY COLLINS
Forest Supervisor
as

4/15/96
Date

**DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR
PAWN ENVIRONMENTAL ASSESSMENT
AND
FOREST PLAN AMENDMENT #11**

USDA Forest Service R-6
Deschutes National Forest
Klamath County, Oregon
Crescent Ranger District

LOCATION

An Environmental Assessment has been prepared for the Pawn Analysis Area. This area is located approximately 60 miles south of Bend. It is bordered on the northeast by Highway 58, on the east by Highway 97, and on the south by the Winema National Forest boundary. The project is located in T.25 S., R.8 E and T.26 S., R.8 E.; Willamette Meridian, Klamath County, Oregon. The environmental assessment evaluated proposals including salvaging dead lodgepole and ponderosa pine; selection harvesting a ponderosa pine stand, underburning ponderosa pine and mixed conifer stands, modifying Old Growth Management Area (MA-15) boundaries, and closing or obliterating roads.

DECISION AND RATIONALE

Based on the analysis documented in the environmental assessment (EA), it is my decision to implement a modified Alternative D. Alternative D as described in the EA would salvage 1,893 acres of lodgepole and ponderosa pine that was blown down in the October 1994 windstorm or has mortality from mountain pine beetles. In addition, this alternative would selection harvest 23 acres of ponderosa pine, prescribed underburning would occur on 539 acres of ponderosa pine and mixed conifer, and 31.0 miles of roads would be closed or obliterated. Two Old Growth Management Areas (MA-15) would have their boundaries modified to replace areas that were blown down with areas that may attain late or old structure more quickly. The total acreage of the two Old Growth Management Areas would increase by 50 acres with the delineation.

The modifications to Alternative D include deferring salvage harvest in areas with a high water table, big game fawning and calving habitat, and the northwest Old Growth Management Area. The resulting modified alternative would salvage 1,799 acres of dead or blown down lodgepole and ponderosa pine. The treatment type for Units 01, 03A, 04, 13A, 41, and 52 (79 total acres) has been changed from salvage harvesting to personal use firewood collection, and Units 38, 39, 40, 54, and 66 (45 total acres) have been changed from salvage harvesting to commercial firewood.

Another modification includes increasing the amount of down woody debris to be retained in Units 82, 84, and 85 from 5-7 to 8-10 logs per acre to improve the habitat quality for species associated with down wood. The units indicated above are located within connectivity corridors linking two interior blocks of late and old structured habitat.

The boundary to the Old Growth Management Area located in T. 26 S., R.8 E, Sections 17 and 20 will be adjusted to replace areas that were blown down. This boundary change will result in a 14 acre increase in the size of the Old Growth Management Area. The acres added to the Old Growth Area currently contain vegetation that is either late or old in structure, or will attain this structure more rapidly than the blown down areas being replaced. The adjustment to the Old Growth Management Area boundary constitutes

an amendment to the 1990 Deschutes National Forest Land and Resource Management Plan. All other aspects of Alternative D would be implemented.

Alternative D as modified was selected since it best meets the purpose and need and responds to the issues identified during scoping. Some late and old structured stands are treated with salvage activities and/or prescribed underburning. However, the late and old structure is retained. The boundary to the northwest Old Growth Management Area was not modified to allow treatment of the areas that were blown down, since this would have resulted in a decrease in the amount of interior habitat located in the Old Growth Area. In addition, this Old Growth Area contains riparian habitat and big game fawning and calving habitat.

This modified alternative maintains two marginal connectivity corridors, including areas in early structural stages, between interior blocks. These corridors were damaged by the windstorm and beetle epidemic. Salvage treatment will occur in portions of the corridors to reduce the fuels accumulations, promote development of natural regeneration, and scarify the soil. Additional down woody debris (8-10 logs per acre) will be retained in these two corridors to maintain connectivity and improve habitat quality for wildlife species that rely on moderate to high levels of down logs such as the American marten. In addition, piles of large woody debris will be left to provide denning, resting, and prey base habitat for American marten. This alternative is responsive to the connectivity issue while reducing fuel loading.

Within the remainder of the harvested lodgepole pine stands 5-7 down logs and 4.5 snags per acre will be retained in lodgepole pine stands. In ponderosa 1-2 down logs and up to 4.5 snags per acre will be retained. These levels are consistent with the Continuation of Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales.

This modified alternative best responds to the issue of fire and fuel loading. The fuel loading and fire hazard are reduced on the largest amount of acres. In addition, this alternative as modified is the most responsive to the issue of salvage, utilization, and economics. This alternative is least responsive to the issue of soils and watershed as the most acres will be impacted. However, if a catastrophic fire were to occur, extensive damage to the soils could result. If detrimental compaction occurs, these areas will be restored through subsoiling.

ALTERNATIVES CONSIDERED

In addition to Alternative D, three other alternatives were analyzed in the EA. They include:

Alternative A (No Action) proposed no management activities. This alternative would not reduce fuels accumulations or associated hazards, nor would this alternative utilize merchantable wood products. This alternative would have the least adverse effect on wildlife and soils; however, short and long-term risk to these resources from catastrophic fire would not be reduced.

Alternative B proposed salvage harvesting on 812 acres of wind blown and mountain pine beetle-killed timber. This alternative deferred salvage treatment on 1,081 acres, including the Old Growth Management Areas, in part to maintain interior blocks and connectivity habitat between them which are used by species associated with late and old structured stands. Portions of the connectivity habitat maintained are marginal in quality due to the blowdown and pine beetle epidemic. Within salvage areas 5-7 down logs per acre will be retained. Selection harvesting would occur on 23 acres, 539 acres would be prescribed underburned, and 31.0 miles of road would be closed or obliterated. This alternative is the least responsive of the action alternatives in addressing the issues of fire and fuel loadings and salvage, utilization, and economics.

Alternative C proposes salvage harvesting on 1,423 acres of wind blown and mountain pine beetle-killed timber. This alternative defers salvage on 470 acres, including the Old Growth Management Areas, in order to maintain interior blocks and three connectivity corridors. Portions of the connectivity corridors

maintained are marginal in quality due to the blowdown, pine beetle epidemic, and early structural stands. Within the areas of connectivity habitat treated in this alternative, 12-14 logs per acre will be retained to provide additional habitat for wildlife. Selection harvesting would occur on 23 acres, 539 acres would be prescribed underburned, and 31.0 miles of road would be closed or obliterated. This alternative is less responsive to the issues of fire and fuel loadings and salvage, utilization, and economics than Alternative D.

PUBLIC INVOLVEMENT

Public involvement for this environmental assessment originally began in March 1993. Due to new direction (Regional Forester's Forest Plan Amendment No. 1) and the October 31, 1994 windstorm additional scoping was completed in February 1995. Comments received from public and resource specialists were used to identify key issues which aided in the formulation of alternatives.

Following completion of the environmental assessment, a Notice for Public Comment was mailed to potentially interested parties on March 20, 1996 for a 20 day comment period. During this period two comments were received. A review of these comments concluded that are adequately addressed in the environmental assessment and response to comments. Copies of the responses are located in the EA Appendices.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that implementing the modified Alternative D is not a major Federal action that would significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement is not needed. This determination is based on the site-specific environmental analysis documented in the Environmental Assessment and supporting documents, and on the following factors:

1. An analysis of the cumulative effects of the fiber harvest and other 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 slightly adverse, short duration impacts from implementation of this alternative (Chapter 3).
2. There will be no significant direct, indirect, or cumulative effects to soil, water, fisheries, or wildlife resources, roadless areas, old growth stands, or other components of the environment (Chapter 3).
3. No significant adverse effects to public health or safety have been identified (Chapter 3, page 45).
4. There will be no significant adverse impacts to wetlands, wild and scenic rivers, floodplains, prime farm lands, old growth forests, range land or forest land, Pacific yew, minority groups, civil rights, women, or consumers. No significant effects are anticipated to any other environmentally sensitive or critical areas (Chapter 3).
5. The effects of implementation of this decision are not highly controversial (Chapter 3, page 46).
6. Based on previous similar actions in the area, the probably 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 (Chapter 3).
7. 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 (Chapter 1).

8. 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 (Chapter 3).

9. There are no known significant impacts to historical properties or cultural resources (Chapter 3, page 46).

10. There are no significant effects to any proposed, threatened, endangered, or sensitive plant or animal species. A biological evaluation was prepared for this project (Chapter 2, page 7; Chapter 3 pages 21-24, EA Appendices).

11. 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 will meet or exceed state water and air quality standards (Chapter 3).

OTHER FINDINGS

This action has been prepared pursuant to and is consistent with the goals, objectives, and direction contained in the Deschutes National Forest Land and Resource Management Plan (LRMP) and accompanying Final Environmental Impact Statement dated August 27, 1990 as amended by the Regional Forester's Forest Plan Amendment No. 2 and Inland Native Fish Strategy (1995).

The effects of the forest plan amendment are site-specific, with the effects limited to the analysis area. The amendment amounts to a minor adjustment of an Old Growth Management Area (MA-15) boundary which does not significantly change LRMP multiple-use goals and objectives and, therefore, is an insignificant Plan amendment. There are no other changes in the Record of Decision for the FEIS for the Deschutes National Forest Land and Resource Management Plan.

Vegetation management activities are consistent with the Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation published December 1988 and the subsequent Mediated Agreement of May 1989.

All timber is being harvested from lands suited for timber production.

Based on research and experience, all lands being harvested can be adequately restocked within 5 years of final harvest.

This decision is consistent with the seven vegetative manipulation requirements of 36 CFR 219.27 (b).

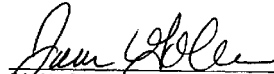
IMPLEMENTATION DATE

This project is scheduled for implementation beginning in the Fall of 1996.

This decision for the Pawn Timber Sale qualified as a salvage sale as described in the provisions of subsection 2001(e) of Public Law 104-19. Under that legislation salvage sales are not subject to the provision of the appeal regulations at 36 CFR 215.

This decision is subject to judicial review only in the United States district court for the district in which the affected Federal lands are located. As required under Section 2001(f)(1) of Public Law 104-19, any challenge to this salvage sale project must be filed in the district court within 15 days after the advertisement of the sale.

For further information, contact Phil Cruz or Kelle Reynolds, Crescent Ranger District, P.O. Box 208, Crescent, Oregon 97733, phone (541) 433-2234.


SALLY COLLINS
Forest Supervisor
Deschutes National Forest

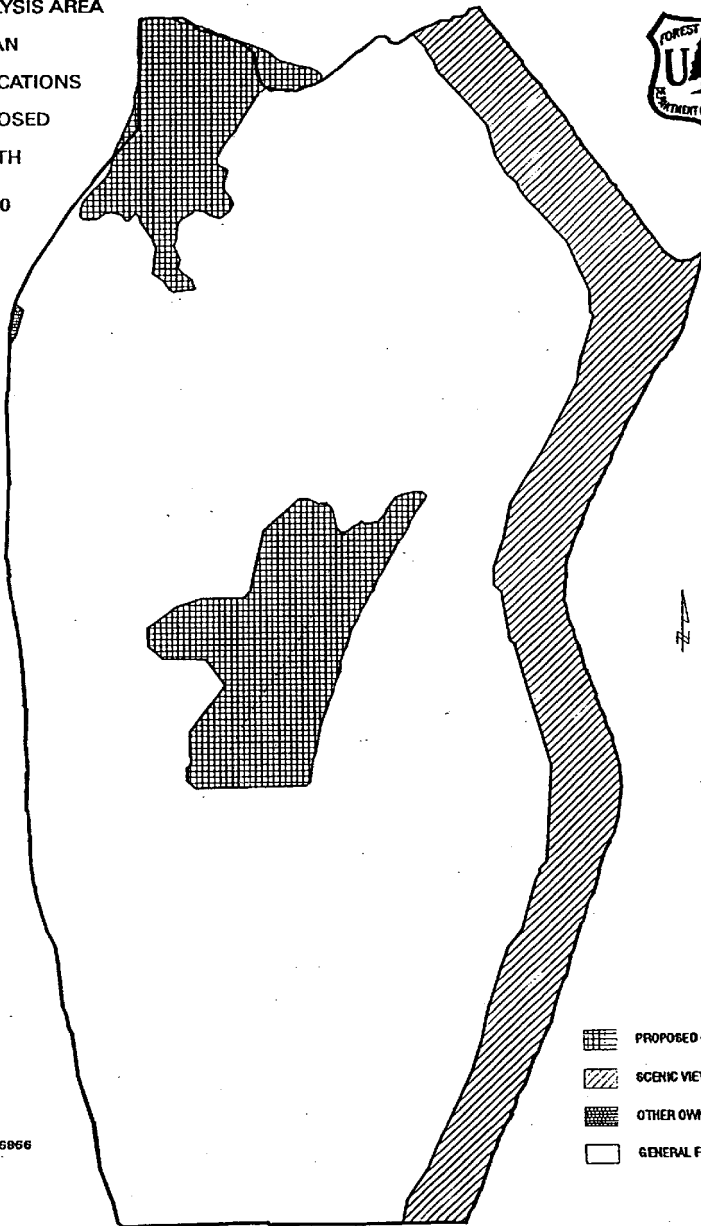
5/2/96
DATE

Amendment # 11

PAWN ANALYSIS AREA
FOREST PLAN
LAND ALLOCATIONS
WITH PROPOSED
OLD GROWTH



Figure 20



-  PROPOSED OLD GROWTH AREAS
-  SCENIC VIEWS
-  OTHER OWNERSHIP
-  GENERAL FOREST

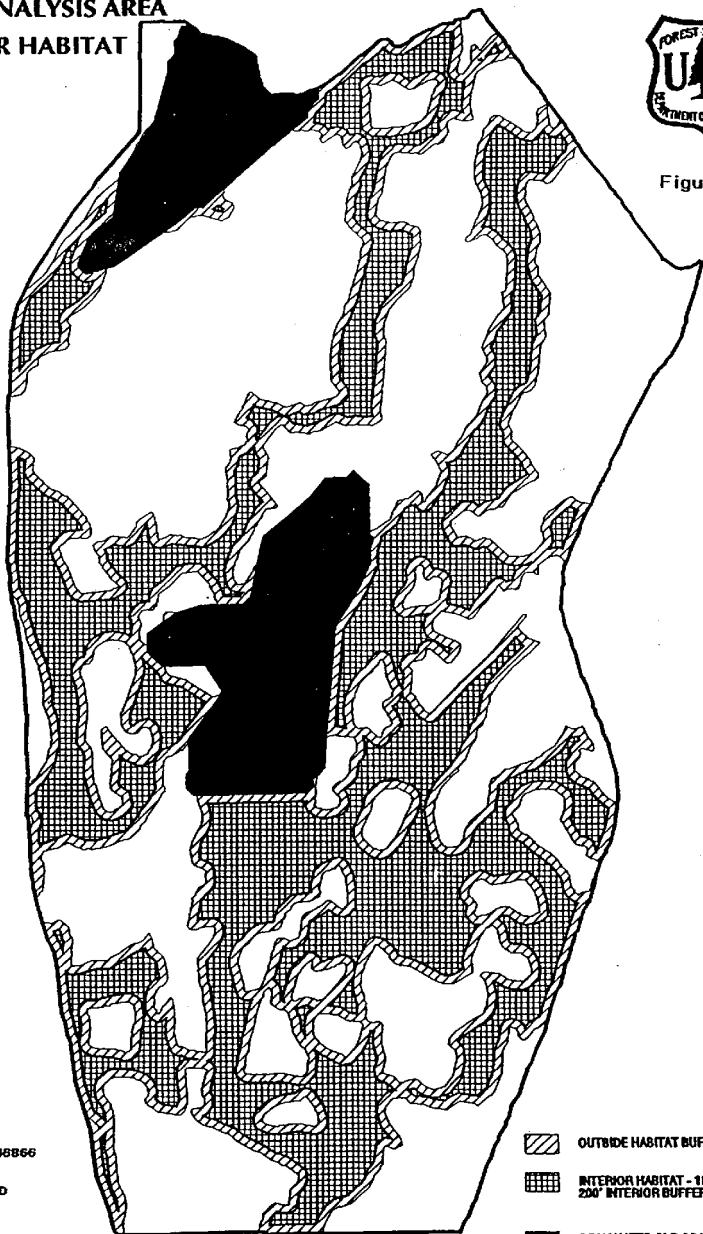
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B. Hardy
22-JAN-86

**PAWN ANALYSIS AREA
INTERIOR HABITAT**



Figure 21




SCALE = 1:36866

BNA/Crescent PD

FEB-86

 OUTSIDE HABITAT BUFFER - 1425 ACRES

 INTERIOR HABITAT - 1896 ACRES
200' INTERIOR BUFFER

 DESIGNATED OLD GROWTH AREAS

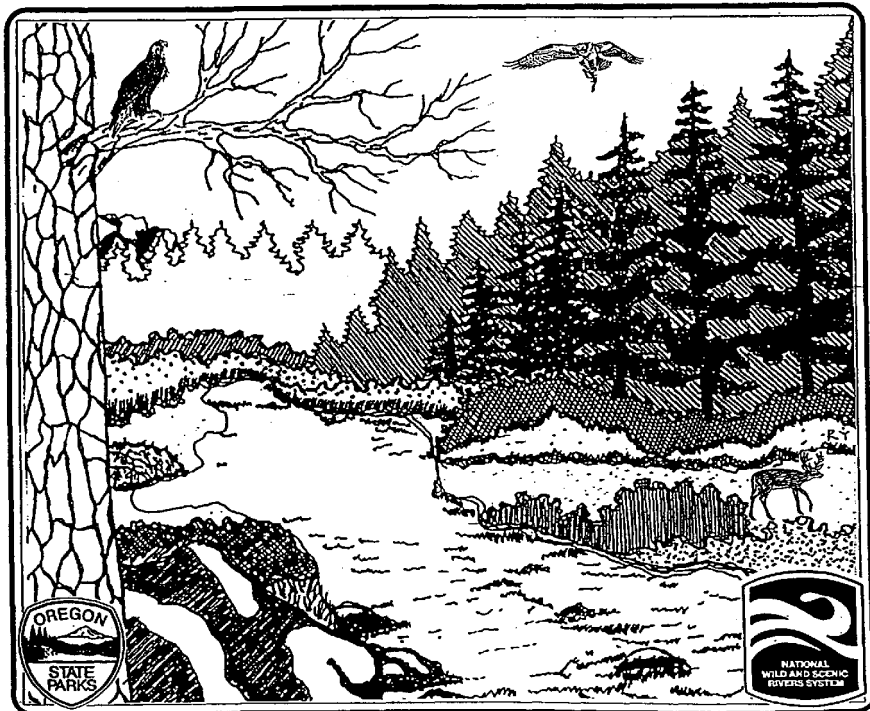
II-B-1-L 001
Amendment #12



Upper Deschutes Wild and Scenic River

Record of Decision and Summary of the Final Environmental Impact Statement

July 1996



**Record of Decision
for the
Upper Deschutes Wild and Scenic River
FEIS and Management Plan**

**Amendment #12
to the
Deschutes National Forest
Land and Resource Management Plan**

Introduction

The Upper Deschutes Wild and Scenic River corridor is a block of land totaling approximately 17,000 acres. It begins just downstream of Wickiup Dam at the Wickiup gauging station (which is approximately 30 miles southwest of Bend, Oregon) and continues downstream to the Bend Urban Growth Boundary. The river is classified as Scenic and Recreation under the Wild and Scenic Rivers Act. The legislation designating the Upper Deschutes as part of the national Wild and Scenic River system requires the Forest Service to prepare a comprehensive management plan for the river corridor. This management plan was developed through preparation of the Upper Deschutes Wild and Scenic River Environmental Impact Statement (EIS). The Notice of Intent to prepare this EIS was published in the Federal Register on January 8, 1992. (57 FR 47836)

The Upper Deschutes River Wild and Scenic River and State Scenic Waterway Comprehensive Management Plan (hereafter called the Upper Deschutes River Plan) is an innovative concept in river management. It is the result of a collaborative effort between federal, tribal, state, and local governments to develop a common vision of future river management. A number of federal, tribal, state and local agencies have authority over or interests in land and water uses within the Upper Deschutes corridor (See FEIS Chapter 1). The Forest Service joined a collaborative effort to address management issues on the river. Once adopted by the cooperating agencies, the Upper Deschutes River Plan will provide management direction for a number of different river authorities.

This Record of Decision establishes the Upper Deschutes River Plan as management direction for the Deschutes National Forest by amending the Deschutes National Forest Land and Resource Management Plan (Forest Plan) to create a new management area, MA-17A. The Upper Deschutes River Plan is being adopted by many agencies; however, this decision applies only to that portion of the Plan which is under the jurisdiction of the Forest Service.

Forest Service Authority

As the federal agency designated to administer the Upper Deschutes Wild and Scenic River, the Forest Service is required to set resource management goals necessary to protect and enhance Outstandingly Remarkable Values and to manage federal land adjacent to the river. However, the Forest Service does not have exclusive jurisdiction over the Upper Deschutes River.

The Forest Supervisor has the authority to establish a boundary for the Upper Deschutes Wild and Scenic River and to select an alternative for managing those resources and activities which are under the jurisdiction of the Forest Service.

The Wild and Scenic River Act specifies that the Upper Deschutes River Plan shall be coordinated with resource management planning for affected adjacent Federal lands. The National Forest Management Act of 1976 required the preparation of Forest Plans to direct management of each National Forest. The 1990 Deschutes Land and Resource Management Plan (Forest Plan), as amended by the Regional Forester's Forest Plan Amendment #2 and Inland Native Fish Strategy, has served as interim management direction for the Upper Deschutes River corridor until the completion of this plan. The FEIS and ROD for the Upper Deschutes River amends the Deschutes National Forest Land and Resource Management Plan to create the Upper Deschutes River Management Area. The direction in the Upper Deschutes River Plan results from the extensive analysis and considerations documented in the accompanying Final Environmental Impact Statement (FEIS). This plan is based on Alternative 6 described in the FEIS.

The new management area direction will continue all current management direction and forest-wide standards and guidelines except where specifically amended by the plan. Standards and guidelines of the new management area will replace all other management area direction except as follows. Standards and guidelines for Old Growth, Bald Eagle and Pringle Falls Experimental Forest Management Areas will continue to apply unless they conflict with the standards and guidelines for the Wild and Scenic River. In the case of a conflict a site-specific analysis will determine whether the standards and guidelines for the W&S River Management Area could be amended and still protect and enhance river values as required by the Wild and Scenic Rivers Act.

If the Upper Deschutes River Plan does not speak to a particular issue, the river corridor will be managed in accordance with the laws, rules, and regulations pertaining to the National Forest System and the Deschutes National Forest, the state of Oregon, Deschutes County, and the City of Bend to the extent that such laws and regulations are consistent with the Wild and Scenic River Act.

All proposed projects must be tested for consistency with the Upper Deschutes River Plan during the site-specific analysis or permitting process. If a proposed project is found to be inconsistent, one of three choices must be made: change the project, drop the project, or amend the Upper Deschutes River Plan.

In many cases, one or more elements of the Upper Deschutes River Plan have the potential to affect plans and programs under the jurisdiction of authorities other than the Forest Service. Changes to these existing plans, policies, or programs are not within Forest Service jurisdiction and must be undertaken by proper authority.

The Upper Deschutes River Plan is an administrative agreement between the Forest Service and the cooperative agencies. All decisions described in this ROD which are outside of the Forest Service's authority to implement are recommendations to other agencies.

Each of the cooperators in this effort will be going through different processes in order to adopt the final management plan. For most of the public entities, that means going through a process to adopt specific ordinances, administrative rules, or regulations. Often, this will include an approval process by specific boards or commissions, and include public hearings. Specific actions which must be taken by other authorities to adopt the management plan are discussed in the Upper Deschutes River Plan.

Amendment to the Forest Plan

The Upper Deschutes River Plan complies with the National Environmental Policy Act. A draft environmental impact statement and management plan (DEIS) analyzing six different alternatives for future management was released for public review in October 1995. The Notice of Availability was printed in the Federal Register on October 27, 1995 (59 FR 1017). Comments were received on the draft EIS up to January 29, 1996 (See FEIS Appendix A). These comments resulted in changes to the draft preferred alternative and to the analysis. These changes are reflected in this decision and the final environmental impact statement (FEIS) on which it is based. This Record of Decision and the accompanying Final Environmental Impact Statement will amend the Deschutes National Forest Land and Resource Management Plan (Forest Plan).

Decisions and Recommendations

My decision is to select Alternative 6 as identified in the FEIS for the management of the Upper Deschutes Wild and Scenic River. The Upper Deschutes River Plan presents the selected alternative in a "Standard and Guideline" format consistent with the Deschutes National Forest Land and Resource Management Plan.

Alternative 6 is a modification of the Draft EIS Preferred Alternative and was prepared in response to public comments and new information. Substantive changes between the DEIS Preferred Alternative and Alternative 6 include:

- All-terrain vehicles (ATVs) would be permitted on roads which are not maintained for passenger vehicles because of a recent change in Oregon State law. As in the DEIS, ATVs would not be allowed on closed roads or off-road on public lands within the river corridor.

- Snowmobiles would be allowed only on designated routes on public lands in the river corridor.
- The fuel loading and snag and down log objectives have been refined with ranges for each Plant Association Group based on reevaluation of the objectives for each river segment. A photo series of natural forest residues aided in visually quantifying the objectives for fire, wildlife, and to meet urban interface concerns.
- The road to Tetherow boat ramp would remain open to motorized vehicles to provide for drift boat use in Segment 2B.
- Cardinal Bridge would remain open under permit to Sunriver Owner's Association. The bridge would provide access to the National Forest for hikers, bikers, and horseback riders. Motor vehicles could use the bridge if necessary in emergency situations. Road 4100-280 would be maintained for emergency and administrative use.
- Road 4370 would be gated and maintained for emergency and administrative use between Wyeth Boat Ramp and Haner Park.
- Road 4360 would remain open to motor vehicles, because it provides access to private lands. Roads between Road 4360 and the river would be closed to protect the riparian area.
- The experimental ramping rates would be used during spring start-up only until the flow reaches 800 cfs. Above that level of flow, the ramping rate has a much reduced influence on turbidity. This will allow a faster response to crop needs, especially in mid-season.

Key aspects of this decision include:

1. Management goals, objectives, and Standards and Guidelines for Management Area 17A - the Upper Deschutes Wild and Scenic River corridor.
2. Establishment of a legal boundary within which river values will be considered.
3. Establishment of a monitoring program.
4. Agreement to participate with and provide assistance to other governmental agencies within the corridor to protect and enhance river values consistent with the intent of the Wild and Scenic River Act.

The Upper Deschutes River Plan will be implemented over the anticipated ten to fifteen year life of this management plan. Many of the probable actions identified in the FEIS, especially those involving ground-disturbing activity, will require site-specific planning and environmental analysis, as required by NEPA prior to implementation. Other actions that do not require ground disturbance and that fall within existing Forest Service administrative authorities, can be implemented without further environmental documentation. Included within this group are actions such as use of concessionaires to operate campgrounds, changes from camping to day use in developed sites, enforcement of regulations, and monitoring of resource conditions and visitor activities. Implementation of actions associated with the Upper Deschutes River Plan are contingent on overall funding levels and Congressional priorities within the Forest Service budget.

Recommendations to other authorities

I recommend that those cooperators (FEIS) with the appropriate authority adopt relevant portions of Alternative 6 and the Adaptive Flow Management Strategy. The Private Land Use and Flow Options sections of the FEIS have provided the basis for my recommendation. The recommendations contained herein are within the scope of the Wild and Scenic Rivers Act and NEPA.

Reasons for the Decisions and Recommendations

I made these decisions and recommendations by weighing each of the alternatives against several factors. I reviewed the environmental consequences disclosed in the FEIS, and I evaluated how the alternatives and flow options responded to the mandate of the legislation and other applicable laws, public issues, the intergovernmental collaborative planning process, and management concerns. No single factor was predominant in making the decision. I considered and balanced all of the factors in selecting the alternative that I believe will provide the greatest net public benefit. Factors relating to the decision and recommendations and a discussion of each issue follow.

Response to Significant Issues

In the course of public involvement and coordination with other agencies, state and local governments, tribes, and irrigation districts, as well as within the Forest Service, these and other planning issues were identified. Several became significant issues that were used in designing alternatives. Each alternative responds to the significant issues in different ways. Improvement of the situations represented in the issues was a primary objective in this planning effort. I have selected the alternative that I feel offers the greatest improvement of the situations while also addressing other factors. Issues are seen and understood differently among individuals, and I have listened to and considered a range of viewpoints in deciding how to deal with these issues. I have carefully weighed all public comments received on the draft EIS. Appendix A of the final EIS has a summary of public comments and my responses to these issues. The significant issues are identified and discussed below.

Issues 1 and 2

How should water flows be managed to protect and enhance outstandingly remarkable river values and provide for out of stream uses consistent with Wild and Scenic River Act and applicable water laws?

What management strategies should be implemented to improve water quality in order to protect or enhance the Outstanding Remarkable Values consistent with the Wild and Scenic River Act and applicable water quality standards.

Water is perhaps the most important resource in any river management plan and the Upper Deschutes is no exception. Use of water from the Deschutes River for the irrigation of crops and livestock has been an important part of the Central Oregon economy since the turn of the century. Six irrigation districts divert water from near Bend for the irrigation of 115,000 acres, about 90 percent of the harvested cropland in the tri-county area. One irrigation district also generates hydroelectric power at their diversion. Recreation is an important part of the local economy, and recreational visitors to public lands along the Upper Deschutes River total about 170,000 annually.

Throughout the scoping process, resource professionals and the public repeatedly identified concerns over the quantity of water and the effect of water quantity on river values. The collaborative work of this planning process combines the efforts of resource professionals and water managers to develop an integrated adaptive approach to improving instream conditions while continuing to refine and quantify the relationships between water quantity and river values.

This adaptive management strategy focuses on five key processes:

1. Identification of a set of long-term resource condition goals which represent a healthy river ecosystem.
2. Identification of specific management practices which are reasonably expected to achieve those resource conditions.
3. Implementation of the practices as funding and conditions allow. Actively pursue implementing identified practices.
4. Monitoring of resource conditions to track long-term trends and the effectiveness of management practices that are put in place.
5. Adaptation of long-term goals and specific management practices as necessary based on results of monitoring, new information, or meaningful changes in conditions.

The FEIS and River Plan use this five step process as the basis for identifying specific management practices to serve as a target for initiating instream flow improvements. The resource condition goals and several management practices are common to all flow options considered. Perhaps the most controversial of these specific management practices and the one around which the six flow options revolved is the targeted instream flow levels.

The six flow options evaluated increased increments of wintertime instream flow and resource conditions expected to result from the long-term maintenance of those flows. The range of increments is a result of grouping, in a logical economic set, of certain conservation or water management strategies which could result in the amount of water savings needed to supply the instream flow with no harm to the water users' current supply levels.

This resulted in Option 5 being the preferred long-term target instream flow, because it provides the best approximation of conditions which current studies suggest will protect and enhance river values and may be achieved for a relatively reasonable economic cost. Based on the best current social and scientific information, I recommend that the adaptive management strategy be adopted as part of the cooperative Upper Deschutes River Plan with flow option 5 (target minimum flows - 300 cfs) selected as the preliminary long-term instream flow target.

The Forest Service will participate as an active cooperator in this adaptive flow management strategy by:

- Providing technical assistance for implementation.
- Monitoring water quality for effectiveness of specific management practices.
- Seeking funding for cooperative projects.
- Sharing in cooperative oversight of plan implementation.

Public comment on the DEIS which described the Adaptive Flow Management Strategy was generally favorable although there was skepticism concerning its achievability without affecting existing water rights and concern about the costs in relation to benefits. The basic premise of this strategy is that existing uses will not be harmed, and would in fact be enhanced by establishing goals which would be mutually compatible with all beneficial uses. The actual feasibility of achieving the targets is unknown. Ultimately, it will depend upon the ability and willingness of the water and river users to be committed to improving the current situation.

To try at this stage to determine the site-specific costs and benefits of any particular project would not be meaningful. However, sufficient information exists to demonstrate that certain levels of instream flow could be achieved without affecting water availability to users and that certain levels are more likely to present favorable conditions to river values. It is, in my opinion, sufficient information to establish long-term goals and targets under an Adaptive Flow Management Strategy.

Issues 3 and 4

What aquatic and riparian conditions are needed or are appropriate to protect and enhance the fishery and other outstanding remarkable values?

How should fish species be managed to protect and enhance the fishery and other outstanding remarkable values?

The Upper Deschutes has one of the state's best brown trout fisheries, and may have a distinguishable native rainbow trout population. Still, the public and resource management professionals agree that the fishing could be better. Habitat conditions, including the riparian

habitat are less than ideal. These resource conditions also affect other river values, including the scenic and water quality, amount and abundance of wildlife, and the evolution of the river channel.

Most key aspects of these issues were addressed in common across Alternatives 2-6. Based on what was heard during scoping, and the lack of comments on this issue during this comment period, little disagreement was expressed on either the nature of the problem or the methods by which it could be resolved. Reintroduction of large woody material, boulders, and gravel to improve the kinds of habitats available to attract and support larger fish populations was strongly supported by resource professionals and the public. In addition, this decision recognizes the importance of natural logjams to the dynamics of the river system and to the fisheries, and provides for the reasonable maintenance of those as they occur in a manner also consistent with resource protection and recreational goals.

The selected alternative also places an increased emphasis on restoring native riparian vegetation within the corridor. This is described more fully under issues 5 and 6.

My decisions in this plan focus on the habitat conditions which will protect and enhance the brown and native redband trout populations. The Oregon Department of Fish and Wildlife is preparing a more specific plan geared toward fish population management. I recommend to the State that a final plan be selected that will provide for the protection and enhancement of this outstandingly remarkable value.

Issue 5

How should vegetation be managed to protect and enhance the Outstandingly Remarkable Values and ensure public safety?

The wildlife and scenic values of the river are inherently tied to the conditions of the vegetation.

The forests along the Upper Deschutes River contain upland and riparian species dominated by ponderosa and lodgepole pine and interspersed with marshes, meadows and grasslands. This vegetative diversity is an essential component of the Outstandingly Remarkable wildlife, scenic and recreation values. *Artemisia ludoviciana estesii*, a sensitive plant species, is also present along the river and constitutes an Outstandingly Remarkable plant population. Riparian areas are scenic focal points and support a diverse and abundant bird population.

The condition of vegetation is affected by both natural and human caused disturbances. Natural disturbances, such as fire, wind, insects, and disease, perform integral functions in forest ecosystems. Since the turn of the century, the vegetation conditions of the upland and riparian areas have been affected by human disturbance that includes recreation use, removal of old growth ponderosa pine, grazing by livestock, and years of fire suppression. As a result, the structure and composition of forest communities have changed over the past 100 years.

Artemisia ludoviciana estesii finds its niche in the riparian zone, not far from the bank of the river. The population along the Upper Deschutes is small and because of the sites where it is located, it may be affected by changes in recreational activity or changes in the level of the river.

Private and public development within the forest and along the river have resulted in a conflict between the need to protect life and property from elements such as fire, smoke, and falling snags, and the positive role fire and snags play in the functioning of the ecosystem.

The selected alternative responds to the need to protect and restore sensitive riparian and streambank areas by placing an emphasis on review and revegetation of dispersed and developed recreation sites and reducing motorized access to sensitive areas. Approximately 41 miles of user-created roads and estimated 80-90 percent of existing dispersed campsites will likely be closed as a result of the goals, standards and guidelines included in this decision.

This part of my decision was responsible for approximately 30 percent of the comments on the DEIS. The comments were almost evenly split and were generally very strongly in favor of the strategy, or very strongly against it. Many people feel that reducing motorized access to the river in any way unfairly limits those with physical limitations from being able to enjoy a quality recreation experience. Other people agreed that reducing motorized uses in the riparian areas was important to protect that resource.

The nature of the soils of the Upper Deschutes make the streambank particularly sensitive to erosion. Riparian vegetation is difficult to establish and difficult to maintain with changes in flow level. The continued increases in the number of people who recreate within the river corridor make it clear that without some regulation on the use of this sensitive area, streambank conditions along the Deschutes will continue to deteriorate. The implementation of this decision will include an evaluation of sites to determine the extent of their impact on the streambank. Sites may remain as designated dispersed sites, may be relocated farther from the streambank, or may be eliminated entirely. Some sites, though it is expected to be few, may remain with reasonably close motorized access to allow for those with physical limitations to camp in their traditional ways. I do expect one of the consequences of this decision to be a reduction in dispersed overnight camping opportunities within the river corridor. However, direct access to the river will continue to be available to those with physical limitations even though it will be different from what is now available. This is described more fully under Issue 9.

Consistent with this approach to streambank protection on National Forest lands, recommendations to the state and county for emphasizing protection and restoration of native vegetation in conjunction with private land development is described under issue 10.

No substantive comments were received on the long-term goals for upland forest management which emphasize maintaining or developing high quality scenery and wildlife habitat. What comments were received supported taking an active management role to help achieve the long-term goals, and to address immediate problems such as the fuel loadings. This is the approach directed by the selected alternative.

Issue 6

How should wildlife and their habitat be managed to protect and enhance the Outstandingly Remarkable river values?

The selected alternative emphasizes restoring and protecting riparian vegetation, increasing old growth habitats and reducing human disturbances in sensitive habitat areas. Standards for acceptable fuel loadings for reduction of wildfire risk and snags and down wood for wildlife habitat have been combined to provide consistency. Goals and Standards and Guidelines to protect streambanks and riparian vegetation enhance wildlife habitat and reducing the amount of open road parallel to the river which intersect with known routes improve linkages between upland and riverine habitats. These benefits are expected to be particularly pronounced in sensitive habitat areas. Existing rules for land uses and development in Deschutes County also emphasize protection of important migration corridors by requiring clustering of developments and specialized fencing. No additional recommendations for development regulations concerning wildlife protection measures were recommended.

There were few comments from the public concerning this issue except where road closures were discussed. Some of the roads in sensitive habitat areas which were identified for closure did provide alternative or emergency access to residential properties. The selected alternative 6 was modified to allow for emergency access to these roads. Future site-specific analysis may identify opportunities to provide for alternate non-emergency access while still meeting resource goals.

Issue 7

How should the scenic resources along the Deschutes River be managed to protect and enhance the outstandingly remarkable scenic values in the river corridor?

Scenic values will be enhanced through Visual Quality Standards for National Forest lands, State Scenic Waterways Rules, and County Land Use Ordinances identified in Alternative 6. These all promote protection of healthy vegetation and restoration of riparian vegetation along the streambank and encourage development which blends or complements the natural landscape character.

There was little comment from the public concerning the goals or the proposed rules and county land use goals. These are dealt with in Issue 10.

Issue 8

How should cultural resource values be protected and enhanced?

Cultural resources along the river include prehistoric and historic archaeological sites (features associated with railroad logging and early twentieth century structures). They may also include traditionally hunted or gathered fish, game and plants, and areas used for ceremonial purposes. Current Forest Plan direction for management of cultural resources is fully consistent with the intent of the Wild and Scenic Rivers Act and other laws and regulations governing the Forest Service and recognized tribal trusts and will continue to be implemented unchanged as a result of this decision.

Issue 9

How should recreation opportunities and experiences be managed to protect and enhance the Outstandingly Remarkable River Values?

Recreational use within the river corridor was the issue closest to the hearts of most of the river users. One of the most constant refrains in the early scoping process was that the river was being "loved to death". People enjoy the wide variety of recreational opportunities available on and along the river but are concerned by resource damage and overcrowding.

The selected alternative responds to this issue in a variety of ways. First of all, it provides for a particular recreational emphasis within each of the segments of the river. This is reflected by the Recreational Opportunity Spectrum class, and the identified designed use levels. These use levels were estimated for key access points to provide a method of tracking total use levels within the corridor. After implementation, surveys and monitoring of resource conditions and recreational experiences will be implemented as programming permits to verify the compatibility of the use levels with desired recreational experience.

The selected alternative will provide a wide variety of recreational experiences. The number of developed sites with direct motorized access to the river for boating and fishing will be approximately the same as currently exist. Additional barrier-free access is planned at many sites where it does not now exist. In addition, some segments will emphasize non-motorized uses, which will provide a wider variety of experiences than currently exists..

The selected alternative provides for slightly higher use levels than are currently occurring within the corridor, and will therefore accommodate some level of the projected increases in use. Conversion of Besson, Slough, and Dillon Falls to day-use picnic areas will provide for a greater number of people to be able to visit the most scenic sections of the river, while still reducing the impact of those visits on the natural environments. Guided/outfitted use will continue to be provided at existing levels (equal to an average of the previous three year's use levels), and some additional opportunities will be available.

This decision will change the mix of recreation experiences, as mentioned before (issue 3). In Segments 2 and 3, the emphasis will be on developed overnight camping. Segment 4 will emphasize day use and non-motorized dispersed use. I believe this combination of uses and experiences will continue to provide an outstandingly remarkable recreational experience while protecting the natural resources of the river.

Issue 10

How can changes to existing uses on private lands be accommodated while protecting and enhancing other river values?

Alternative 6 includes proposed rules for the Sate Scenic Waterways and Deschutes County Ordinances to protect and enhance geologic values, water and scenic quality, vegetative diversity, and fish habitat by emphasizing restoration of riparian vegetation and development which blends with the natural landscape. Most importantly, it emphasizes partnerships with landowners and a coordinated approach for land managers to provide assistance to landowners.

Activities are encouraged which will protect private property while enhancing river values. Activities which are consistent with the goals in Alternative 6 are unlikely to have a direct or adverse impact on the free flowing character of the river.

Sewage disposal and its potential effects on water quality have been recognized and addressed by increasing interagency coordination of the water quality monitoring effort. Land acquisitions have also been identified as a strategy which could benefit water quality although no specific proposals have been developed.

Overall, the adopting these proposed rules will have a beneficial effect on the Wild and Scenic river values. Therefore, I recommend these rules be adopted by the State of Oregon and Deschutes County.

Issue 11

Where should boundaries be located to protect and enhance the outstandingly remarkable river values?

The Federal Wild and Scenic Rivers Act established an interim 1/4 mile boundary. The federal act requires the establishment of a permanent boundary that would protect and enhance Outstandingly Remarkable River Values. This permanent boundary must be locatable and encompass not more than an average of 320 acres per river mile.

The interim boundary provides different levels of protection for the Outstandingly Remarkable Values depending on whether the land is publicly or privately owned. The interim boundary includes a substantial amount of private land. This land contains a variety of residential and resort developments that are primarily regulated through state and county land use laws. Inclusion of this land within the Wild and Scenic River Boundary adds little

protection beyond that provided by existing state and local government regulation. On the other hand, Wild and Scenic River Status affords considerable protection for river values associated with publicly owned lands.

The Wild and Scenic River boundary identified in the FEIS does, in my opinion, meet the criteria set by the Wild and Scenic Rivers Act, and does not exceed an average of 320 acres per mile of river. It has been identified as a result of careful consideration of river values.

Few comments were received on the boundary proposed in the DEIS. Some minor changes were made, primarily on private lands. These changes were made to make the boundary easier to locate on the ground. This final boundary will be recommended to the United States Congress for inclusion in the records of the national Wild and Scenic Rivers.

Public Involvement

Initial Scoping

A concerted effort was made to involve everyone interested in the Upper Deschutes River in this extended planning process. As previously described, a cooperative agreement was formed with interested tribal, state, and local governments having jurisdiction on the river.

The Klamath Tribes and the Burns Paiute Tribes have interests associated with the Upper Deschutes River. Tribal Councils for both groups were offered the opportunity to have their representatives participate in the coordinated planning effort.

The Upper Deschutes River Citizen's Task Force, a community group, was assembled during the early planning phases to represent a wide variety of local issues about Deschutes River management. Participants were chosen on the basis of their ability and willingness to participate and represent the views, values, and opinions of specific user groups. The interdisciplinary team and its consultants met with the Task Force during the development of the issues and the alternatives. There was frequent consultation during the development of alternatives prior to the intergovernmental technical review during which a number of specific changes recommended by individuals on the Task Force were incorporated.

The Deschutes Basin Resource Committee is an independent group sponsored by Deschutes County which develops recommendations about water policies in the Deschutes River Basin for the Deschutes County Commissioners. Some of its members served with the Task Force or as consultants to the river planning team prior to the intergovernmental technical review. The Committee was briefed on the planning process and on the content of the plan as it progressed.

A series of public meetings were held in Central Oregon in November 1989 and August 1991 to invite comments on the issues. Periodic updates on the river planning process were provided through newsletters, and the quarterly publication of the Deschutes National Forest's Schedule of Proposed Action.

Public Comment on the DEIS and Draft Plan

Following the publication of the draft EIS in October 1995, the Forest Service held another series of public meetings in Central Oregon to discuss the draft plan. These meetings were held in November 1995 in Bend, LaPine, and Madras. The cooperating agencies made presentations on the draft EIS and plan, provided displays on the different alternatives and flow options, answered questions, and accepted comments. The draft EIS, the public meetings, and the opportunity to comment were the subjects of several news articles.

We received 96 comments during the formal comment period, including letters, faxes, telephone calls, and those from public meetings. Most of the comments (77%) came from Central Oregon. All of the comments originated in Oregon, Washington, or California. Many of the commentors from outside Central Oregon indicated that they own property in the vicinity of the river. Comments were received from individuals, environmental groups, recreation groups, a homeowner group, irrigation districts, businesses, and government agencies.

Recreation and flow issues brought the most comments. The status of Cardinal Bridge, a privately owned bridge in Segment 3, also brought many comments.

In response to public comments received between draft and final, the Preferred Alternative was modified to create Alternative 6.

Responses to the comments are included in Appendix A of the FEIS.

Alternatives Considered

A detailed description of each of these alternatives is in Chapter 2 of the FEIS. Mitigation measures have been developed through interdisciplinary efforts and incorporated into all the alternatives and the Standards and Guidelines. These mitigation measures are designed to protect and enhance Outstandingly Remarkable Values. All practical means to avoid or minimize environmental harm with the selected alternative have been adopted. Additional mitigation measures will be developed and implemented at the project level, tiered to and consistent with the measures described in the Upper Deschutes River Plan.

Alternative 1

This is the no action- no change alternative required by National Environmental Policy Act. Alternative 1 would continue management and development of the river on National Forest lands according to the direction of the August 1990 Deschutes Land and Resource Management Plan (Forest Plan) as amended by the Inland Native Fish Strategy. The current land use laws, policies, and directions established by the Deschutes County Comprehensive Plan and current State Scenic Waterway rules would apply on private lands. Of the 54 river miles, one mile is currently limited to non-motorized use.

Common to the Action Alternatives (2-6)

Many of the conditions needed to protect and enhance the Outstandingly Remarkable Values are common to the action alternatives (Alternatives 2-6). These include such actions as riparian area protection measures, fish habitat enhancement, and reduction in fuel loading with protection of snag/down log wildlife habitat.

Alternative 2

This alternative would emphasize natural processes and resource conditions. Some lodgepole pine stands would be left to natural processes of high intensity stand replacement fires and mountain pine beetle epidemics. Non-motorized and day-use recreation would be emphasized. The designed annual capacity would be the lowest of all the alternatives. This alternative would provide more picnic and trailhead sites, but fewer campsites and boat ramp sites than Alternative 1. Of the 54 river miles, 47 miles would be limited to non-motorized use. Guide/outfitter use of the river would be reduced from current levels by 50%.

Alternative 3

This alternative would emphasize active management of resource conditions to meet wildlife habitat and vegetation goals. The designed annual capacity would be increased somewhat over current levels. The mix of recreation types (developed and undeveloped) and access (motorized and non-motorized) would be similar to existing conditions with some additional resource protection measures. Except for an increase in trailhead sites, the number of recreation sites would be comparable to Alternative 1. Of the 54 river miles, 10 miles would be limited to non-motorized use. Some types of guided/outfitter use could increase somewhat over current condition.

Alternative 4

This alternative mixes active management of resources conditions to enhance scenic values with an emphasis on undeveloped recreation and non-motorized access. The designed annual capacity would be reduced somewhat from Alternative 1. The number of picnic and trailhead sites would increase, but the number of boat ramp sites would decrease from Alternative 1. Of the 54 river miles, 26 miles would be limited to non-motorized use. Guided/outfitter use would be reduced somewhat from current condition.

Alternative 5

This alternative mixes active management of resource conditions with an emphasis on developed recreation to provide the highest designed annual capacity of all alternatives. Additional camping, picnic, and trailhead sites would be provided. The number of boat ramp sites would be comparable to Alternative 1. Of the 54 river miles, five miles would be limited to non-motorized use. Guided/outfitter use could increase by 20% over current levels, and whitewater rafting in Segment 4 would operate under a common pool of permits.

Alternative 6

This is the alternative modified between draft and final EIS in response to public comments. It is a combination of goals and objectives from the other alternatives and would provide a variety of recreational opportunities. The designed annual capacity would increase somewhat over current condition and would be comparable to Alternative 3. The number of camping, picnic, and trailhead sites would increase. The number of boat ramp sites would be comparable to Alternative 1. Of the 54 river miles, 12 miles would be limited to non-motorized use. Existing guided uses would be held at existing levels (based on the average of the three years prior to plan adoption). Some new types of guided/outfitter use could be considered.

Environmentally Preferable Alternative

Previously in the Record of Decision, I have described the selected alternative and given the reasons for its selection. The National Environmental Policy Act also requires that one or more environmentally preferable alternatives be identified. "The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources." (Council on Environmental Quality, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations" (40 CFR 1500-1508), Federal Register Vol. 46, No. 55, 18026-18038, March 23, 1981; Question 6a.)

All the alternatives would provide the protection to the environment required by the Wild and Scenic Rivers Act. Based on that criteria and the knowledge of the activities which have the greatest impact on the historic, cultural, and natural resources with the river corridor, Alternative 2 would be the environmentally preferable alternative. This alternative has the lowest use levels and the most restrictions on vegetation management. However, this alternative would not, in my opinion, best meet the intent of the Wild and Scenic Rivers Act, nor does it best promote the national environmental policy. The Wild and Scenic Rivers Act requires the Forest Service to manage the river to protect and enhance the Outstandingly

Remarkable Values. Alternative 2 would unduly limit reasonable access of much of the river corridor to those desiring or dependent on motorized access. Based on the analysis in the FEIS, this would not enhance the recreational values found to be Outstandingly Remarkable.

Alternative 6 provides for a wider variety of recreational experiences while protecting and enhancing other values as well. Alternative 2 would also restrict vegetation management activities to the point where the risk of major crown fires within the corridor would be extremely high. Crown fires of that intensity are likely to have a significant adverse impact on river values including scenic quality, water quality, recreational value, and wildlife habitat. These fires may also threaten public safety and private property as evidenced by the Pringle Falls fire in 1995. While wildfire suppression continues as a part of the national environmental policy, prudent vegetation management is critical to provide viable healthy ecosystems.

Implementation

The Upper Deschutes River Plan will be implemented through identification and scheduling of probable actions identified in the Plan or other actions which are identified to meet management goals and objectives. Priorities for projects and management activities are displayed in the Probable Actions section of the Plan. Individual projects will be subject to site-specific analysis in compliance with the National Environmental Policy Act. This process may result in a decision not to proceed with the proposed project, even if it is compatible with the Upper Deschutes River Plan. Other adjustment to probable actions may occur based on results of monitoring, budgets, and unforeseen events.

The cooperating agencies can identify the priorities of the probable actions based on proposed annual budgets or actual funds. As a result, projects and activities in individual years may differ from those projected in the Upper Deschutes River Plan.

Upon implementation of the Upper Deschutes River Plan, all projects will be in compliance with Plan direction. Subject to valid existing rights, all permits, contracts, cooperative agreements, and other instruments for the use and occupancy of Nation Forest System lands within the Upper Deschutes River corridor are to be consistent with management direction adopted by this Record of Decision.

Monitoring and Evaluation

Monitoring provides information on progress and results of implementation. It involves gathering data which can then be evaluated to determine whether conditions the intent of the Plan. It also provides the basis for assessing the need for adjustments to management and/or amendment of the Plan itself. The monitoring program adopted as part of my decision is discussed in detail in the Upper Deschutes River Plan.

Findings Required by Other Laws or Regulations

Consultation Required by the Endangered Species Act

Consultation on Alternative 6 in the FEIS was conducted with the Fish and Wildlife Service in accordance with the Endangered Species Act. The biological evaluation done for the FEIS found no effect on any listed species, and the Fish and Wildlife Service concurred with this evaluation.

Because this decision does not authorize any site-specific activities, potential effects on threatened, endangered or proposed species will be evaluated through consultation on a project level basis when site-specific information is available. The Upper Deschutes River Plan continues the Bald Eagle Management Area (BEMA) established along the river by the 1990 Deschutes Forest Plan.

Review by the Environmental Protection Agency

The Environmental Protection Agency (EPA) reviewed the Draft Environmental Impact Statement and raised no environmental objections.

Wild and Scenic Rivers Act and State Scenic Waterways Legislation

This Plan meets the intent and direction provided in the designating legislation.

Other Laws, Regulations, and Guiding Documentation

The Upper Deschutes River Plan complies with the Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation, signed December 1988, and the requirements of the Mediated Agreement of May 1989. Unwanted vegetation will be treated using a variety of methods, including manual, mechanical, biological, burning, and herbicides. Projects will comply with the Mediated Agreement by following direction provided in the Region 6 Guide to Conducting Vegetation Management Projects in the Pacific Northwest Region.

Both prescribed fire and mechanical means will be used to restore ecological processes in appropriate parts of the Upper Deschutes River corridor. A site-specific analysis will determine the best treatment method(s), the size of the project, and other parameters, constraints or guidelines, consistent with the above direction.

I have considered the relevant laws and regulations including, but not limited to: the Clean Air Act as amended; the Clean Water Act; Protection of Wetlands Executive Order 11990; the Safe Drinking Water Act; the National Historic Preservation Act of 1966, as amended; the Archeological Resources Protection Act of 1979, the Native American Religious Freedom Act; and the National Forest Management Act of 1976. Furthermore, I have considered the effects disclosed in the FEIS and public comments received during the public involvement process. I have concluded that my decision, with the required mitigation measures, meets all applicable laws, regulations, and policies and is consistent with the purposes for which the Upper Deschutes Wild and Scenic River was designated and is being administered.

Effective Date and Implementation

This decision will be implemented no sooner than 30 days after the Notice of Availability appears in the Federal Register.

For More Information

If you would like more information about the Upper Deschutes River Plan or FEIS, or would like to review planning records, please contact:

Environmental Coordinator
Bend-Ft. Rock Ranger District
1230 NE Third Street, Suite A-262
Bend OR 97701
(541) 383-4769

Right to Administrative Review

I encourage anyone concerned about the Upper Deschutes River Plan or Environmental Impact Statement to contact me before submitting an appeal. It may be possible to resolve the concern or misunderstanding in a less formal manner.

This decision may be appealed in accordance with the provisions of 36 CFR 217 by filing two copies of a written notice of appeal within 45 days after publication of the legal notice in the Bulletin (Bend, Oregon). The appeal must be filed with the Reviewing Officer (Regional Forester).

For a period not to exceed 20 days following the filing of a first level Notice of Appeal, the Reviewing Officer shall accept requests to intervene in the appeal from any interested or potential affected person or organization (36 CFR 217.10(b)).

This decision may also be appealed in accordance with the provisions of 36 CFR 251 by filing a notice of appeal within 45 days after publication of the legal notice in the Bulletin (Bend, Oregon). The appeal must be filed with the Appeal Reviewing Officer (Regional Forester), and a copy of the notice of appeal must be sent to the Deciding Officer (Forest Supervisor). Potential intervenors must petition the Reviewing Officer to be granted intervenor status before the closing of the appeal record.

Regional Forester
Pacific Northwest Region
USDA Forest Service
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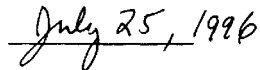
Forest Supervisor:
Deschutes National Forest
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No decision can be appealed by the same person under both 251 and 217 appeal regulations.

Any Notice of Appeal must include sufficient narrative evidence and argument to show why this decision should be changed or reversed (36 CFR 217.9 and 36 CFR 251.90).



Sally Collins
Forest Supervisor
Deschutes National Forest



Date

USDA Forest Service
Deschutes National Forest
Sisters Ranger District

DECISION NOTICE/FONSI
and
FOREST PLAN AMENDMENT #13

Jack Canyon Vegetation Management Project
Portions Implemented After December 31, 1996

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USDA Forest Service
Deschutes National Forest
Sisters Ranger District

DECISION NOTICE/FONSI
and
FOREST PLAN AMENDMENT #13

Jack Canyon Vegetation Management Project
Portions Implemented After December 31, 1996

Jefferson County, Oregon

The environmental assessment that discusses the Jack-Canyon Vegetation Management Project is available for public review at the Sisters Ranger District, Highway 20 and Pine Street, Sisters, Oregon 97759.

This decision follows up on the original Jack-Canyon Vegetation Management Project decision, made June 28, 1996. Because that decision was made pursuant to PL 104-19, it was not subject to administrative review. However, treatment units that were not sold during 1996 are subject to administrative review. Therefore, this decision includes the treatment units that will be implemented in 1997 and afterward (refer to Tables DN-3 and DN-4; and the alternative map, Figure DN-3).

Location & Forest Plan Management Areas

The Jack-Canyon Project Area encompasses approximately 14,750 acres, located about 16 miles northwest of Sisters and about 6 miles northwest of Camp Sherman, Oregon. (Willamette Meridian: T. 12 S, R 8 E, sections 22-28; and T. 12 S, R 9 E, sections 17-20 and 28-33.). The Project Area includes both Matrix and LSR land allocations of the Northwest Forest Plan. No activities in this project except road closures are proposed in the LSR.

The Project Area lies in the Metolius Conservation Area; it includes both Metolius Special Forest (MA 22) and Metolius Scenic Views (MA 26). See Vicinity Map (Figure DN-1) and Management Area Map (Figure DN-2).

Forest Plan Context for Action

The need for action is based upon ecological and social concerns as well as resource opportunities recognized within the analysis area, based on broad objectives described in the Deschutes National Forest Plan, as amended by the Northwest Forest Plan (1994).

Although the Northwest Forest Plan provides fairly extensive standards and guidelines for managing late-successional ecosystems, it relies on the 1990 Forest Plan as well, especially within the Matrix designation. The Jack-Canyon Vegetation Management Project lies in Metolius Special Forest and Metolius Scenic Views management areas.

The Special Forest goal is to rehabilitate and sustain a healthy forest with an emphasis on timber production, while maintaining a near-natural appearance, and providing a range

of recreational opportunities for public use and enjoyment. Management within the area should promote healthy and vigorous forest stand conditions. Timber management is to be conducted in a manner which provides a sustained yield of wood products, while minimizing disruption of a continuous forest canopy. Exceptions are made when natural catastrophic situations occur.

The Scenic Views goal is to provide Forest visitors with high quality scenery that represents the natural character of the Metolius Basin. Landscapes seen from selected travel routes - Forest Roads 1230 and 1234 - will be managed to maintain or enhance their appearance. Landscapes will be enhanced by opening views to distance peaks, unique rock forms, unusual vegetation, or other features of interest. Timber harvest is permitted, but only to protect and improve the visual quality of the stands both now and in the future.

In addition to these LRMP goals, Northwest Forest Plan goals also apply. Because the 164,000-acre Metolius River basin is considered a Key Watershed under the Northwest Forest Plan, a watershed analysis has been completed. Watershed analysis is required in Key Watersheds prior to resource management. The analysis is essential for making sound management decisions and is the basis for restoration activities designed to foster ecological health of terrestrial and aquatic ecosystems. Much of the site-specific discussion below is based on the needs identified during watershed analysis.

At the Sisters Ranger District level, Matrix makes up approximately 56,000 acres (22%) of the District lands within the range of the northern spotted owl (and under the Northwest Forest Plan). Congressionally Reserved Areas and Late-Successional Reserves comprise more than 190,000 acres (76%) of the District.

The Matrix Management area, in contrast with other NWFP allocations, provides the timber harvest and silvicultural activities, and hence provides the greatest opportunity to deal with high-risk stand conditions. At the same time, Matrix considers important forest ecosystem processes and functions in management standards and guidelines, which include the following: provide a renewable supply of large logs; retain green trees and snags; retain undisturbed at least 15 percent of the area associated with each harvest unit; minimize soil and litter disturbance; and retain old-growth (late successional) fragments.

These standards and guidelines were specifically included as part of the NWFP Matrix allocation to maintain habitat important to populations of fungi, arthropods, bryophytes and various other organisms that use this habitat structure, such as marten, fisher, amphibians, and vascular plants.

Matrix lands play an important role in meeting the Record of Decision (ROD) for the Northwest Plan. The ROD describes the final selected alternative as responding to multiple needs, with the two primary ones being as follows:

- The need to maintain a healthy forest ecosystem that conserves the forest habitat upon which species depend.
- The need to sustain the health and economic well-being of the people of this country.

The Matrix Allocation is designed to balance these dual objectives more so than any other allocation.

Site-Specific Need for Action

Overall, the ponderosa pine and mixed conifer plant associations have undergone dramatic changes during the last 100 years because of successful fire suppression efforts, which have eliminated fire as an ecosystem process. Removal of overstory pine and Douglas fir through logging has also changed the species mix.

A significant development over the last 8 to 10 years has been the defoliation of the fir by western spruce budworm. As a result of repeated budworm outbreaks (covering more than 100,000 acres of the Sisters District in 1985, 1986, 1988, 1991 and 1992), a catastrophic situation has developed. In addition to a noticeable decline in tree vigor, tree mortality is widespread in the Metolius River Basin. In the Jack-Canyon project area, tree mortality averages about 20 percent, but in the western half of the planning area, stand mortality is much higher. Drought and other endemic diseases, such as root rots have combined in some stands located in or near Upper Canyon Creek, Bear Valley, Two Springs, and Jack Lake. In these areas, mortality is high, with as much as 60 to 100 percent of many stands being dead.

Reduce Fuel Levels/Fire Risk

Current fuel loading levels within the project area pose high fire risks during typical fire seasons experiencing normal weather patterns (i.e., under normal hot summer conditions). Fires burning in these fuel conditions will likely get large fast, especially in the western portion of the project area. These fuel conditions will cause fires that make fire control efforts difficult. During a rapidly growing fire, people in the area are at risk of being trapped. Also at risk are Camp Sherman and the other residential areas within the Metolius Basin.

Along with the public safety concerns, large-scale, high-intensity fire puts ecological components and functions at risk of severe disruption if a hot fire occurs. When compared with a natural occurring low-intensity fire, a fire under current conditions would cause more damage to soil, hydrological function, and late-successional habitat connectivity. This type of fire would leave fewer patches than a low-intensity fire.

Thus, there is a need to reduce the amount and distribution of fuels (both dead and green) in the project area in order to make fire fighting efforts more effective, and to reduce the impacts of fires when they do occur.

Restore Historic Conditions

The trend toward high levels of mortality will continue as long as existing stand densities and species composition (dominated by true fir) remain in the current state. Although mortality is considered a natural component of ecosystems, such high mortality levels occurring over such a large area are unprecedented in historic times.

The desired forest conditions would move toward the range of a fire climax forest, typically a continuous forest canopy dominated by ponderosa pine, western larch and Douglas fir, especially in the larger sizes (greater than 21 inches in diameter). The forest would be less susceptible to insect and disease epidemics and large-scale catastrophic wildfires.

The sustainability of this condition is an important characteristic. In this desired condition, there would be a balance of various vegetation conditions so that although a small area might not be perfectly resistant to wildfire or insect outbreaks, overall, the landscape would exhibit resilience. When these natural disturbances occur, the land would recover more rapidly, without catastrophic loss of resource values.

Under current conditions, the forests remain vulnerable to another large-scale disturbance, such as fire or another insect/disease outbreak. Therefore there is a need to begin moving the forests in the project area toward more stable and sustainable conditions as envisioned under NRV conditions. The vegetation management proposed in this project aims to begin the process of restoring the project area towards historic vegetative conditions and patterns consistent with natural disturbance frequencies.

Public Involvement

A scoping letter which outlined this proposal was sent to agencies, organizations and individuals on the Sisters District mailing list. An overview of this project proposal was presented at two Sisters Ranger District Open Houses. A number of field visits were also made with interested publics.

Upon completion of project analysis, a public review period was provided that lasted for 30 days, from Friday February 9, 1996, and until March 12, 1996. A formal 20-day public comment period required under PL 104- 19 ran concurrently, from February 22, 1996 to March 12, 1996. During the review period, 65 comment letters were received, including more than 300 separate comments. Appendix C contains a comment summary and response.

The environmental analysis addressed the substantive comments received, except in two areas where further analysis was conducted and documented in Appendix B of the Environmental Assessment. Specifically, this analysis considered the impacts of created openings to bull trout habitat; and it considered the impacts of thinning within an overstocked yet relatively green forest within the home range of one pair of spotted owls. Appendix B to the environmental assessment contains a description of changes made between the Feb. 8, 1996 and May 28, 1996, environmental assessment.

Changes to the Preferred Alternative

In order to show the changes in as clear a way as possible, a new preferred alternative—Alternative 5—was developed which differs from Alternative 3 (the previously preferred alternative) in the following ways:

- Three units (36 acres) have been eliminated because of potential sediment delivery to the Jack Lake intermittent stream that leads to Jack Creek. Normally, Riparian Reserves provide adequate protection. However, spring-fed and low gradient streams, such as Jack Creek, are extremely susceptible to sediment build up because the sediment transport rate out of the system is low. The key to maintaining these types of streams is to take extra precaution to avoid introducing sediment to the stream.
- Ten units in the Jack Lake subwatershed will have boundaries pulled back from riparian reserves in order to reduce the risk of sedimentation to the Jack Lake intermittent stream.

- Unit 19 (41 acres) was dropped after stream pull back because the available harvest stand were made up of low-mortality white fir, where regeneration harvest would have been the only effective treatment. Because of watershed concerns with creating openings in the Jack Lake subwatershed, this unit was dropped.
- In Unit 62, boundaries will be adjusted to allow for sediment filtering because the Roaring Creek is similar to Jack Creek, a spring-fed, low gradient stream.
- Two units (58 acres) were dropped in the Brush Creek subwatershed because they were found to contain soils with seasonally high water tables, similar to those described in the EA as areas excluded (EA page II-12).
- Six units, or parts of units, will be treated by thinning, rather than regeneration harvest, mainly because more site specific information about mortality and stand species composition suggests that thinning would provide a benefit: Also, Unit 23 and part of Unit 24 will be underburned rather than being regenerated.
- This alternative also eliminates treatments in one of the four northern spotted owl home ranges (10 units for about 250 acres). Thinning with fire would be proposed in some of these units where fuel loads are low enough to allow for it. These units lie in an area that has low mortality, yet high stand densities, which makes them susceptible to insects and disease. These stands had been included in the preferred alternative (Alt. 3) so that over the long term, risk of habitat loss would be reduced. However, relative to the three other owl home ranges in the project area, this home range contains the highest percentage of live trees. Given the overall condition of the owl habitat in the project area, avoiding this green, live habitat seems prudent.
- Alternative 5 also drops two units and parts of a third unit (for a total of 72 acres dropped) that lie in the revised core area of the Upper Canyon Home Range.
- Two units (3 and 26, about 47 acres) were dropped because road access would have required extensive reconstruction, similar to new construction.

Table DN-1, Summary of Changes to Prescriptions (acres) in Alternative 5

Prescriptions	Alternative 3	Alternative 5 (Selected Alternative)	Acre Difference
Regen. High Mortality	1,060	710	-350
Regen. Low Mortality	570	450	-120
Thin Low Mortality	1,200	1,100	-100
Underburn	1,100	1,180	+80
Totals	3,930	3,440	-490

A total of 22 units (approximately 950 acres) of the June 28, 1996 decision were included in the Jack-Canyon Timber Sale, which was auctioned and awarded in 1996. The following units comprise that timber sale:

Table DN-2, Units Implemented before Dec. 31, 1996

Prescriptions	Units Included	Acres
Regeneration in low/moderate mortality	64, 105	32
Regeneration in high mortality	4, 5, 10, 11, 13, 14, 16, 17, 18, 20, 21	603
Thinning Green	1, 21, 22, 24, 46, 50, 52, 56, 106, 109	317
		952

Under provisions of PL 104-19, these units are not subject to administrative because they were implemented before December. 31, 1996. Therefore, these units are excluded from this decision.

Issues

During the project analysis, several significant issues were raised:

Natural Range of Variability (Sustainability): The longer the delay in reaching NRV, the greater the potential for large-scale disturbances. Moving toward the NRV more quickly means that sustainable landscape conditions are achieved sooner.

Public Safety: Moving toward sustainable conditions more quickly reduces the risks to public safety currently inherent in the planning area. Longer, slower approaches extend the period of vulnerability.

Catastrophic Loss: Moving toward sustainable conditions more quickly reduces the risks that catastrophic fires will cause detrimental changes in ecological function. Longer, slower approaches extend the period of vulnerability.

Habitat Connectivity: Moving towards sustainable conditions more quickly may mean a reduction in short term connectivity, but this also leads to sustainable habitat conditions in the longer term. Longer, slower approaches maintain short-term connectivity, but extend the vulnerability of these stand, and as a result there is an extended risk of habitat loss.

Scenic Quality: Treating more mortality and creating more openings moves toward a sustainable forest conditions more quickly, but this rapid change may mean tradeoffs to scenic quality. Treating less area (mortality and green trees) would mean taking longer to reach sustainable conditions.

Implementing fewer and smaller treatments during this project would result in fewer large openings and less deterioration of scenic quality.

Hydrological Function: To treat more mortality and create more openings may mean lowered water quality. The effects of creating more openings may result in increased runoff, erosion and delivery of fine sediment. Maintaining higher fuel loads over more acres increases the risk of hotter burning fires, reducing the potential for leave patches of unburned areas. Large burned over areas have potential to reduce water quality by creating openings.

Decision Notice

Relative to the need for action, I reviewed the issues, alternatives, and the effects discussed in the environmental assessment. I have decided to implement Alternative 5, as described in Appendix B of the Jack-Canyon Vegetation Management Project Environmental Assessment, excluding those units that have been sold as part of the Jack Canyon Timber Sale. This decision will result in vegetation treatments on approximately 2,410 acres: 1,180 acres of underburning as the only treatment; and 1,230 acres of commercial harvest (see Table DN-3 and DN-4).

This decision will also close or obliterate approximately 25 miles of roads, as well as other actions, such as planting ponderosa pine, Douglas fir, and western larch; and remove hazard trees along National Highway Safety Act roads.

Approximately, three timber sales will result from this decision, with a total timber volume of approximately 12.5 million board feet. I have selected Alternative 5 because of two key factors:

- It begins reducing the fire hazard; and
- It begins restoring the forest to more sustainable historic conditions.

Alternative 5 will also recover some market value from the wood removed; and Alternative 5 will further the goals of the Northwest Forest Plan. A detailed description of the two main decision factors follows.

Fire Hazard Reduction

Alternative 5 begins the process of reducing the fire hazard through a four-part fire management strategy, and hence reduces the risk to public safety and the risk of habitat loss. The fire management strategy in Alternative 5 is similar to Alternative 3, but with somewhat less effectiveness.

- One part of the strategy would be a shaded fuelbreak that runs north-south through the project area. The vegetation in this fuelbreak would meet specific objectives for reduced fuel loads.
- As a second part of the fire management strategy, prescribed fire underburns would occur in the ponderosa pine stands and other likely locations.
- A third part aims to create a containment area on the ridge tops around Canyon Creek, an area of very high tree mortality on steep slopes. If a fire were to start in this drainage, the objective would be to keep the fire within the drainage, and not spread eastward into the Metolius Basin. The effectiveness of the southern leg of the Canyon Creek fuelbreak will be somewhat limited because of areas left untreated.
- The fourth part of the fire-management strategy is some removal of dead and overstocked green trees spread across the project area. This will reduce overall fuel loading, reduce fuel continuity across the landscape, and remove fire ladders. This part of the strategy will also allow for leaving the larger, fire-resistant trees (e.g., thick barked ponderosa pine and Douglas fir), where they are present.

Alternative 5 places the least amount of risk possible on the watershed while still reducing the fire hazard to levels that provide firefighters with a realistic and more safe opportunity to stop a moderate intensity fire. Ideally, a larger area would have proven more effective than Alternative 5; however, because of existing openings in parts of the planning area, the tradeoff between risks boils down to the risk of fire weighed against the risk of high water runoff during flood events and key times of the year.

We are also trying to restore a more naturally evolving ecosystem with fire as an inherent part of the disturbance and recovery pattern of the Metolius Basin. Fires will occur; they will burn a variety of sizes. Portions of the upper elevations of the Metolius Basin are supposed to experience high-intensity, stand-replacement fires. The fire management strategy under Alternative 5 seeks to limit these types of fires to less than catastrophic proportions by confining them to smaller geographic areas. In the lower elevation ponderosa pine stands, fires would be more frequent but smaller and less intense.

Restoring Sustainable Historic Conditions

The concern about catastrophic wildfire is important to consider, and Alternative 5 means fire suppression forces will be more ready than current conditions allow. However, fire suppression is not a singular goal. Restoring vegetation conditions is as important because improving these conditions will allow fire and other disturbance agents to again play their historic role to help maintain ecological systems.

The widespread replacement of older, large ponderosa pine forests by younger white fir has converted much of the Special Forest area in the Metolius Basin from an ecosystem that absorbed and dampened disturbances, to one that magnifies the spread of fire, insects and diseases. In result, these natural disturbance agents, which at one time played beneficial ecological roles, now have potential to destroy critical habitats and degrade ecosystem integrity. With such a valuable aquatic ecosystem interwoven with an

unstable, and unsustainable terrestrial ecosystem, the major challenge is to heal one set of problems without exacerbating others—or creating new ones.

Alternative 5 begins taking steps towards restoring the forest to more sustainable historic conditions. Vegetation treatments will focus on moving dry mixed conifer and ponderosa pine plant associations towards fire climax conditions that are sustainable, open, large tree habitats that dominated the project area historically. Some of the moderate and high mortality areas will be regenerated back to early seral species such as ponderosa pine and western larch. Some units may also be planted to Douglas fir.

Thinning and underburning will take place in areas of low mortality to reduce stand densities and promote large ponderosa pine tree characteristics. Maintaining stand densities at levels consistent with a particular site's vegetative capability will result in more resistance to insect and disease outbreaks, the overstory trees will live longer, and these areas will be less likely to be involved in a catastrophic, stand replacement wildfire. These treatments will lead low mortality stands away from small densely stocked tree stands towards having more medium and large trees.

Initiating the steps to move the forests back to more historic conditions reflects an appreciation for how the past may be our best guide in monitoring and restoration - a guide to what once seemed to work better than what is currently in place. Knowing what forests used to look like will not give us any easy answers, but historical knowledge can be helpful in managing current forests. The ratio of pine to fir is important, and so is the ratio of mature trees to younger trees. Complexity of the forest is important in the form of snags, deadwood, and older trees.

Under current conditions, the expected wildfire in the drainage would likely create much larger openings than those proposed under any action alternative. Alternative 5 moves the treated areas toward more sustainable conditions and does not preclude future treatments that would eventually reduce risk further. These future treatments can be implemented over a longer time frame, allowing the hydrologic condition to recover from current treatments. This slower pace maintains some risk to public safety and maintains some risk of habitat loss during a longer time period, with risk possibly increasing with time.

Response to specific Concerns

Alternative 5 was also selected because it has advantages over other alternatives in the following areas:

Aquatic Habitat and Flooding

Consistent with the Northwest Forest Plan, Alternative 5 avoids treatment in Riparian Reserves unless they are consistent with aquatic conservation strategy objectives. Precommercial hand-thinning and prescribed burning associated with the fuelbreak are the only such treatments in Alternative 5. Although a portion of the riparian reserves contain moderate to heavy tree mortality, the necessarily complex prescriptions would make implementation economically infeasible at this time.

A discussion of the selected alternative needs to be placed in context of current conditions and risks. Because of extensive mortality, serious runoff risks exist, even if no action were taken. Consequently, this runoff risk poses a risk of stream sedimentation that will continue to grow as mortality continues to accumulate. In addition to the openings from mortality, a hot fire would remove ground cover, which would further increase the risk of runoff and increase the likelihood of fine sediments reaching Jack Creek.

As described above For Alternative 5, in association with Riparian Reserves in the Jack Lake subwatershed, a number of units were dropped or boundaries adjusted to leave additional untreated areas. This was done to increase the sediment filtering capacity of upland vegetation and reduce the risk of sediment reaching Jack Creek. This is not to say that Alternative 5 is without risk. Regeneration of moderate and high mortality areas will increase the risk of runoff and sedimentation, but to lesser degree than under Alternative 3. Alternative 5 is the best balance we can provide between the risk of fire weighed against the risk of fine sediment delivery to streams during runoff or rain-on-snow events.

The recent 100-year flood event in the Metolius Basin provided a timely opportunity to learn about roads, erosion and sedimentation risks. Alternative 5 implements activities (such as road closures) and strategies (such as the Riparian Reserves) that will reduce potential cumulative effects when considered with February's flood.

Moreover, road closures, road maintenance needs and soil restoration activities will all serve to improve soil and hydrologic function and reduce problems experienced in the flood. These activities were proposed in Alternative 3 and remain the same in Alternative 5. In fact, based on observations during the flood, the need for these activities was validated as critically important for restoration. As additional field work is conducted this summer, I fully expect additional roads will be identified for road maintenance, repair and closure to alleviate damage or drainage problems.

Northern Spotted Owl

According to the Final Draft Recovery Plan for the Northern Spotted Owl (USFWS 1992), the Eastern Oregon Province habitat is most at risk from fire, insects and disease related losses. The risk of large-scale, stand-replacement wildfires is considered "high" and the plan recognizes the significant insect and disease disturbances already underway. The Recovery Plan addresses vegetation management opportunities in spotted owl habitat by acknowledging that active management will better protect and sustain owl habitat in the long term.

Alternative 5 affects two spotted owl home ranges by treating more than 400 acres of habitat identified as suitable owl habitat (NRF, or nesting, roosting, foraging habitat). Most of this habitat is now in moderate to high tree mortality, which has reduced live-tree canopy. Regeneration harvest will start these stands over, resulting in long-term (80-100 years) options for habitat management. Thinning will reduce habitat quality in the short-term (10-20 years), but will sustain owl habitat characteristics over the long-term (40-80 years). However, unlike Alternative 3, the selected alternative elected not to treat a third spotted owl home range. Although the vegetation has very high stand densities, and the

trees, especially the large-sized trees, are at risk to mountain pine beetle or other pathogens, this area currently consists of live, green trees with low mortality and may not be lost during the next 10-20 years. Meanwhile, it will provide important habitat for this owl pair.

The US Fish and Wildlife Service has been consulted on this project at two levels. At the programmatic level, the USFWS issued a biological opinion under Section 7 of the Endangered Species Act during adoption of the Northwest Forest Plan (1994). In that opinion, the USFWS determined that implementation of the Plan was not likely to jeopardize the continued existence of listed species, or result in adverse modification or destruction of designated critical habitat. However, the USFWS was unable to fully assess incidental take of spotted owls or the impact to spotted owl dispersal outside of the late successional reserves (LSRs). Therefore, consultation was included to provide assessments for site-specific projects.

At the second, site-specific level, consultation has been conducted for both the Jack-Canyon and the Santiam Corridor projects because of their proximity and because they will be occurring simultaneously. Results are documented in a biological opinion (USFWS 1996 Vegetation Management Program Biological Opinion, June 21, 1996). The USFWS determined that these projects "are not likely to jeopardize the continued existence of the spotted owl or adversely modify designated or proposed critical habitat." (USFWS BO, p. 19)

The USFWS based this conclusion on four reasons (USFWS BO, p. 19):

- The plan provides a well distributed set of reserves that protect suitable habitat across the range of the spotted owl.
- These reserves provide for regeneration of additional acres of suitable habitat that is expected to provide for a larger and more effective population within the reserves.
- The proposed projects will not preclude the recovery contributions afforded the affected species by the plan.
- Suitable habitat removed by the proposed action is generally poor quality and in decline. The proposed management is expected to reduce the threat of catastrophic loss to wild fire and regenerate spotted owl habitat where insect and disease induced mortality has occurred over the landscape.

The USFWS also found that incidental take would occur for 8 pairs of spotted owls, 2 pairs in the Jack-Canyon Project. In its conclusion to the biological opinion, the USFWS determined that "this level of anticipated take is not likely to result in jeopardy to the species or destruction or adverse modification of the designated or proposed critical habitat." (USFWS BO, p. 20)

Furthermore the USFWS found that the "the following reasonable and prudent measures are necessary and appropriate to take:

- Minimize disturbances to spotted owl pairs and their progeny during the nesting season." (USFWS BO, p. 20)
- This will be accomplished as part of this decision by implementing seasonal restrictions described in Appendix B.1 of the Environmental Assessment.

Scenic Quality

Alternative 5 attempts to move towards meeting the desired natural-appearing condition described for the Metolius Conservation Area. However, a Forest Plan amendment specifically for this project will be used to document the changed conditions and the rationale for exceptions needed to standards and guidelines in the Metolius Scenic Views and Metolius Special Forest Allocations.

Less than 10 years ago, in the upper basin of the Metolius River where the Jack-Canyon Project is located, visitors viewed what appeared to be "luxuriant forests of fir, cedar, larch and ponderosa pine. . ." (LRMP page 4-164). Although the lower elevations of the project area still appear to most visitors as a forest with a diversity of orange and brown trunks of ponderosa pine and firs, with clusters or thickets of fir in the understory, the upper elevations of the project in the moderate and high mortality areas, are dominated by clusters of dead and dying trees, with a predominant gray character to the forest.

Alternative 5 will accommodate scenic resource concerns as much as possible using retention areas, although in areas of high mortality, the effects to visual quality will not fit in with the desired condition. Areas will appear substantially more open after treatment, and most of the gray trunks will be removed. Some areas of higher mortality will be treated to mimic the look and pattern of wildfire. These treatments will appear very open with patches of live and dead vegetation remaining. One unit is large - 300 acres - which is a size not uncommon to historic fire patches. The intent is to have more options because we are controlling the removal of trees rather than having a fire control the outcome. We will leave single live trees, patches of live and dead trees for wildlife and plants, and also leave a greater legacy of forest structure on the site.

The thinning units will meet the intent of the Metolius Conservation Area to retain the appearance of a continuous forest canopy; however, the treatment areas will appear more lightly textured following treatment. The result will be consistent with perpetuation or increasing ponderosa pine, removing white fir understory, and managing for large early seral trees.

In summary, Alternative 5 aims to minimize resource impacts, while reducing the risk of high intensity wildfire, which would jeopardize a greater portion of the landscape than desirable for water quality, habitat, and social values. This alternative also uses the byproducts of forest management to meet societal needs.

Alternatives Considered

Aside from Alternative 5, four alternatives were analyzed.

Alternative 1 was the no action baseline alternative. This alternative was not selected because it does not provide for any of the identified needs for the project area. Fuel loading and stand densities would remain high, with the resulting threat of large-scale disturbance also remaining high. Also, the threat of loss of large trees through over-crowded growing conditions would remain high. Given several decades, some of the project area needs could be met through natural processes if no major disturbance were to occur. However, current conditions make a major disturbance very likely.

Alternative 2 would treat approximately 3,000 acres. This alternative provided the lightest treatments in both the dead and the green trees, limiting openings to 5 acres. This alternative had the least short-term impact to scenic resources and the lowest cumulative impacts to the hydrologic conditions. It also would have been the least effective at reducing the fire risk because it would have done little to reduce the amount and distribution of dead wood across the project area.

Alternative 3 was the preferred alternative because it proposed aggressively treating all of the available acres (about 4,000 acres), hence reducing the fire risk as much as possible, given the limits of the current physical conditions and constraints of current policy and law. Although reducing the fire risk, this alternative would have increased the risk of introducing sediment into bull trout habitat, particularly during rain-on-snow events

Alternative 4 proposed treating approximately 3,500 acres, avoiding the best LSOG habitats and reducing the amount of green tree treatments in order to reduce impacts to scenic resources and watersheds. Like Alternative 3, this alternative had similar risks to bull trout habitat in the Jack Lake subwatershed. It also would have been less effective than Alternative 5 in returning species composition to a higher proportion of ponderosa pine. It also would have left stands of younger green trees at higher risk to insects and disease.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that this decision does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment in either context or intensity; therefore, an Environmental Impact Statement is not necessary. These effects include direct, indirect and cumulative effects described in the environmental assessment and supporting documents.

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.
2. There are no known adverse impacts to public safety. 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.
4. The effects on the quality of the human environment are not likely to be highly controversial.
5. The degree of possible effects on the human environment are not highly uncertain, nor are there unique or unknown risks involved.
6. The actions should not set a precedent for future actions which may have significant effects, nor do these actions represent a decision in principle about a future consideration.
7. These actions are not related to other actions that, when combined, will have significant impacts.
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.
9. No activity will occur that adversely impacts threatened, endangered or sensitive species or habitat that has been determined critical for the protection of these species. The surveys and Biological Evaluations for this analysis have been completed. No threatened or endangered species or habitat critical or the management of these species will be adversely affected by the proposed action. Surveys for sensitive plants that are thought to occur in the project area have been conducted. Timber harvest units have been designed to avoid adverse impacts to known species (e.g. Peck's penstemon and Uncommon gilled mushroom). Proposed underburning will take place where Peck's penstemon is found, but these treatments will have a beneficial effect.
 10. None of the proposed actions implemented by this decision threatens a violation of the Federal, State, or local law, or requirements imposed for the protection of the environment.

OTHER FINDINGS

All actions in the Jack-Canyon Vegetation Management Project selected alternative are consistent with the management direction, standards, and guidelines in the Deschutes Forest Plan (1990) as amended by the Northwest Forest Plan (1994).

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.

All manipulation of vegetation will comply with the seven requirements of 36 CFR 219.27 (b).

The harvest and post-harvest treatments are consistent with the strategy of prevention in accordance with the Pacific Northwest Region's Vegetation Management EIS (1988) and the mediated agreement.

The vegetation management treatments will be consistent with direction found in the ROD/FEIS for managing Pacific yew.

The current vegetation condition in the Jack-Canyon Project area meets the definition of a catastrophic situation: insect and disease impacts are significant and widespread, and they are detrimental to the project area's environment. These vegetation conditions are described for the project area in the Environmental Assessment (pages III-1 to -10) and for the Metolius River basin in the Metolius Watershed Analysis (pages 37-45).

The existing catastrophic situation in the Metolius River basin invokes the built-in exemption to LRMP standard & guideline M22-8, which would otherwise limit opening size to 10 acres, and limit the percentage of the area in openings to 10 percent of the management area in any decade. This exception allows exceeding those limits when catastrophic situations occur.

Except for activities included in the Forest Plan amendment described below, actions in the Jack-Canyon Vegetation Management Project selected alternative are consistent with the management direction, standards, and guidelines in the Deschutes Forest Plan (1990) as amended by the Northwest Forest Plan (1994).

Forest Plan Amendment Number 13

An amendment to the Deschutes National Forest Plan has been included with this project. This section of this decision notice/FONSI restates the amendment that went into effect with the June 28, 1996 decision. This is necessary because Amendment 13 applies to units included in this decision, as well as those implemented in 1996 under PL 104-19.

Conditions in the project area have changed in important ways since these standards and guidelines were established: levels of mortality have increased so that the risk of a fire has increased; the green forest canopy that these standards were designed to maintain has been changed by the mortality, and in the event of a large fire, would be changed even more.

The current condition does not meet Metolius Conservation Area goals. In addition, the consequences of future catastrophic events are likely to occur, which would move the condition even farther from those desired conditions. Action is necessary to satisfy the long-term intent of the Goals, Themes and Objectives of the Management Areas. Taking action now can prevent conditions within the area from declining even further below the standard. By recognizing the changed conditions, and amending the standards for this project, future long-term effects will be lessened. Long term consequences to soil productivity from severe forest fires could cause lasting reduction in the area's ability to meet the current standards through time.

The Deschutes LRMP must be amended to document the changed conditions and the rationale for meeting the general intent behind the Metolius Conservation area, (FP 4-164 & 165), and the General Themes and Objectives for Management Area 22, Metolius Special Forest (FP 4-178), and Management Area 26, Metolius Scenic Views (FP 4-190).

Established procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedures included review by the Forest Interdisciplinary Team.

Forest Plan Amendment Number 13 is as follows:

Metolius Special Forest - MA 22:

The goal for Metolius Special Forest is to rehabilitate and sustain a healthy forest with an emphasis on timber production, while maintaining a near natural appearance, and providing a range of recreational opportunities for public use and enjoyment. Promoting healthy and vigorous forest stand conditions will be the highest priority management goal.

M22-9: This Standard and Guideline is amended to allow for created openings in green white fir stands between the existing dead in order to allow for achieving the long term goals and objectives over time through the re-establishment of ponderosa pine.

M22-13: This Standards and Guideline is amended to allow for a clean up period extending beyond the one year described because of the amount of treatment occurring at one time. Although the District will make every attempt to clean up the slash quickly, the established one-year time frame may not be feasible.

M22-25: A Visual Quality Objective of Modification allows for up to 20% of an area showing visible change at one time. Although individual units will be designed as much as possible to meet the intent of the Goals and Themes and Objectives of the Management Area, this Standard and Guideline is

amended to allow for exceeding the Modification VQO along main roads (1260, 1260.200, 1232, 1235 and 1230.500) and it will allow for exceeding 20% disturbance at one time during the short term.

Metolius Scenic Views - MA 26

The goal for Metolius Scenic Views is to provide visitors with high quality scenery that represents the natural character of the Metolius Basin. Landscapes for selected travel routes and visitor use areas will be managed to maintain or enhance their appearance. Although the proposed activities would meet most of these Standards and Guidelines, specific exceptions need to be made.

M26-4: Although the Jack-Canyon project is designed to accommodate scenic resource concerns as much as possible, this Standard and Guideline is amended to relax the constraint that activities would not create noticeable changes to the casual forest visitor. This will allow for moving the vegetation toward the desired condition over the long term. The former visual quality will be restored over time, in a sustainable fashion.

M26-8 and M26-10: In Partial Retention areas these call for two-year cleanup and openings to be less than 5 acres in size. Existing levels of mortality and the need to implement the fuelbreak in a timely manner will not allow for these Partial Retention Standards and Guidelines to be met. These Standards and Guidelines will therefore be amended to allow for exceeding the rate of treatment on the partial retention corridors (10 percent of the corridor at one time) along roads 1230 and 1234. The existing condition of the 1230 road corridor is currently estimated to be 14 percent treated, and the existing conditions of the 1234 corridor is estimated to be 9 percent. It is likely that the implementation of this project will result in exceeding 10 percent treated at one time along these corridors during the short term.

M26-22: In Partial Retention areas, although the district will make every attempt to meet the established two-year cleanup timelines, this Standards and Guideline is amended to allow for a longer time frame given the amount of treatment occurring at one time. The established two-year time frame may not be feasible.

This amendment is not significant because it is limited in scope to this project, and limited in geographic area to the project area. The intent of this project is to meet the overall goals of the Metolius Conservation area. This amendment causes no significant changes in the multiple-use goals and objectives for long-term resource management. The amendment amounts to a minor adjustment of certain standards and guidelines, and does not significantly change Plan multiple-use goals and objectives. It is therefore not a significant Forest Plan amendment.

Implementation Date

This project is scheduled for implementation beginning in the summer/fall of 1997. This project will not be implemented until five days after the close of the appeal period (36 CFR 215.10).

Administrative Review

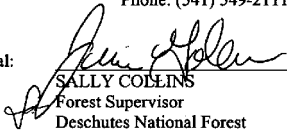
This decision is subject to administrative review (appeal) pursuant to 36 CFR 215.7. Any written notice of appeal of this decision must be fully consistent with 36 CFR 215.14, providing sufficient evidence and rationale to show why the decision should be remanded or reversed.

A written notice of appeal must be filed with the Appeal Deciding Officer within 45 days of the date legal notice of this decision appears in the Bend Bulletin (Bend Oregon). The Appeal Deciding Officer for this decision is the Regional Forester, Pacific Northwest Region (R-6). Mail written notice of appeal to:

**Regional Forester
Pacific Northwest Region,
USDA Forest Service
P.O. Box 3623
Portland, OR 97208-3623
Attention: 1570 Appeals**

For information contact: Carolyn Wisdom
Acting Sisters District Ranger
P.O. Box 249
Sisters, OR 97759
Phone: (541) 549-2111

Responsible Official:


SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Highway 20 E.
Bend, OR 97701


Date

Table DN-3: Treatment Descriptions

Treatment	Abbr.	Acres	Description
Regeneration in low/moderate mortality	RLM-M	422	Dense stands of white fir would be treated with a combination of small group selections and thinning techniques to achieve the following objectives: create a shaded fuelbreak; blend the fuelbreak into the adjacent vegetation; and create a south-slope landscape pattern that provides a transition between upslope and downslope treatment areas. Regeneration patches in groups would normally not exceed 5 acres. The white fir areas would be replaced by early seral species, such as Douglas fir. Thinning will also include removal of individual dead trees or small pockets of dead trees.
Regeneration in high mortality	RMHM	106	In areas of moderate and high tree mortality, use mechanical methods to create "messy" patches (openings). The opening size will depend on the size of the dead tree patches. This treatment will result in large openings greater than 40 acres in one unit (#28).
Thinning green stands	T	704	Thin from below throughout a stand where the predominant species is ponderosa pine or Douglas fir. Thinning will also include removal of individual dead trees or small pockets of dead trees. Thinning units will be blended around the edges with adjacent stands. Thinning would meet species composition and/or stand density objectives as described in the EA, desired condition (EA I-5).
Underburning	UB	1,177	In stands where the predominant species is ponderosa pine or Douglas fir, underburn to break up fuel continuity and to thin with fire where appropriate, including portions of riparian reserves in the fuelbreaks. Thinning may be needed to meet prescribed burning objectives. This thinning would be either mechanical or by hand in sensitive locations such as riparian reserves,
		2,409	

Table DN-4: Alternative 5 Units, Feb. 1997

Unit	Treatment	Acres	Comments
15	RLM-M	16	N-S Fuelbreak
40	RLM-M	10	N-S Fuelbreak
49	RLM-M	10	N-S Fuelbreak
60	RLM-M	39	N-S Fuelbreak
77	RLM-M	8	N-S Fuelbreak
79	RLM-M	58	N-S Fuelbreak
81	RLM-M	22	N-S Fuelbreak
82	RLM-M	50	N-S & Canyon
83	RLM-M	44	N-S & Canyon
85	RLM-M	31	N-S Fuelbreak
86	RLM-M	19	N-S Fuelbreak
87	RLM-M	27	N-S Fuelbreak
90	RLM-M	36	N-S Fuelbreak
91	RLM-M	12	N-S Fuelbreak
118	RLM-M	6	Visual objectives
126	RLM-M	3	N-S Fuelbreak
130	RLM-M	4	N-S Fuelbreak, Visual objectives
131	RLM-M	18	N-S Fuelbreak, Visual objectives
144	RLM-M	6	Visual objectives
148	RLM-M	3	Visual objectives
		422	

Table DN-4: Alternative 5 Units (continued)

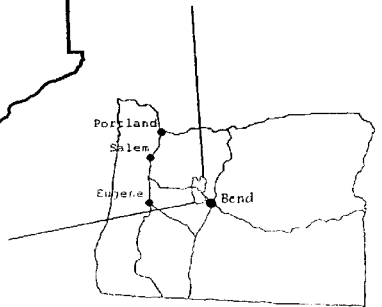
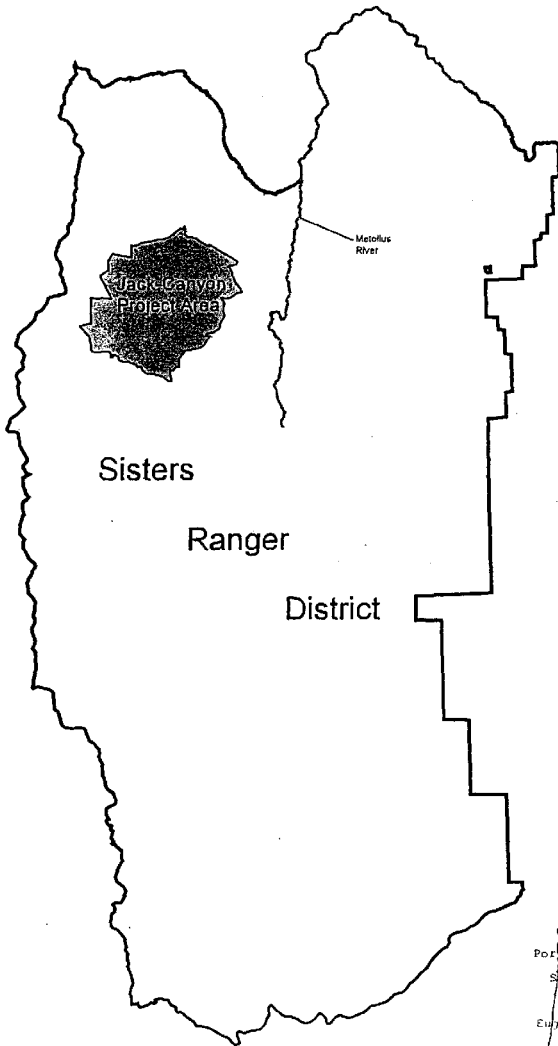
Unit	Treatment	Acres	Comments
1	RMHM	17	N-S Fuelbreak
2	RMHM	17	
28	RMHM	44	
30	RMHM	10	
31	RMHM	18	
		106	
28	T	15	
30	T	4	
31	T	6	
33	T	87	
34	T	26	
35	T	19	
36	T	9	
37	T	40	N-S Fuelbreak
38	T	12	
39	T	16	
41	T	148	
42	T	13	
47	T	22	
48	T	15	
54	T	13	
62	T	79	
65	T	2	Visual objectives
67	T	26	
68	T	21	
69	T	38	
70	T	6	N-S Fuelbreak
72	T	3	
76	T	20	N-S Fuelbreak
138	T	25	
140	T	15	
141	T	7	
143	T	13	N-S Fuelbreak
147	T	4	
		704	

Table DN-4: Alternative 5 Units (continued)

Unit	Treatment	Acres	Comments
23	UB	36	
24	UB	18	
45	UB	42	
63	UB	12	Visual objectives
73	UB	12	N-S Fuelbreak, and Riparian
74	UB	7	N-S Fuelbreak, and Riparian
75	UB	5	N-S Fuelbreak, and Riparian
76	UB	20	N-S Fuelbreak
78	UB	18	N-S Fuelbreak, and Riparian
80	UB	6	N-S Fuelbreak, Visual objectives, and Riparian
84	UB	9	N-S Fuelbreak, and Riparian
88	UB	7	N-S Fuelbreak, and Riparian
89	UB	8	N-S Fuelbreak, and Riparian
116	UB	94	
117	UB	8	Visual objectives
134	UB	160	N-S Fuelbreak
135	UB	317	
136	UB	78	
137	UB	260	
142	UB	49	N-S & Canyon, and Riparian
145	UB	11	
		1,177	

Figure DN-1 Vicinity Map

The Jack-Canyon Project Area shown with the Sisters Ranger District

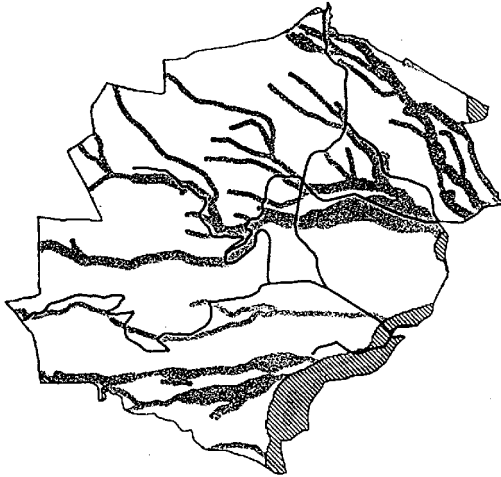








State of Oregon



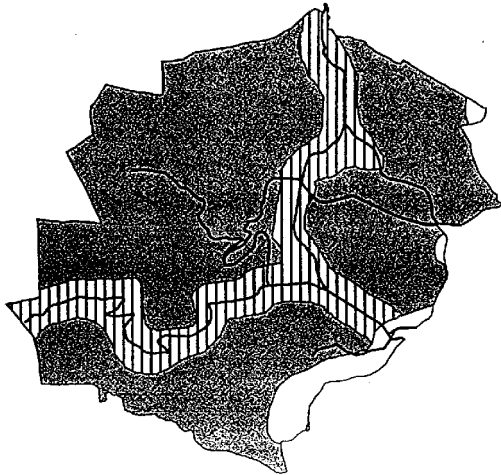
Figure DN-2 Management Areas

Northwest Forest Plan Allocation



-  Jack Canyon Boundary
-  Primary Roads
-  NWFP Allocation
-  LSR
-  Matrix
-  Riparian Reserves

Land Resource Management Plan








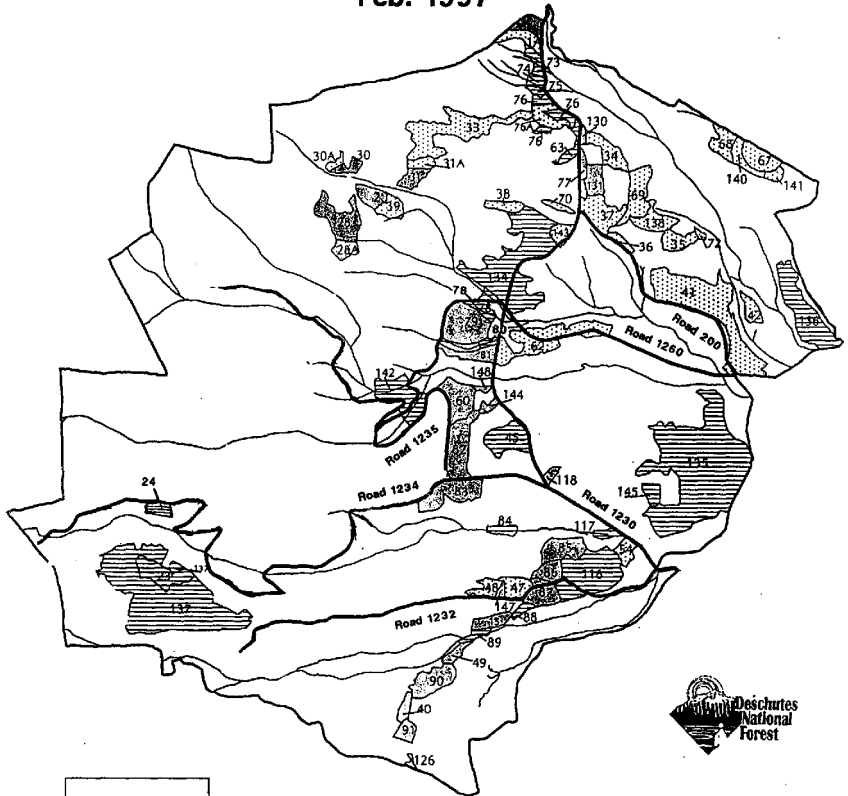








-  Jack Canyon Boundary
-  Primary Roads
-  LRMP
-  Metolius Special Forest
-  Metolius Scenic Views

Figure DN-3 Jack Canyon / Alternative 5 by Silvicultural Opportunity

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- LEGEND**
-  Primary Roads
 -  Jack-Canyon Boundary
 -  Streams
 - Alternative 5 Units**
 -  Modified Regeneration in Low Mortality Areas
 -  Regeneration in Moderate and High Mortality Areas
 -  Commercial Thin
 -  Prescribed Underburn



II-B-1-n 001

USDA Forest Service
Deschutes National Forest
Sisters Ranger District

DECISION NOTICE/FONSI
and
FOREST PLAN AMENDMENT #14

Santiam Corridor Vegetation Management Project

Jefferson County, Oregon

The environmental assessment that discusses the Santiam Corridor Vegetation Management Project is available for public review at the Sisters Ranger District, Highway 20 and Pine Street, Sisters, Oregon 97759.

A. Location & Forest Plan Management Areas

The Santiam Corridor Project Area encompasses approximately 7,000 acres, located about 16 miles northwest of Sisters and about 5 miles west of Black Butte Ranch, Oregon. (Willamette Meridian: T. 13 S, R 8 E, sections 19-24, 25-29, 32-36; T. 13 S, R 7 1/2 E, sections 24, 25; T. 14 S, R 8 E, sections 4, 5; T. 13 S, R 9 E, section 19). The Project Area includes Late-Successional Reserve (LSR, 36% of the project area), Administratively Withdrawn (AWD, 16%) and Matrix (48%) land allocations of the Northwest Forest Plan (NWFP).

The Project Area also lies within management areas described in the 1990 Forest Plan: Scenic Views (MA 9), Intensive Recreation (MA 11), and General Forest (MA 8). Direction found in the 1990 Plan applies where it is more restrictive or provides greater benefits to late-successional forest related species (NWFP C-1). See Vicinity Map (Fig. DN-1) and Management Area Map (Fig. DN-2).

B. Forest Plan Context for Action

The need for action is based upon ecological and social concerns as well as resource opportunities recognized within the analysis area, based on broad objectives described in the Deschutes National Forest Plan, as amended by the Northwest Forest Plan (1994).

Because the 164,000-acre Metolius River basin is considered a Key Watershed under the Northwest Forest Plan, a watershed analysis has been completed. Watershed analysis is required in Key Watersheds prior to resource management. The analysis is essential for making sound management decisions and is the basis for restoration activities designed to foster ecological health of terrestrial and aquatic ecosystems.

Also, about 36 percent of the project area lies in Late-Successional Reserve, lands designated to protect and enhance conditions of late-successional and old-growth (LS/OG) related species including northern spotted owls. An LSR assessment has been completed in order to provide sufficient framework and context for projects and activities within the Metolius LSR. The assessment has been reviewed by the Regional Ecosystem Office (REO).

A discussion of each of the focus for each of the three management areas follows.

Late-successional Reserve (LSR)

The LSR in the project area is part of the Metolius Late-Successional Reserve. The Metolius LSR Assessment refined the general goals for LSRs for the Metolius. In defining criteria for appropriate treatments (LSRA p. 61), the Assessment noted that the Northwest Forest Plan allows for "silviculture aimed at reducing the risk of stand-replacing fires" in the East Cascade province. Risk reduction is also encouraged, even if a portion of the activities must take place in currently late-successional habitat (see also NWFP C-13).

Goals of the Metolius LSR were identified:

1. Provide sustainable vegetative conditions within the natural range of variability typical of the Eastern Oregon Cascade Provide where succession of vegetation occurred under natural fire regimes.
2. Maintain vegetation conditions in mixed conifer plant association groups that support at least nine spotted owl pairs. Provide 1,200 to 1,800 acres of suitable spotted owl habitat per pair.
3. Meet the Aquatic conservation Strategy objectives as defined by the Northwest Forest Plan (NWFP B-9 to 17) and and Metolius Watershed Analysis (p. 145-149).

The LSRA also developed goals for smaller scale Management Strategy Areas (MSAs) that vary across the LSR as vegetation and other factors vary. The Santiam Corridor Project area lies mostly in MSA B, with portions also in MSA A and MSA C. All MSAs emphasize maintaining healthy trees of all species, especially large trees. Area B also has been given a high priority for fire risk reduction because current high levels of decline threaten the late-successional habitat. Area C has been recommended for aggressive fire control measures because of this area's proximity to campgrounds, resorts, private lands and the bald eagle management area (Metolius LSRA p. 96, 99).

Administratively Withdrawn (AWD)

In the Santiam Corridor Planning area, the Intensive Recreation Management Area of the 1990 Forest Plan corresponds to the AWD. This area, which includes the Suttle Lake/Scout Lake complex of recreation facilities, has no scheduled timber harvest, placing its emphasis on providing a wide variety of outdoor recreation opportunities within a forest environment.

The NWFP direction allows continued management for the Intensive Recreation MA under the 1990 Forest Plan Standards and Guidelines, provided that they are more restrictive or provide greater benefits to late-successional forest related species than NWFP Standards & Guidelines. (NWFP C-29, C-2)

Matrix

At the Sisters Ranger District level, Matrix makes up approximately 56,000 acres (22%) of the District lands within the range of the northern spotted owl (and under the Northwest Forest Plan). Congressionally Reserved Areas and Late-Successional Reserves comprise more than 190,000 acres (76%) of the District.

The Matrix Management area, in contrast with other NWFP allocations, provides the timber harvest and silvicultural activities, and hence provides the greatest opportunity to deal with high-risk stand conditions. At the same time, Matrix considers important forest ecosystem processes and functions in management standards and guidelines, which include the following: provide a renewable supply of large logs; retain green trees and snags; retain undisturbed at least 15 percent of the area associated with each harvest unit; minimize soil and litter disturbance; and retain old-growth (late successional) fragments.

These standards and guidelines were specifically included as part of the NWFP Matrix allocation to maintain habitat important to populations of fungi, arthropods, bryophytes and various other organisms that use this habitat structure, such as marten, fisher, amphibians, and vascular plants.

Matrix lands play an important role in meeting the Record of Decision (ROD) for the Northwest Plan. The ROD describes the final selected alternative as responding to multiple needs, with the two primary ones being as follows:

- * The need to maintain a healthy forest ecosystem that conserves the forest habitat upon which species depend.
- * The need to sustain the health and economic well-being of the people of this country.

The Matrix Allocation is designed to balance these dual objectives more so than any other allocation.

Scenic Views (MA 9 in 1990 Forest Plan)

Where the NWFP provides no direction, the 1990 Forest Plan has been used, in particular, the Scenic Quality objectives for the Scenic Views Management Area. This Management Area is intended to provide a diversity of vegetation, with special emphasis on the features that make Central Oregon special, including highlighting large ponderosa pine.

C. Site-Specific Need for Action

Overall, the ponderosa pine and mixed conifer plant associations have undergone dramatic changes during the last 100 years because of successful fire suppression efforts, which have eliminated fire as an ecosystem process. Selective harvest of overstory pine and Douglas fir through logging, and reforestation have influenced stand structure, species composition, and growing conditions.

A significant development over the last 8 to 10 years has been the defoliation of the fir by western spruce budworm. As a result of overstocking, drought, root disease and repeated budworm outbreaks (covering more than 100,000 acres of the Sisters District in 1985, 1986, 1988, 1991 and 1992), a catastrophic situation has developed. In addition to a noticeable decline in tree vigor, tree mortality is widespread across the Metolius River Basin. Approximately 4,400 acres (65 percent) of the Santiam Corridor Project area are in a condition that makes the forest imminently susceptible to insect attack or wildfire. These areas are likely to experience significant change in structure or character as a result of insect attack or fire.

Reduce Fuel Levels/Fire Risk

Current fuel loading levels within the project area pose high fire risks during typical fire seasons experiencing normal weather patterns (i.e., under normal hot summer conditions). Fires burning in these fuel conditions will likely get large fast. These fuel conditions will cause fires that make fire control efforts difficult. During a rapidly growing wild fire, people in the area are at risk of being trapped. This concern is especially pronounced in the vicinity of Suttle Lake, where during the summer fire season, more than 3,000 people can typically be found recreating. Fighting fire while evacuating large numbers of people would create an extremely difficult fire and public safety situation.

Along with the public safety concerns, large-scale, high-intensity wild fire puts ecological components and functions at risk of severe disruption when a hot fire occurs. When compared with a natural occurring low-intensity fire, a fire under current conditions would cause more damage to soil, site productivity, hydrological function, and late-successional habitat connectivity. This type of fire would leave fewer green, living patches than a low-intensity fire.

Thus, there is a need to reduce the amount and distribution of fuels (both dead and green) in the project area in order to make fire fighting efforts more effective, and to reduce the impacts of wild fires when they do occur.

Restore Historic Conditions

The trend toward high levels of mortality will continue as long as existing stand densities and species composition (dominated by true fir) remain in the current state. Although mortality is considered a natural component of ecosystems, such high mortality levels occurring over such a large area are unprecedented in historic times.

The desired forest conditions would move toward the range of a fire climax forest, typically a continuous forest canopy dominated by ponderosa pine and Douglas fir, especially in the larger sizes (greater than 21 inches in diameter). The forest would be less susceptible to insect and disease epidemics and large-scale catastrophic wildfires.

Whether in Matrix, AWD, or LSR, the sustainability of this condition is an important characteristic. In this desired condition, there would be a balance of various vegetation conditions so that although a small area might not be perfectly resistant to wildfire or insect outbreaks, overall, the landscape

would exhibit resilience. When these natural disturbances occur, the land would recover more rapidly, without catastrophic loss of resource values.

Under current conditions, the forests remain vulnerable to large-scale disturbance, such as fire or another insect/disease outbreak. Therefore there is a need to begin moving the forests in the project area toward more stable and sustainable conditions as experienced with historic conditions. The vegetation management proposed in this project aims to begin the process of restoring the project area towards historic vegetative conditions and patterns consistent with natural disturbance frequencies.

Current rates of wood deterioration result in the need to proceed immediately with timber harvest activities associated with fuels reductions. As time passes and timber values decline, timber sales will become less feasible, making equivalent fuels reduction activities more dependent on appropriated dollars.

D. Public Involvement

In February 1996, a scoping letter which outlined this proposal was sent to agencies, organizations, and individuals on the Sisters District mailing list. An overview of this project proposal was presented at two Sisters Ranger District scoping meetings (Feb. 26 and March 25, 1996). A number of field visits were also made with interested publics.

Upon completion of project analysis, a 20-day public comment period was provided, beginning July 18, 1996, and lasting until August 6, 1996. During the review period, 40 comment letters or phone calls were received. Appendix X contains a comment summary and response.

With the exception of clarifications, corrections and additions occurring as described in Appendix X, the environmental analysis addressed the substantive comments received.

E. Issues

During the project analysis, several significant issues were raised:

- * **Late-Successional Habitat and Connectivity:** Late-successional habitat is limited and current conditions are leading to loss of some habitat. Vegetation management treatments would also result in loss or alteration of existing late-successional habitat.
- * **Bald Eagle:** Large-tree habitat for bald eagle is at risk. Treatments should promote retention and development of large tree habitat (standing live and dead).
- * **Soil/Water/Fish:** Detrimental soil impacts will affect soil productivity. Sediment production and delivery to streams will affect water resources and fish habitat.
- * **Scenic Quality:** The extent, duration and intensity of vegetation management activities will temporarily affect scenic quality along Highway 20 and within Intensive Recreation areas.

- * Recreation: Extent, duration and intensity of vegetation management activities may temporarily restrict and impact recreational use within the Santiam Corridor.
- * Economics/Feasibility: The increasing amount of timber becoming unmerchantable, plus conservative measures to protect resources, could result in a sale that is infeasible for economic and technical reasons.

F. Decision Notice

Relative to the need for action, I reviewed the issues, alternatives, and the effects discussed in the environmental assessment. I have decided to implement Alternative 2m, as described in Santiam Corridor Vegetation Management Project Environmental Assessment. This decision will result in commercial vegetation treatments on approximately 1,830 acres. An additional 2,400 acres of noncommercial treatments are also included in this decision. Examples of these noncommercial treatments include harvest-unit reforestation, underburning, firewood and pole sales, and riparian plantings. This decision also allows hazard tree removal along National Highway Safety Act roads that is necessary for routine maintenance. See Selected Alternative map, Figure DN-3.

Two timber sales are expected to result from this decision, with an estimated total timber volume of approximately 19 million board feet.

I have selected Alternative 2m because of two key factors: it begins reducing the fire hazard; and it begins restoring the forest to more sustainable historic conditions. Alternative 2m will also recover some market value from the wood removed; and Alternative 2m will further the goals of the Northwest Forest Plan. Alternative 2m also begins the process of restoring scenic integrity along McKenzie-Santiam Scenic Byway.

Fire Hazard Reduction

Alternative 2m begins the process of reducing the fire hazard through a fire management strategy, and hence reduces the risk to public safety and the risk of habitat loss. The fire management strategy includes the following elements:

- * One part of the strategy would be a shaded fuelbreak that runs along U.S. Highway 20, then north-south along Road 2076, and east-west along Road 2076-600 and other roads to tie the fuelbreak in with developed recreation sites in the Suttle Lake vicinity. Also, Road 2066 and 2066-600 to Dark Lake is a high priority because of Camp Tamarack. The vegetation in this fuelbreak would meet specific objectives for reduced fuel loads.
- * A second part of the fire management strategy would reduce fuels in the developed recreation sites near Suttle Lake/Scout Lake/Dark Lake. These areas have the highest risk of human-cause fires as well as the highest property values (more than \$4 million) in the project area. This element aims to limit the risk of a fire moving from these high-use areas to adjacent lands, and similarly, reduce the risk of a fire starting on adjacent lands from reaching these high-value developments.
- * A third part aims to limit the spread of fire from untreated high mortality

areas, such as the proposed Cache Mountain Research Natural area. If a fire were to start in this area, the objective would be to keep the fire within the RNA.

- * The fourth part of the fire-management strategy is removal of dead and overstocked green trees across the project area. This will reduce overall fuel loading, reduce fuel continuity across the landscape, and remove fire ladders. This part of the strategy will also allow for leaving the larger, fire-resistant green, healthy trees (e.g., thick barked ponderosa pine and Douglas fir), where they are present.

Noncommercial treatments and slash reduction are integral parts of each element of the fire-management strategy.

Alternative 2m places the least amount of risk possible on the watershed while still reducing the fire hazard to levels that provide firefighters with a realistic and more safe opportunity to stop a moderate intensity fire.

In addition to reducing fire risk, we are also trying to restore a more naturally evolving ecosystem with fire as an inherent part of the disturbance and recovery pattern of the Metolius Basin. Fires will occur; they will burn a variety of sizes. Portions of the upper elevations of the Metolius Basin have historically experienced high-intensity, stand-replacement fires. However, considering the public/firefighter safety and the risk to property in the area of such a fire under current conditions, the fire management strategy under Alternative 2m seeks to limit these types of fires to less than catastrophic proportions by confining them to smaller geographic areas.

Restoring Sustainable Historic Conditions

The concern about catastrophic wildfire is important to consider, and Alternative 2m means fire suppression forces will be more effective than current conditions allow. However, fire suppression is not a singular goal. Restoring vegetation conditions is as important a goal because improving these conditions will allow fire and other disturbance agents to again play their historic role to help maintain ecological systems.

The widespread replacement of older, large ponderosa pine forests by younger white fir has converted much of the Metolius River Basin from an ecosystem that absorbed and dampened disturbances, to one that magnifies the spread of fire, insects and diseases. In result, these natural disturbance agents, which at one time played beneficial ecological roles, now have potential to destroy critical habitats and degrade ecosystem integrity. With such a valuable aquatic ecosystem interwoven with an unstable and unsustainable terrestrial ecosystem, the major challenge is to heal one set of problems without exacerbating others--or creating new ones.

Alternative 2m begins taking steps towards restoring the forest to more sustainable historic conditions. Vegetation treatments will focus on moving dry mixed conifer plant associations towards fire climax conditions that are sustainable, less dense, large tree habitats that dominated the project area historically. Some of the moderate and high mortality areas will be regenerated back to seral species such as ponderosa pine and Douglas fir.

Also, thinning and underburning will take place in areas of low mortality to reduce stand densities and promote large ponderosa pine tree characteristics. Maintaining stand densities at levels consistent with a particular site's vegetative capability will result in more resistance to insect and disease outbreaks, the overstory trees will live longer, and these areas will be less likely to be involved in a catastrophic, stand replacement wildfire. These treatments will lead low mortality stands away from small densely stocked tree stands and towards having more medium and large trees.

Initiating the steps to move the forests back to more historic conditions reflects an appreciation for how the past may be our best guide in monitoring and restoration - a guide to what once seemed to work better than what is currently in place. Knowing what forests used to look like will not give us any easy answers, but historical knowledge can be helpful in managing current forests. The ratio of pine to fir is important, and so is the ratio of mature trees to younger trees. Complexity of the forest is important in the form of snags, deadwood, and older trees.

Under current conditions, the expected wildfire in the drainage would likely create much larger openings than those proposed under any action alternative. Alternative 2m moves the treated areas toward more sustainable conditions and does not preclude future treatments that would eventually reduce risk further. These future treatments can be implemented over a longer time frame, allowing the hydrologic condition to recover from current conditions. This slower pace maintains some risk to public safety and maintains some risk of habitat loss during a longer time period.

Response to specific Concerns

Detailed response to specific concerns raised during the comment period is found in Appendix X of the EA. Three areas in particular received the greatest comment and raised the greatest concerns:

1. Aquatic Habitat and Flooding

Consistent with the Northwest Forest Plan, Alternative 2m avoids treatment in Riparian Reserves unless treatments are consistent with aquatic conservation strategy objectives. The decision includes 107 acres of commercial treatments and 220 acres of noncommercial treatments in Riparian Reserves. All of these treatments are associated with reducing the larger risk of large-scale disturbance caused by fire. Treatments in fuelbreaks (16 acres in reserves of dry, intermittent streams) and developed recreation sites (91 acres in reserves around lakes) will affect specific portions of riparian reserves. Measures are included as part of Alt. 2m to leave down and standing dead wood where fuelbreaks intersect the Riparian Reserves, so that immediate needs for in-stream wood will be met. In areas of high mortality with few live trees to leave, more snags would be felled into the stream channel immediately, leaving less wood for future recruitment.

On a landscape scale, however, the reduced fire risk will benefit aquatic conservation strategy objectives, as outlined in the Metolius Watershed

Analysis (pp. 145-149). Riparian Reserves will continue to provide large wood, stable and vegetated streambanks, stream shade, a vegetative filter for runoff from roads. Where portions of Riparian Reserves are treated, treatments are necessary to contribute toward sustaining and protecting late-successional habitat and aquatic conservation strategy objectives.

With respect to concern for runoff and flooding potential being increased by these activities (especially the amount of proposed regeneration harvesting), a discussion of the selected alternative needs to be placed in context of current conditions and risks. Because of extensive mortality, serious runoff risks already exist, even if no action were taken. Consequently, this runoff risk poses a risk of stream sedimentation that will continue to grow as dead trees continue to accumulate. In addition to the openings from mortality, a hot fire would remove ground cover, which would further increase the risk of runoff. Logging systems are included in the project that minimize soil compaction and displacement in key locations (e.g. full log suspension within the inner zone of Riparian Reserves, and winter logging on sensitive soils).

Along with commercial and noncommercial vegetation treatments, road maintenance and soil restoration activities will all serve to improve soil and hydrologic function and reduce problems experienced in the 1996 flood.

2. Northern Spotted Owl

According to the Final Draft Recovery Plan for the Northern Spotted Owl (USFWS 1992), the Eastern Oregon Province habitat is most at risk from fire, insects and disease related losses. The risk of large-scale, stand-replacement wildfires is considered "high" and the plan recognizes the significant insect and disease disturbances already underway. The Recovery Plan addresses vegetation management opportunities in spotted owl habitat by acknowledging that active management will better protect and sustain owl habitat in the long term.

Alternative 2m affects six spotted owl home ranges by treating more than 900 acres of habitat identified as suitable owl habitat (NRF, or nesting, roosting, foraging habitat). Most of this habitat is now in moderate to high tree mortality, which has reduced live-tree canopy. Regeneration harvest will start these stands over, resulting in long-term (80-100 years) options for habitat management. Thinning will reduce habitat quality in the short-term (10-20 years), but will sustain owl habitat characteristics over the long-term (40-80 years).

The US Fish and Wildlife Service has been consulted on this project at two levels. At the programmatic level, the USFWS issued a biological opinion under Section 7 of the Endangered Species Act during adoption of the Northwest Forest Plan (1994). In that opinion, the USFWS determined that implementation of the Plan was not likely to jeopardize the continued existence of listed species, or result in adverse modification or destruction of designated critical habitat. However, the USFWS was unable to fully assess incidental take of spotted owls or the impact to spotted owl dispersal outside of the late successional reserves (LSRs). Therefore, consultation was included to provide assessments for site-specific projects.

At the second, site-specific level, consultation has been conducted for both the Santiam Corridor and the Jack-Canyon project because of their proximity and because they will be occurring simultaneously. Results are documented in a biological opinion (USFWS 1996 Vegetation Management Program Biological Opinion, June 21, 1996). The USFWS determined that these projects "are not likely to jeopardize the continued existence of the spotted owl or adversely modify designated or proposed critical habitat." (USFWS BO, p. 19)

The USFWS based this conclusion on four reasons (USFWS BO, p. 19):

1. The plan provides a well distributed set of reserves that protect suitable habitat across the range of the spotted owl.
2. These reserves provide for regeneration of additional acres of suitable habitat that is expected to provide for a larger and more effective population within the reserves.
3. The proposed projects will not preclude the recovery contributions afforded the affected species by the plan.
4. Suitable habitat removed by the proposed action is generally poor quality and in decline. The proposed management is expected to reduce the threat of catastrophic loss to wild fire and regenerate spotted owl habitat where insect and disease induced mortality has occurred over the landscape.

The USFWS also found that incidental take would occur for 8 pairs of spotted owls, 6 pairs in the Santiam Corridor Project. In its conclusion to the biological opinion, the USFWS determined that "this level of anticipated take is not likely to result in jeopardy to the species or destruction or adverse modification of the designated or proposed critical habitat." (USFWS BO, p. 20)

Furthermore the USFWS found that the "the following reasonable and prudent measures are necessary and appropriate to take:

1. Minimize disturbances to spotted owl pairs and their progeny during the nesting season." (USFWS BO, p. 20)

This will be accomplished as part of this decision by implementing seasonal restrictions described in the Environmental Assessment.

3. Scenic Quality

Alternative 2m attempts to move towards meeting the desired natural-appearing condition described for the Scenic Views LRMP Management Area. However, a Forest Plan amendment specifically for this project will be used to document the changed conditions and the rationale for exceptions needed to standards and guidelines.

Less than 10 years ago, in the upper basin of the Metolius River where the Santiam Corridor Project is located, visitors viewed a much greener and undisturbed forest. Much of the project area is in moderate-to-high mortality, with stands dominated by clusters of dead and dying trees, with a predominant gray character to the forest.

Alternative 2m will accommodate scenic resource concerns as much as possible using retention areas, although in areas of high mortality, the effects to visual quality will not fit in with the desired condition. Areas will appear substantially more open after treatment, and most of the gray trunks will be removed. Some areas of higher mortality will be treated to mimic the look and pattern of wildfire. These treatments will appear very open with patches of live and dead vegetation remaining.

Moreover, the fuelbreaks along Highway 20 and Forest Roads 2076, 2066, 2066-600 and others will cause more change than would normally be expected in visually sensitive areas, and the change will remain apparent for a period of time that will last longer than would be expected.

In summary, Alternative 2m aims to minimize resource impacts, while reducing the risk of high intensity wildfire, which would jeopardize a greater portion of the landscape than desirable for water quality, wildlife habitat, soils and other resources. Public safety and firefighter risks are also reduced. This alternative also uses the byproducts of forest management to meet societal needs.

G. Alternatives Considered

Aside from Alternative 2m, four alternatives were analyzed.

Alternative 1 was the no action baseline alternative. This alternative was not selected because it does not provide for any of the identified needs for the project area. Fuel loading and stand densities would remain high, with the resulting threat of large-scale disturbance also remaining high. Similarly, the threat of loss of large trees through over-crowded growing conditions would remain high. Given several decades, some of the project area needs could be met through natural processes if no major disturbance were to occur. However, current conditions make a major disturbance very likely.

Alternative 2 would commercially treat approximately 2,500 acres. It aims at similar objectives as Alt. 2m (reduce fuel loadings and restore fire's historic role over the greatest area of the landscape), except treatment methods are not modified to reduce specific resource impacts.

Alternative 3 would allow fire to play its historic role at a more limited scale and accepts some risk of a large scale, high intensity fire over a longer time than Alt. 2 or 2m. A total of 1,500 acres would be commercially harvested. This alternative maintains the greatest amount of LS habitat and limits the human caused cumulative effects caused by new created openings within the watershed. Although reducing the fire risk, this alternative would have left areas untreated that provide key portions of the fire-management strategy, especially near Dark Lake and Camp Tamarack.

Alternative 4 proposed treating approximately 1,000 acres, focusing on a minimal fuelbreak strategy. This alternative had the least short-term impact to scenic resources and the lowest cumulative impacts to the hydrologic conditions. Although it would have provided for firefighter and public safety at a minimally acceptable level, it would have provided little resource protection outside of these treated areas, and risk remained high that a

large-scale fire could occur.

H. FINDING OF NO SIGNIFICANT IMPACT

I have determined that this decision does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment in either context or intensity; therefore, an Environmental Impact Statement is not necessary. These effects include direct, indirect and cumulative effects described in the environmental assessment and supporting documents.

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 are not significant, considering the following factors of intensity:

1. The analysis considered both beneficial and adverse effects.
2. There are no known adverse impacts to public safety. 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.
4. The effects on the quality of the human environment are not likely to be highly controversial.
5. The degree of possible effects on the human environment are not highly uncertain, nor are there unique or unknown risks involved.
6. The actions should not set a precedent for future actions which may have significant effects, nor do these actions represent a decision in principle about a future consideration.
7. These actions are not related to other actions that, when combined, will have significant impacts.
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 that 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.
9. The surveys and Biological Evaluations for this analysis will have been completed before project implementation begins. No threatened or endangered species or habitat critical for the management of these species will be adversely affected by the proposed action.

Surveys for sensitive plants that are thought to occur in the project area have been conducted. Timber harvest units have been designed to avoid adverse impacts to known species (e.g. Peck's penstemon and the chanterelle mushroom).

10. None of the proposed actions implemented by this decision threatens a violation of the Federal, State, or local law, or requirements imposed for the protection of the environment.

I. OTHER 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.

All manipulation of vegetation will comply with the seven requirements of 36 CFR 219.27 (b).

The harvest and post-harvest treatments are consistent with the strategy of prevention in accordance with the Pacific Northwest Region's Vegetation Management EIS (1988) and the mediated agreement.

The vegetation management treatments will be consistent with direction found in the ROD/FEIS for managing Pacific yew.

The current vegetation condition in the Santiam Corridor Project area meets the definition of a catastrophic situation: insect and disease impacts are significant and widespread, and they are detrimental to the project area's environment. These vegetation conditions are described for the project area in the Environmental Assessment (II-1 to II-4) and for the Metolius River basin in the Metolius Watershed Analysis (pages 37-45).

Except for activities included in the Forest Plan amendment described below, actions in the Santiam Corridor Vegetation Management Project selected alternative are consistent with the management direction, standards, and guidelines in the Deschutes Forest Plan (1990) as amended by the Northwest Forest Plan (1994).

J. Forest Plan Amendment Number 14

An amendment to the Deschutes National Forest Plan has been included with this project. Conditions in the project area have changed in important ways since these standards and guidelines were established: levels of mortality have increased so that the risk of a fire has increased; the green forest canopy that these standards were designed to maintain has been changed by the mortality, and in the event of a large fire, would be changed even more.

The current condition does not meet Scenic Views character goals. In addition, the consequences of future catastrophic events are likely to occur, which would move the condition even farther from those desired conditions. Action is necessary to satisfy the long-term intent of the Goals, Themes and Objectives of the Management Areas. Taking action now can prevent conditions within the

area from declining even further below the standard. By recognizing the changed conditions, and amending the standards for this project, future long-term effects will be lessened. Long-term consequences to soil productivity from severe forest fires could cause lasting reduction in the area's ability to meet the current standards through time.

The Deschutes LRMP must be amended to document the changed conditions and the rationale for meeting the general intent behind the following three Forest Plan allocations:

Scenic Views (MA 9): In this Forest Plan allocation, the goal is to provide Forest visitors with high quality scenery that represents the natural character of Central Oregon. The objectives call for enhancing landscapes by opening views to distant peaks, unique rock forms, etc. The desired condition for ponderosa pine is to achieve and maintain visual diversity through variation of stand densities and size classes (LRMP 4-121).

Intensive Recreation (MA 11): In this Forest Plan allocation, the goal is to provide a wide variety of quality outdoor recreation opportunities within a Forest environment where the localized settings may be modified to accommodate large numbers of visitors (LRMP 4-135).

General Forest (MA 8): The goal of this management area is to emphasize timber production while providing forage production, visual quality, wildlife habitat and recreational opportunities for public use and enjoyment (LRMP 4-117).

Established procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedures included review by the Forest Interdisciplinary Team.

Forest Plan Amendment Number 14 is as follows:

M9-4: Ponderosa Pine-Foregrounds -- Desired Visual Condition

Amend to allow for exceeding Retention and Partial Retention VQOs. This objective will be met over the long term through re-establishment of ponderosa pine.

M9-8: Timing of cleanup activities in Ponderosa Pine-Foregrounds

Although the district should make every attempt to clean up the slash quickly, this Standard and Guideline is amended to allow for a more realistic time frame given the amount of treatment occurring at one time. The established one-year (in Retention) and two-year (Partial Retention) times frame are not feasible under current conditions.

M9-18: Cleanup activities in Ponderosa Pine Middlegrounds and Backgrounds

Same change as M9-8.

M9-27 Cleanup activities in Mixed Conifers-Foregrounds

Same change as M9-8.

M9-44 Cleanup activities in Mixed Conifer-Middlegrounds and Backgrounds

Same change as M9-8.

M9-10 Openings in Ponderosa Pine-Foregrounds

This and similar Standards & Guidelines listed below are amended to allow for exceeding the stated acreage limitations and to allow for openings that are not necessarily "naturally appearing". Opening sizes will exceed the 2-acre Foreground limit in Retention; the 5-acre limit in Partial Retention; and the 20-acre middleground/background partial retention limitation. In addition, the scale of human-caused openings would not simulate naturally occurring openings.

M9-19 Openings in Ponderosa Pine Middlegrounds and Backgrounds

Same change as M9-10.

M9-29 Openings in Mixed Conifers-Foregrounds

Same change as M9-10.

M9-46 Openings in Mixed Conifer-Middlegrounds and Backgrounds(46):

Same change as M9-10.

M9-15: Ponderosa Pine-Middlegrounds and Backgrounds -- Vegetative Management.

This Standard and Guideline is amended to ease the requirement for managing to provide a "strong textural element". This remains a long-term goal, but current conditions do not allow reaching that goal without first allowing the textural element to be weakened.

M9-20: Mixed Conifer-Foregrounds -- Desired Visual Condition.

This Standard and Guideline is amended to ease the requirement for species diversity and small natural appearing openings. Although this remains a long-term goal, it cannot be achieved under current conditions, where high levels of mortality predominate.

M9-34: Timber/Mixed Conifer-Middlegrounds and Backgrounds.

This Standard and Guideline is amended to ease the short term requirements for visual diversity and natural appearing openings. The objectives of this Standard and Guideline would still be met over the long term, however.

M9-49: Mixed Conifer Middlegrounds and Backgrounds -- Vegetative Management

This Standard and Guideline states that large diameter trees will remain a significant component in these areas. This Standard and Guideline is amended to allow for removal of large diameter trees in Mixed Conifer Middlegrounds and Backgrounds -- as needed -- to maintain the integrity of the fuelbreak prescription. This exception is expected to be used to remove dead or dying trees, and perhaps healthy white fir. This exception is rarely, if ever, expected to be used to remove large, healthy ponderosa pine and Douglas fir.

M9-90: Fire Management

This Standard and Guideline is amended to remove the 5-acre limitation on prescribed fire in foreground areas. Conditions require areas of greater size to be treated.

M11-20: Ponderosa Pine

This Standard and Guideline states that small, natural appearing openings are desirable. Because of the amount of mortality, openings may not be small or natural appearing (especially within the fuel break). This Standard and Guideline is amended to permit exceptions where the existing condition has changed dramatically since the time the Standard and Guideline was established.

M11-22: Mixed Conifer

Same as M11-20.

M11-35/36: Visual

This Standard and Guideline is amended to permit exceeding Retention and Modification VQOs where the existing condition has changed dramatically since the time the Standard and Guideline was established.

M8-19: Visual

This Standard and Guideline is amended to permit exceeding Modification VQO where the existing condition has changed dramatically since the time this objective was established.

This amendment is not significant because it is limited in scope to this project, and limited in geographic area to the project area. The intent of this project is to meet the overall goals of the 1990 Deschutes NF Plan. This amendment causes no significant changes in the multiple-use goals and objectives for long-term resource management. The amendment amounts to a minor adjustment of certain standards and guidelines. It is therefore not a significant Forest Plan amendment.

K. Implementation Date

This project is scheduled for implementation beginning in the Summer of 1996.

L. Administrative Review

This proposal lies within the area included in the Northwest Forest Plan (Option 9) and therefore falls under subsection 2001(d) of P.L. 104-19. Pursuant to subsection 2001(e), the decision to implement this project is not subject to administrative review.

Under provisions of subsection 2001(i), the documents and procedures required for preparation, advertisement, offering, awarding, and operation of timber sales resulting from this decision are deemed to satisfy the requirements of applicable environmental laws as listed in Subsection 2001(i).

Sisters Ranger District

Decision Notice

Any timber sale resulting from this decision that is conducted under subsection 2001(d) shall be subject to judicial review only in the United States district court for the district in which the affected Federal lands are located. As required under Section 2001(f)(1) of Public Law 104-19, any challenge to such a sale must be filed in the district court within 15 days after the advertisement of the challenged sale.

For information contact: Karen Shimamoto
Sisters District Ranger
P.O. Box 249
Sisters, OR 97759

Phone: (503) 549-2111

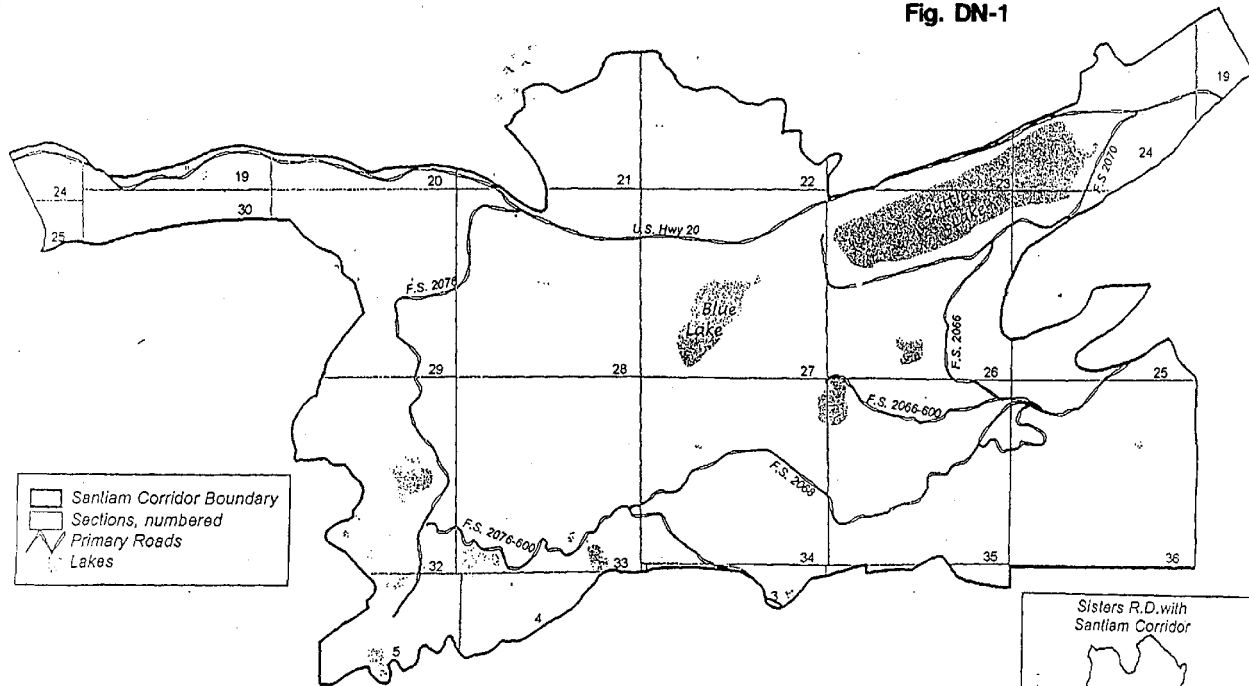
Responsible Official:

Sally Collins
SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Highway 20 E.
Bend, OR 97701

August 16, 1996
Date

Santiam Corridor Vegetation Management

Fig. DN-1



- Santiam Corridor Boundary
- Sections, numbered
- Primary Roads
- Lakes



1:43111
April 1996

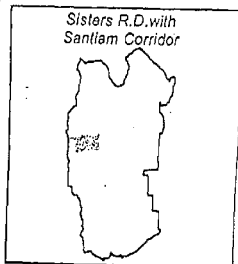
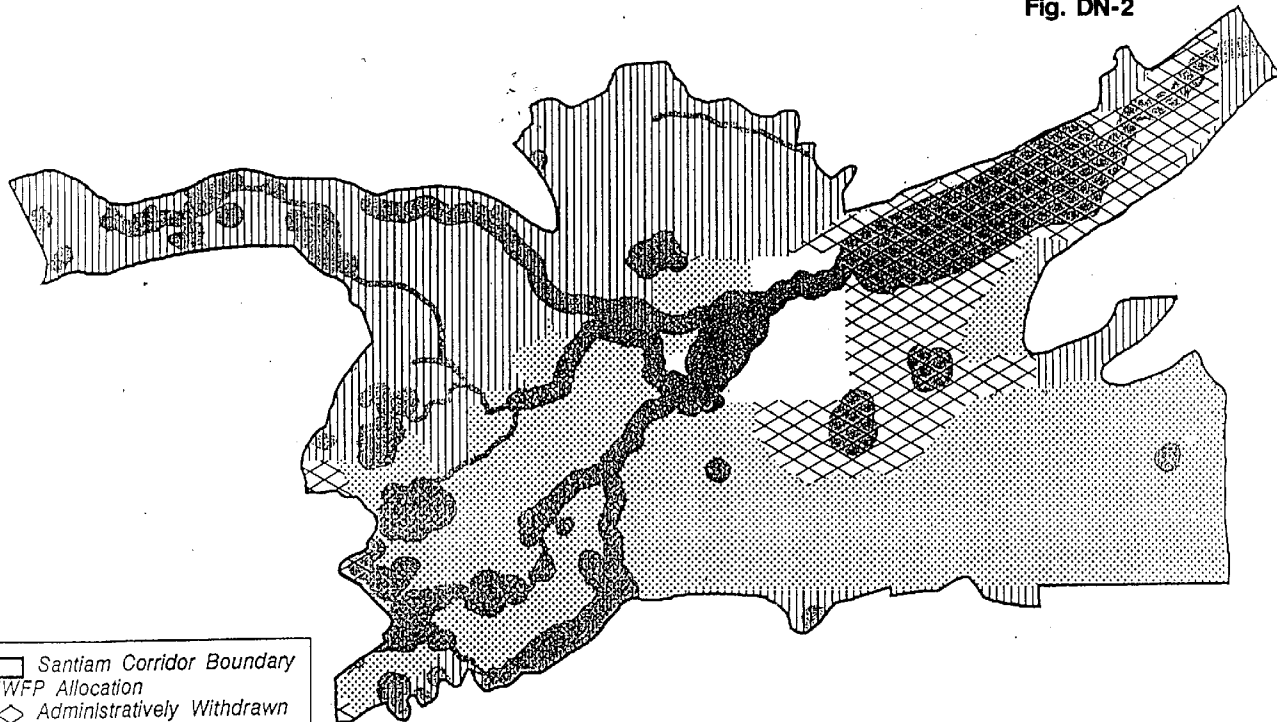








Fig. DN-2



-  Santiam Corridor Boundary
-  NWFP Allocation
-  Administratively Withdrawn
-  Late Successional Reserve
-  Matrix
-  Riparian Reserves

North



0.5 0 0.5 1 Miles

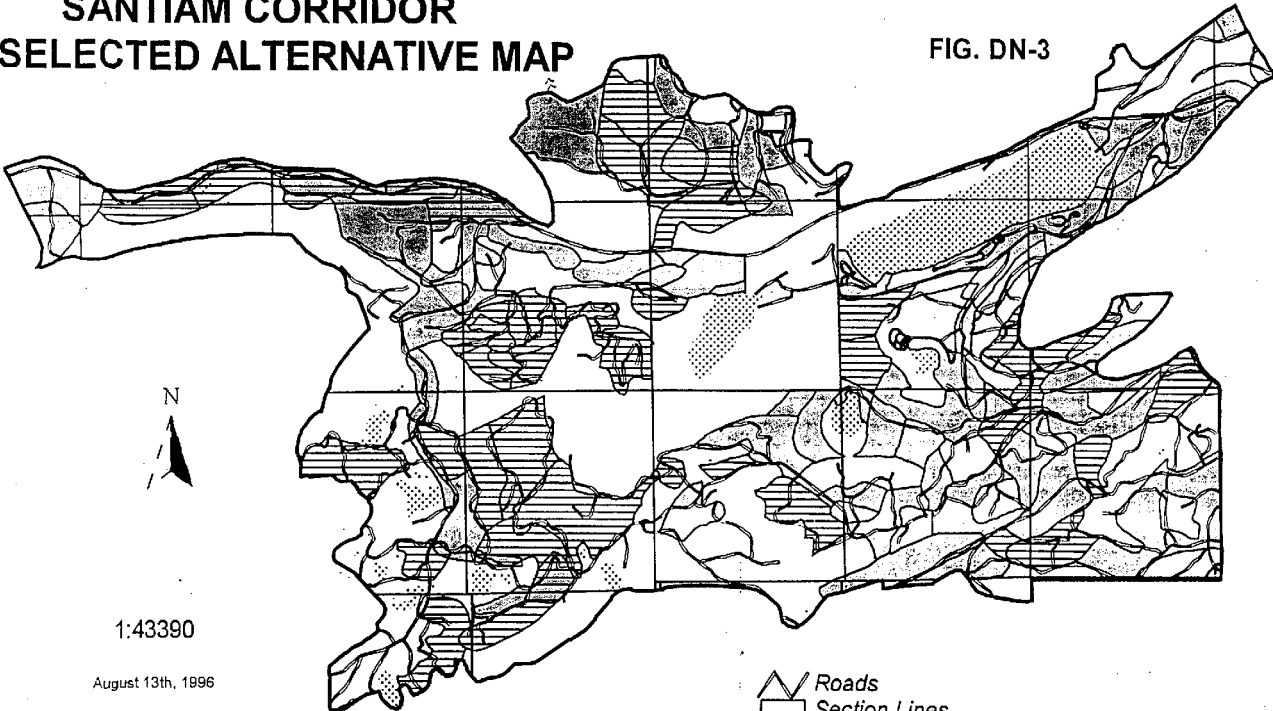


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




SANTIAM CORRIDOR SELECTED ALTERNATIVE MAP

FIG. DN-3



1:43390

August 13th, 1996

-  Roads
-  Section Lines
-  Lakes
-  Santiam Corridor Boundary
-  Non Commercial Units, Alt 2M
-  Harvest Units, Alt 2M

**Santiam Corridor
Vegetation Management
Project**

Environmental Assessment

Appendix C

**Public Comment Period
&
Response**

August 14, 1996

Appendix C - Response to Comments from the Public

I. Summary of Comments & Response

The 20-day comment period for the Santiam Corridor Vegetation Management Project ran from July 18, 1996 until August 6, 1996. On Monday, July 15, 1996, copies of the completed environmental assessment were sent to 11 individuals who were known to have an interest in the Santiam Corridor Veg. Management Project planning. In addition, a letter was sent to more than 500 others who had previously received notice of the planning, but who had not been active participants during the planning. The public notice appeared in The Bulletin (Bend, OR) and The Nugget (Sisters, OR) on July 17, 1996.

During the comment period, nine additional copies of the EA were sent in response to requests.

Responses on the project were received from 40 respondents. Approximately 175 separate comments were identified and classified into the following subjects:

1. Amendment to the Forest Plan
2. Clearcutting effects
3. Cumulative effects
4. Economics
5. Fire risks
6. Impacts to recreation
7. Roads
8. Scenic Quality
9. Harvesting on slopes more than 15/30 percent
10. Soil effects
11. Trees to be cut: concern with including live, big trees especially
12. Watershed Impacts: especially Riparian Reserves and potential runoff
13. Wildlife: impacts to TES species as well as habitat in general.
14. General comments: purpose of project, alternative preferences, etc.

Once the comments were identified, they were reviewed with the following questions in mind:

1. Does the comment provide new information pertaining to the proposed action, preferred alternative, or any other alternative?
2. Does the comment identify a new issue or expand upon an existing issue?
3. Does the comment identify a different way to meet the underlying need (i.e. does it propose a new alternative).
4. Does the comment provide an opinion regarding one or more alternative, including the basis or rationale for that opinion?
5. Does the comment point out a specific flaw in the analysis?
6. Does the comment identify a different source of credible research which, if used in the analysis, could result in different effects?

Based on these questions, comments resulted in two possible outcomes:

1. Comments that suggest modification of the documentation or analysis (modify alternatives, develop new alternatives, supplement the analysis, correct factual errors).
2. Comments that evoke no further response for several possible reasons: they raise points that are outside the scope of the project's purpose; they discuss issues or facts that have already been discussed in the documentation; they lack sufficient specificity to support a change in the document or to permit a meaningful response; they draw conclusions from the documentation; or they "vote" for an alternative without giving supporting rationale.

A. Comments and Changes to the documentation or analysis

None of the comments required a change in the analysis. Some changes have been made in the documentation to clarify specific points, correct omissions, and correct other errors (e.g. typographic

1. The Sisters Forest Planning Committee was left off the list of participants. This has been corrected (EA p. V-1).
2. Roads and road closures needed to be clarified. General road closures were included as part of the common to all alternatives, but specific roads were not identified (EA, p. III-20). This general proposal has been removed from the opportunity list to clarify that the only roads proposed for closure/obliteration will be rehabilitation of roads that have already been taken off the road system, which will be used during the project for access (temporary haul roads or skid trails). Roads described in the EA (IV-40) fall into this category. The roads described as part of the alternatives (EA p. III-12) remain unchanged.
3. Unit 26 had been dropped earlier in the analysis (EA p. III-2), but the unit was referred to in the recreation effects section associated with Alternative 2 (EA p. IV-46). The reference was deleted in the EA.
4. Riparian treatments and objectives have been clarified, especially in the riparian areas associated with the fuelbreaks (EA III-7). This addition states more completely how aquatic conservation strategy objectives will be achieved (e.g. leaving wood in channel, fully suspending logs removed near the channel, and other provisions).
5. Raptor protection objectives have been modified to align with the Forest Plan direction (goshawk, great gray owl, osprey pp. III-16 & 17). Specifically, this direction provides discretion for activities to occur during periods that would otherwise have seasonal restrictions. This change was necessary in order to avoid conflicts between seasonal closures and the operating season, which is already restricted.

B. Comment that refer to existing analysis

1. **Forest Plan and the amendment:** Concerns were expressed about changing the Forest Plan because of the additional amount of harvesting it would allow. An amendment would allow too many large openings and allow too much clearcutting. Better to amend the project than the plan.

Response:	EA: Current Forest Plan direction	I-4 to 5
	Scenic quality as an issue	I-6
	Purpose of amendment	
	changed scenic conditions	II-13 to 14
	current plan VQOs	III-12
	scenic resource effects	IV-14 to 20
	Purpose of the proposed actions	I-3 to 8
	Condition of resources	
	Forest Health/veg.	II-1 to 6
	Fire Risk	II-7 to 12
	Late-successional habitats	II-17 to 20
	Bald eagle habitat	II-21
	Priority areas	III-2
	Alt. response to purpose	III-3 to 5
	Treatment objectives	III-5 to 9
	Effects of treatments	
	Forest Health/veg.	IV-1 to 6
	Fuels/Fire Risk	IV-6 to 14
	Late-successional and other plants	IV-21 to 24
	Late-successional wildlife	IV-24 to 29
	Bald eagle habitat	IV-29 to 31
	Other Wildlife species inc. fish	IV-32 to 35
	Water Resources	IV-35 to 41
	Soils	IV-41 to 44
	Recreation	IV-41 to 44

2. **Clearcutting:** Comments expressed concerns about clearcutting in general, as a management tool, and in particularly, the effects of clearcuts to runoff and flooding; to wildlife habitat; to scenic quality; etc. Particular concern was expressed as follows:

Concern: Connection between clearcutting and runoff (flooding) and the potential impacts of clearcutting to the watershed (Metolius) should be considered.

Response:	EA: Purpose of the project	I-3
	Soil/Water/Fish as an issue	I-6
	Affected Environment	
	Soil	II-31 to 33
	Water	II-27 to 31
	Fish	II-25 to 27
	Treatment objectives	
	Riparian Reserves	III-7
	Protection objectives	
	Soil	III-12
	Riparian Reserves	III-15

Effects of actions	
Soil	IV-41 to 44
Water	IV-35 to 41
Runoff advantage of Alt. 2m	IV-41
Fish	IV-35

Concern: Impacts of clearcutting to scenic resources.

Response: EA: Purpose of the veg. management	I-2, 3
changed scenic conditions	II-12 to 14
scenic resource improvements	II-12
protection objectives	III-14
scenic resource effects	IV-14 to 20

Concern: Size of openings created by clearcuts.

Response: EA: Current veg. conditions, reason for size	II- 1 to 6
Current scenic conditions	II-12 to 14
Treatment descriptions	III-6 to 11

(effects of activities to soils, water and fish referenced above)

Concern: Impacts of clearcutting to wildlife:

Response: EA: Purpose is to avoid habitat loss	II-17, 20
Connectivity issue	I-6
Affected environment, wildlife	II-17 to 26
Effects to wildlife	IV-21 to 35

3. **cumulative effects:** Comments questioned whether adequate analysis has been done to show cumulative effects of the Santiam Corridor Project when considered along with Jack-Canyon and the other projects necessary to complete the north-south fuelbreak described in the assessment. NEPA requires these projects to be analyzed together, and when considered together, the impact is too great.

Response: EA: Purpose of the project	I-3
Relationship to North-south fuelbreak	I-2
Issues include cumulative effects	I-6
Cumulative effects	
Vegetation	IV-1 to 6
Fuels	IV-12 to 14
Scenic	IV-14 to 20
Sensitive Plant Habitats	IV-21 to 24
LS wildlife	IV-25 to 29
Bald Eagle	IV-29 to 35
Snags/GTRs	IV-34
Woody material (CWD)	IV-35
Water Resources	IV-36 to 40
Riparian Reserves	IV-35, 36
Soils	IV-41 to 44
Air Quality	IV-47

4. **Economics:** Economics are important and should be considered. To develop a viable sale, save costs by looking hard at required work.

Response: EA: Economic feasibility as a purpose I-3
 Economics as an issue I-7
 Economic feasibility of alternatives IV-48 to 49

5. **Fire Risks:** Some comments supported removal of dead to reduce fire hazard. Others suggested other ways of reducing the risk, such as instituting road closures. Also, information was presented that noted green trees are more likely to create catastrophic fire than dead trees.¹

Specific concerns are as follows:

Concern: Doubts were raised that the fuel reduction would make much difference to the fire hazard situation; the project cannot be justified if the effects of a fire would be less than the effects of logging.

Response: EA: Purpose of fire hazard reduction I-3
 Alt. response to purpose III-3 to 5
 Fuel treatment objectives III-9
 Fuels current conditions II-7 to 12
 Fuels effects of no action IV-6 to 14
 Current conditions, other resources
 Vegetation II-1 to 6
 Scenic II-12 to 14
 LS Plants II-14 to 16
 LS Wildlife II-17 to 20
 Other wildlife II-21 to 27
 Soils II-31 to 33
 Watershed II-27 to 31

¹The analysis notes that fire behavior depends on weather, fuels and topography (EA p. I-3). The analysis described expected fire conditions based on local factors and local knowledge of how these factors interact. Although not referred to during the analysis, the recent Jefferson Fire serves as an accurate example of expected fire behavior in the vicinity of the project area. Snags made that fire spread rapidly, and made firefighting difficult.

Response:	EA	Protection objectives	
		Vegetation	III-12
		Scenic	III-14
		LS Plants	III-18
		LS Wildlife	III-15 to 16
		Other wildlife	III-16 to 17
		Soils	III-13
		Riparian/Watershed	III-15, 19
		Effects of no action & alternatives	
		Vegetation	IV-1 to 6
		Scenic	IV-14 to 20
		LS Plants	IV-21 to 25
		LS Wildlife	IV-25 to 29
		Other wildlife	IV-29 to 35
		Soils	IV-41 to 44
		Watershed	IV-36 to 41
Concern:		Considering the amount of slash created during the timber sales, the project is actually increasing risk for the next 3-5 years.	
Response:	EA:	Purpose (including noncommercial cleanup)	I-3 to 4
		Alt. response to purpose	III-3 to 5
		Treatment objectives	III-6 to 11
		Current veg. condition	II-1 to 6
		Current fuels conditions	II-6 to 12
		Effects of treatments to fuels	IV-6 to 14
Concern:		Analysis should have considered closing roads to limit human access because most fires are started by people.	
Response:	EA:	Purpose	I-3
		Fire occurrence in campgrounds	II-10
		Fire management strategy/campgrounds	III-9

Concern: Use fire as a tool as well as logging.

Response: EA: Purpose includes reintroducing fire I-3, 4
 Possible to use fire in reserves III-9
 Veg. conditions II-1 to 6
 Fuel conditions II-6 to 12
 Setting up fire reintroduction IV-14

6. Recreation: Impacts to recreation use are too much.

Response: EA: Purpose I-3
 Scenic Conditions II-12 to 14
 Recreation Conditions II-33 to 35
 Scenic effects IV-14 to 20
 Recreation effects IV-44 to 45
 Unit 26 should not be included
 Scenic protection objectives III-14
 Recreation protection objectives III-17

7. Road closures: Concerns raised were that the project was either closing too few roads (should get to 2.5 miles per square mile), or too many roads without proper justification.

Response: EA: Road conditions II-36
 Roads as part of alternatives III-12
 Roads rehabilitated after use IV-41
 Transportation effects IV-47

8. Harvesting on slopes greater than 15/30 percent.

Response: EA: Soil conditions II-31-33
 Soil protection objectives III-12
 Soil effects IV-41-44

9. Soils effects, especially compaction: Concerns were raised about the impacts of harvesting to soils, with the potential for compaction and displacement.

Response: EA: Soil conditions II-31-33
 Soil protection objectives III-12
 Soil effects IV-41-44

10. Scenic Quality: The purpose of the project was questioned in terms of the impacts to scenic resources.

Response: EA: Purpose of improving scenic conditions I-3
 Scenic issue I-6
 Scenic Conditions II-12 to 14
 Scenic enhancement by alternatives III-3 to 5
 Scenic protection measures III-14
 Scenic effects IV-14 to 20

11. Trees to Cut: Concerns were raised about the part of the proposed action that removed live trees, especially where those trees were greater than 21 inches in diameter (or 20 inches for some comments). Snags greater than 21 inches in diameter should not be removed.

Response: EA: Purpose includes stand density reduction I-3, 4
 Alt. response to purpose III-3 to 5
 Leave tree/cut tree priorities III-13
 Snag/GTR retention III-17
 Discussion of veg. condition II-1 to 6
 Treatment objectives described III-6 to 11
 Effects of treatment veg. conditions IV-1 to 6
 Effects of treatment to Snags/GTRs IV-33, 34

12. Watershed effects: Comments focused on the effects of creating more openings, which raises the risk of potential flooding; increased runoff and sedimentation; lowers water quality. Concerns also arose with respect to riparian reserve protection.

Particular concern was expressed as follows:

Concern: Potential increases in flooding/runoff potential.

Response: EA: see response to #2 above

Concern: Impacts to Riparian Reserves.

Response: EA: Purpose of the project I-3
 Soil/Water/Fish as an issue I-6
 Affected Environment
 Soil II-31 to 33
 Water II-27 to 31
 Fish II-25 to 27
 Treatment objectives
 Riparian Reserves III-7
 Protection objectives
 Soil III-12
 Riparian Reserves III-15
 Effects of actions
 Soil IV-41 to 44
 Water IV-35 to 41
 Riparian Reserves IV-35, 36
 Fish IV-35

Concern: Effects to water quality.

Response: EA: Purpose for project I-3, 4
 Vegetation conditions II-1 to 6
 Fuels conditions II-6 to 12
 Watershed conditions II-27 to 31
 water protection objectives III-15, 19
 Areas avoided (dif. between 2 and 2m) IV-40, 41
 Effects of treatments IV-35 to 41

13. **Wildlife effects:** Concerns were raised about spotted owls and bald eagles, as well as other wildlife species. Specific concerns are as follows:

Concern: Potential impacts to habitat connectivity.

Response: EA: Connectivity issue I-6
 Alt. response to connectivity III-3 to 6
 LSOG habitat II-14 to 21
 other wildlife habitat II-21 to 27
 Treatment objectives for eagle III-7
 Protection objectives for wildlife III-15 to 17
 Effects to LSOG connectivity IV-21 to 29
 Effects to other wildlife connectivity IV-29 to 35

Concern: Potential impacts to deer/elk.

Response: EA: Affected environment II-22
 Protection objectives III-17
 Effects to deer/elk IV-33

Concern: Potential impacts to snag-using birds and mammals.

Response: EA: Affected environment II-24
 Protection objectives III-17
 Effects to snags/GTR habitat IV-33 to 34

Concern: Potential impacts to bald eagles.

Response: EA: Affected environment II-21
 Protection objectives III-15
 Effects to bald eagles IV-29 to 31

Concern: Potential impacts to spotted owl.

Response: EA: Affected environment II-18 to 21
 Protection objectives III-15
 Effects to bald eagle IV-26 to 29

14. **General:** Several separate general comments were made for which no specific response has been included.

- 14a. Alternatives: either support or object to preferred alternative.
- 14b. Purpose: Agree or disagree with the purpose.
- 14c. Effects: State the effects in general are too great.
- 14d. ORVs: Should be limited to reduce impacts to wildlife and reduce fire risk.
- 14e. Recision Act: Disagreed with aim of the Recision Act. Review this sale using the Clickman criteria.
- 14f. Effects on Roadless Areas: Don't impact Roadless or unroaded.
- 14g. Follow road safety rules, especially along Hwy 20.

II. List of Comment Participants

A. Commenting

1. John Ballard
2. Elizabeth Dasch
3. Craig Denson
4. Paul Dewey, Sisters Forest Planning Committee &
Tim Lillebo, Oregon Natural Resources Council
5. Donald/Kim Fontenot
6. Toni Foster, Friends of the Metolius
7. Peter Geiser
8. Kent Gill, Sierra Club
9. Thomas Grogan, Jr.
10. Jon Hanifin
11. Donavan Harding
12. Steve Huddleston
13. Robert Johnson
14. Helen Jones
15. Anita Kirkaldy
16. Gary Kish
17. David Lawrence
18. Michael Leno
19. Connie Lonsdale
20. James Mann
21. Kathleen Martin
22. Michael Mattencheck
23. Michele McKay
24. Philip Mickel
25. John Morgon, Ochoco Lumber Company
26. Bob Mullong
27. Carol O'Shea
28. Jerry Page, Oregon Dept. of Transportation
29. Ginger Perterson
30. Susan Prince, Eastside Protection Project
31. Sumner Rodriguez
32. Mary Kate Spencer
33. Christy Steck
34. A.W. Struyvenberg
35. Greg & Arlene Thomas
36. Hildegard vonBinger
37. Janice Wickham
38. Ted Young, Crown Pacific
39. Pat Meeker

B. Environmental Assessment List

The following individuals and organizations received review copies of the Santiam Corridor Veg. Management Project environmental assessment.

1. Kris Balliet
2. Hal Bernton, Oregonian
3. Bil Boyer
4. Doug Curtis
5. Paul Dewey, Sisters Forest Planning Committee
6. Chuck Downen
7. Kent & Lois Gill, Sierra Club and
Toni Foster, Friends of the Metolius
8. Robert C. Hill
9. Steve Huddleston, Central Oregon Forest Issues Committee
10. Anita Kirkaldy
11. David Lawrence
12. Tim Lillebo, Oregon Natural Resources Council
13. Gilly Lyons
14. Mike Miller, Association of Oregon Loggers
15. John Morgan, Ochoco Lumber Company
16. Susan Prince, Eastside Protection Project
17. Jeff Schroeder, The Nugget
18. Mark Sieberg
19. Ted Wise, Oregon Dept. of Fish and Wildlife
20. Ted Young, Crown Pacific

C. Notice of comment period

In addition to the public notice, published in Bend Bulletin and the Sisters Nugget, a notice was sent to approximately 535 individuals and organizations.



Decision Notice
and
Finding of No Significant Impact
For
Paulina Fire Environmental Assessment
and
Amendment to the Deschutes Land and Resource Management Plan

Deschutes National Forest
Bend/Fort Rock Ranger District
Deschutes County, Oregon

Location

The Paulina Fire Planning Area covers approximately 12,390 acres east of Highway 97 on the Bend-Fort Rock Ranger District. The area is within the fire perimeter of the 1988 Paulina Fire, adjoining the eastern edge of the Newberry National Volcanic Monument along Road 9710. The legal location is in portions of Townships 21S and 22S and Ranges 13E and 14E, Willamette Meridian.

Decision

Following review of the issues, alternatives and effects disclosed in the Environmental Assessment, it is my decision that of the four alternatives, Alternative D best meets the purpose and need for action and responds to issues identified during scoping. Alternative D would reduce high fuel loadings on 3,570 acres which includes 1,260 acres of conifer seedling plantations. In addition, the following actions would occur:

- A Forest Plan Amendment to adjust Old Growth Management Area boundary #77 and treatments such as seedling thinning and prescribed burning to enhance future habitat for Management Indicator Species;
- Reduce hazards adjacent to 21 miles of roads;
- Close approximately 13 miles of road (EA, Attachment 3b) which includes:
 - Obliterate approximately 3 miles (portions of roads 1800-550 and 1830-800, and all of road 1830-850);
 - Administratively close 10 miles (roads 1830-700, 1830-710, 1830-720, 1830-721, 1830-722, 1835-315, 1835-300, 1835-320, 1835-340 and 1840-600);
- Install 100 bird boxes and top 200 snags;
- Plant conifer seedlings on approximately 2,440 acres;
- Subsoil 388 acres of detrimentally impacted soil to restore natural processes;





- Create 11 areas on Road 9710 to safely turn around when encountering opposing traffic; and
- Recover a total of approximately 11.0 MMBF (Million Board Feet) wood fiber from the salvage of 8.0 MMBF dead trees, 3.0 MMBF live trees, and 320 MBF (Thousand Board Feet) of sawlogs.

Of all the alternatives, this alternative provides the best mix of resource outputs, benefits, and protection. This alternative is particularly responsive to Interim Management Direction as well as the following issues:

- #1, implementing treatments to enhance old growth characteristics in Management Area #77;
- #2, harvesting live trees which are diseased and/or of low vigor;
- #3, closing a portion of the public firewood gathering area and treating to reduce the high risk of wildfire;
- #4, reducing hazards to the public and firefighters along roads within the planning area;
- #5, recovering value of some of the blown down trees;
- #6, treating areas of dense brush which are competing with conifer seedlings and increasing risk of wildfire;
- #7, creating areas for public and firefighters to safely turn around on road 9710; and
- #8, retaining existing hiding areas for deer.

A variety of mitigating measures have been included to ensure consistency with the Forest Plan as amended by Interim Management Direction (Environmental Assessment, page 8).

Alternatives Considered But Not Chosen

Alternative A is the No Action Alternative. It was assumed that no vegetation management, road closures, wildlife habitat improvement, or fuels treatments would be performed over the next 25 years. Custodial duties such as fire suppression and seedling maintenance in plantations would continue. The Forest Plan amendment to adjust the boundary in the Old Growth Management Area would occur within the same timeframes as the selected alternative.

Alternative B is the proposed action and was mailed to interested individuals and organizations in April, 1996. Treatments are similar to Alternative D except approximately 890 additional acres would be treated to reduce fuel loading and the risk of wildfire. Treatment of live trees infected with mistletoe and/or of low vigor would not occur. Hiding cover for deer would be below the Forest Plan Standard and guideline of 30% within the Implementation Unit.





Alternative B (continued) Public wood cutting within the planning area would continue with improved designated access. Roads which are not needed within the old growth area would not be closed. Reduction of dense brush within conifer seedling plantations would not occur. This alternative recovers approximately 14.0 MMBF wood fiber.

Alternative C treatments are similar to Alternative D except approximately 1,240 additional acres would be treated to reduce fuel loading and the risk of wildfire. Hiding cover for deer would be below the Forest Plan Standard and Guideline of 30% within the Implementation Unit. Approximately 65 acres would be underburned. This alternative recovers approximately 18.0 MMBF wood fiber.

Public Participation

Contact was made with individuals and organizations (EA, page 47) to solicit input into project design and analysis. The applicable comments to the project were incorporated either as issues, alternative design, or were analyzed in the effects section. A field trip to the planning area occurred on June 7, 1996 with wood products industry personnel to gauge marketability.

The 30 day Notice and Comment period for the preferred alternative ended May 23rd, 1997. The information used from these comments and how it was incorporated into the analysis can be found in Attachment 10.

Finding of No Significant Impact

Based on the site-specific analysis documented in the Environmental Assessment, I have determined that this decision does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement will not be necessary.

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 to the human environment have been identified. This determination is based on the mitigation measures designed into the selected alternative and the following factors:

- (1) An analysis of the cumulative effects of the fiber salvage and other 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 slightly adverse, short duration impacts from implementation of this alternative. These impacts are limited in scope and intensity and can be considered negligible (EA, Alternatives and Effects, pages 5-46)
- (2) No significant adverse effects to public health or safety have been identified (EA, page 46).
- (3) There will be no significant adverse impacts to unique characteristics of the geographic area. No significant effects are anticipated to any other environmentally sensitive or critical areas (EA, page 45).





(4) The degree to which the effects on the quality of the human environment upon implementation of this decision are not likely to be highly controversial.

(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 29-46).

(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, Purpose and Need, page 1).

(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, page 29).

(8) The Forest Archeologist applied criteria of effect and adverse effect as found in 36 CFR 800.9, and determined that implementation of this decision would have no adverse effect on historic properties. This finding is based upon the implementation of a treatment plan to mitigate the effects of the selected alternative under consultation from the Oregon State Historic Preservation Office (EA, page 41).

(9) The Biological Evaluation for the area indicates that the proposed project will have no significant adverse impacts on any Proposed, Endangered, Sensitive or Threatened plant or animal species. Should any endangered, threatened, or sensitive plant species be found following sale, the environmental analysis will be reviewed and revised, if necessary. The timber sale contract will contain provisions that will permit appropriate protection of any species identified. The Biological Evaluation is on file at the Bend-Ft. Rock Ranger District.

(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 will meet or exceed state water and air quality standards (EA, pages 41, 43)

Other Findings

This action has been prepared pursuant to and is consistent with the goals, objectives, and direction contained in the Deschutes LRMP and accompanying final environmental impact statement dated August 27, 1990 as amended by the Regional Forester's Forest Plan Amendment #2.

Vegetation management activities are consistent with the Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation published December, 1988 and the subsequent Mediated Agreement of May, 1989 (EA, Attachment 9).


All timber is being harvested from lands suited for timber production.





This decision is consistent with the seven vegetative manipulation requirements of 36 CFR 219.27(b) (EA, Attachment 9).

This project is planned to be implemented in 1997. 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 Bend Bulletin. For further information, contact Chris Mickle, Bend/Fort Rock Ranger District, 1230 NE Third, Bend, Oregon, 97701, or phone (541) 383-4721).

6/17/97


SALLY COLLINS
Forest Supervisor

6/18/97

Date



DECISION NOTICE / DESIGNATION ORDER
and
FINDING OF NO SIGNIFICANT IMPACT

Amendment #16

ESTABLISHMENT OF ELEVEN RESEARCH NATURAL AREAS

USDA Forest Service
Pacific Northwest Region
Oregon and Washington

By virtue of the authority vested in me by the Chief of the Forest Service, in Forest Service Manual Section 4063, I hereby establish the Research Natural Areas listed in Table 1 and as described in their respective Establishment Records in the section entitled "Location".

Table 1: Research Natural Area Locations

RNA	National Forest	Ranger District	County	Acres
Oregon				
Cache Mountain	Deschutes	Sisters	Deschutes	1400
Dry Mountain	Ochoco	Snow Mountain	Harney	2205
Gumjuwac/Tolo	Mt. Hood	Barlow	Hood River	3600
Hagan	Willamette	Blue River	Lane	1126
McKenzie Pass	Willamette	McKenzie	Lane	1187
Mokst Butte	Deschutes	Bend/Fort Rock	Deschutes	1250
Reneke Creek	Siuslaw	Hebo	Tillamook	480
Tenmile Creek	Siuslaw	Oregon Dunes NRA	Coos	1190
Vee Pasture	Fremont	Bly	Klamath & Lake	620
Washington				
Fish Lake Bog	Wenatchee	Lake Wenatchee	Chelan	206
Roger Lake	Okanogan	Tonasket	Okanogan	436

The Regional Forester recommended the establishment of these RNAs in the Record of Decision for their respective Land and Resource Management Plans (Forest Plans). That recommendation was the result of an analysis of the factors listed in 36 CFR 219.25 and Forest Service Manual 4063.2. Results of the Regional Forester's analysis are documented in the Forest Plans and Final Environmental Impact Statements which are available to the public.

SELECTED ALTERNATIVE

The Regional Forester has reexamined the RNAs to ensure that the environmental effects of establishing the areas as RNAs have not changed since the Forest Plans were adopted. In three cases (Cache Mountain, Dry Mountain, and Gumjuwac/Tolo) areas were recommended for addition or deletion from the proposed RNA to better accomplish the original purpose of the RNA. Proposed Tenmile Creek RNA boundary adjustments were adopted by the Record of Decision for the Oregon Dunes National Recreation Area Management Plan in 1994. For the remaining RNAs no changes were found. This analysis is documented in the attached Environmental Assessment.

Based on the analysis in the Environmental Assessment, it is my decision to adopt Alternative 2 which establishes these eleven areas as Research Natural Areas. Alternative 2 is selected because it provides long-term protection of the research and educational values of these special areas and the ecosystem elements that they represent. The RNAs will be managed in compliance with all relevant laws, regulations and Forest Service Manual direction regarding RNAs and in accordance with the management direction identified in their respective Forest Plans.

Although this alternative is consistent with the management direction in each Forest Plan it does change the allocation for these areas from "Proposed RNA" to "Established RNA". This is a non-significant amendment of the Forest Plans [36 CFR 219.10(f)].

OTHER ALTERNATIVE CONSIDERED

The other alternative considered was Alternative 1, the "No Action" alternative which would continue management of the RNAs as "Proposed RNAs". Alternative 1 was not selected because it would provide only short-term protection of the research and educational values of the areas. Alternative 1 is consistent with the Forest Plans.

FINDING OF NO SIGNIFICANT IMPACT

Based on the environmental analysis documented in the Environmental Assessment, it has been determined that the proposed action is not a major federal action that would significantly affect the quality of the human environment, therefore, an environmental impact statement is not needed. This determination is based on the following factors [40 CFR 1508.27]:

CONTEXT

Although this is an addition to the national system of RNAs, both short-term and long-term physical and biological effects are limited to the local area.

INTENSITY

1. There are no known effects on public health and safety.
2. No significant direct, indirect or cumulative impacts to the natural resources or other components of the human environment are anticipated.
3. Effects on the human environment are not uncertain, do not involve unique or unknown risks,

and are not likely to be highly controversial.

4. There are no known effects on historical or cultural resources, park lands, prime farmlands, wetlands, or wild and scenic rivers. Effects of establishing the RNAs is to protect ecologically sensitive areas. No significant adverse effects area anticipated to any environmentally sensitive or critical area.

5. The action is not likely to establish a precedent for future actions with significant effects.

6. The proposed action will not adversely affect any federally listed or proposed endangered or threatened species or Regionally listed sensitive species of plants or animals or their critical habitats.

7. The proposed action is consistent with the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (USDA, USDI 1994).

8. The proposed action is consistent with Federal, State, and local laws and requirements for protection of the environment.

NOTIFICATION and IMPLEMENTATION

Legal notice of this decision will appear in The Oregonian and The Seattle Post-Intelligencer. The Forest Supervisor of each National Forest shall notify the public of this decision and mail a copy of the Decision Notice/Designation Order to all persons on their Forest Plan mailing lists.

Implementation of this decision shall not occur within seven days following publication of the legal notice of the decision in The Oregonian and The Seattle Post-Intelligencer.

APPEAL RIGHTS


This decision is subject to appeal pursuant to 36 CFR Part 217. A copy of the Notice of Appeal must be in writing and must be submitted to:

Chief, USDA Forest Service
ATTN: NFS Appeals
14th and Independence Ave., S.W.
P.O. Box 96090
Washington, DC 20090-6090

Any written Notice of Appeal of this decision must be fully consistent with 36 CFR 217.9 (Content of a Notice of Appeal), must include the reasons for appeal, and must be submitted within 45 days from the date of legal notice of this decision in The Oregonian and The Seattle Post-Intelligencer.

CONTACT PERSON

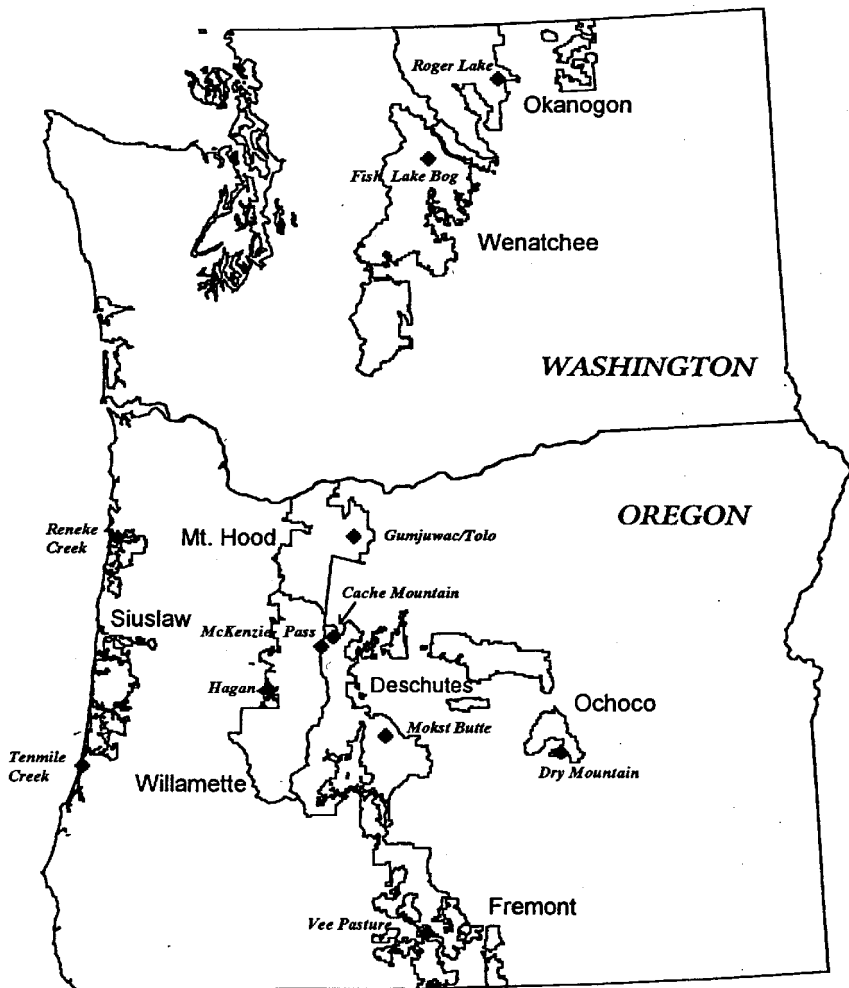
For further information regarding this decision contact Sarah Greene,
RNA Coordinator, Pacific Northwest Research Station, 3200 S.W. Jefferson
Way, Corvallis, Oregon 97331, Phone 541-750-7360.



ROBERT W. WILLIAMS
Regional Forester

6/9/97
Date

Research Natural Area Locations



50 0 50 Miles



Record of Decision

Metolius Wild and Scenic River Management Plan

Amendment #17 to the Deschutes National Forest Land and Resource Management Plan

Introduction

The Metolius River is located on the east side of the Cascade Mountain range in central Oregon. It is a major tributary of the Deschutes River which it joins approximately 100 river miles upstream from its confluence with the mighty Columbia River. The Metolius watershed drains about 240,000 acres of which 149,000 are on the Sisters Ranger District of the Deschutes National Forest. About 90,000 acres of the watershed are within the Warm Springs Indian Reservation. The Wild and Scenic River corridor stretches from near the headwater springs to the slack water impoundment of Lake Billy Chinook (28.7 miles). There are 8560 acres, primarily national forest, within the corridor.

The Metolius River was added to the federal system by the Omnibus Oregon Wild and Scenic Rivers Act of 1988. Section 3 of that Act requires that a comprehensive management plan be developed for the Metolius River. Segment 1, from the south Deschutes National Forest boundary near the headwater springs to Bridge 99, is designated as a Recreational river to be managed by the Secretary of Agriculture. Segment 2, from Bridge 99 to Lake Billy Chinook, is designated as a Scenic river and is to be managed by the Secretary of Agriculture through a joint management agreement with the Secretary of Interior and the Confederated Tribes of the Warm Springs Reservation where treaty lands exist in association with lands included in the National Wild and Scenic Rivers system. (See section 10{e} of the Wild and Scenic Rivers Act of 1968 and section 105 of the Omnibus Oregon Wild and Scenic Rivers Act of 1988.)

This Record of Decision establishes the Metolius River Management by amending the Deschutes National Forest Land and Resource Management Plan (LRMP) and replacing the interim direction provided in that plan for Management Area MA-28, Metolius Wild and Scenic River. Portions of the plan will affect other agencies and landowners, however the actions in this decision apply only to lands under the jurisdiction of the Forest Service.

Authority

As the federal agency designated by Congress to administer the Metolius Wild and Scenic River, the Forest Service is required to set resource management goals necessary to protect and enhance the Outstandingly Remarkable Values of the river and adjacent Federal lands.

The Forest Supervisor is delegated the authority to recommend to Congress a boundary for the Wild and Scenic River corridor, and to select an alternative for managing the resources and activities which fall under the jurisdiction of the Forest Service.

The Wild and Scenic Rivers Act specifies that the Metolius River Management Plan shall be coordinated with resource planning on adjacent federal lands. The 1990 Deschutes LRMP, as amended by the Record of Decision and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (The Northwest Forest Plan) has served as interim direction for the Metolius River corridor. This Record of Decision for the Metolius Wild and Scenic River amends the Deschutes LRMP and establishes a new management allocation - Management Area 28A. The management direction for this new allocation is based on the analysis documented in the Final EIS for the Metolius Wild and Scenic River (October 1996).

The new management area direction will continue all current management direction and forest-wide standards and guidelines (see Chapter 4 of the LRMP) except where specifically amended by the plan. The new standards and guidelines will replace those for portions of other management areas that have been incorporated into the new management area.

The Metolius River Management Plan complies with the National Environmental Policy Act. A draft environmental impact statement and management plan (DEIS) was released for public review in October 1995. The Notice of Availability was published in the Federal Register on October 27, 1995 (60 FR, pg. 55021). Comments were received on the DEIS through February 16, 1996 (see FEIS, Appendix A). The DEIS considered six different management strategies, including a Preferred Alternative, and analyzed the environmental and social effects of those actions. Based on public comment and additional analysis, the Preferred Alternative was modified as summarized below. These changes are reflected in this decision and the Final EIS on which it is based.

Summary of Decision and Reasons

My decision is to approve, adopt, and implement the Metolius Wild and Scenic River Management Plan. This decision is referred to as the Proposed Action, and is a modification of the Preferred Alternative of the DEIS. The Preferred Alternative was changed in response to public comments and updated information.

Major Changes to the Preferred Alternative

Water Quality

Water quality is monitored to establish baseline standards and thresholds for action which meet or exceed (in cases where baseline monitoring indicates improvement is possible/necessary) the existing high water quality.

Upland Vegetation

Specific desired vegetative conditions are provided to indicate where/how commercial harvest could be applied to meet Wild and Scenic River goals and objectives.

Grazing

Grazing is authorized only under temporary crossing permits or the existing special use pasture permit and is managed according to existing management guidelines for resource protection.

Transportation Management

Conversion of 1419-900 to a one-way travel route will be considered as part of a Camp Sherman core traffic analysis and plan to improve safety (for both motorized and non-motorized users), reduce congestion, provide better traffic flow, and move parking away from the river. Camp Sherman core includes Rd 1419, Rd 1419-700, 800, 900, Rd 1420 and Rd 1400.

Forest roads to remain open are identified: Rd 1200, 1217, 1270, 1290-800, 1400, 1419, 1419-200, 1419-800, 1419-900, 1420, 1490, and roads which access campgrounds and recreation residence tracts. Management of all others are subject to case-by-case analysis.

Rd 1298 is closed on a trial basis to evaluate non-motorized use and resource effects.

A portion of Road 1419-700 will be obliterated and the remainder will be used as a high standard, bicycle & pedestrian trail. Local residents will be involved in choosing the best location for the gate. The river trail in this area will be rerouted onto the new trail wherever logical. Some segments of the foot-only river trail will remain.

Public motorized access is closed on Rd 1499 shortly below Bridge 99. The area between Lower Bridge Camp Ground and the debris slide one mile downstream is closed to motor vehicles on a trial basis to rest dispersed campsites from vehicle impacts and to evaluate the desired recreation experience.

Prehistoric and Historic Resources

Determination of cultural significance of prehistoric resources is coordinated with the Confederated Tribes of Warm Springs. Determination of eligibility for the National Register of Historic Places (historic or prehistoric significance) is conducted in accordance with current laws, regulations, and Forest Plan direction.

Developed Campgrounds

Vegetation Management Plans are developed for each campground with the objectives of reducing the amount of developed area within 100' of the river and so that not more than

25% of that area is in a developed condition. Unacceptable resource impacts are now identified as areas with devegetation beyond the designated site, loss of soil stability, or point source erosion or siltation into the river. The trigger for a reservation system or overflow campground outside the corridor is when 20% or more of existing capacity is lost due to rest/rotation or closure of sites.

Pine Rest campground is managed to provide tent camping, rather than converted to day use only.

Day Use Facilities

The upstream portion of Smiling River Camp Ground is converted to a day-use area and designated parking for Allingham Bridge.

Boating

Downstream from Bridge 99, boater numbers and season of use are not limited. A registration system will be used to determine use patterns and thresholds of use that maintain the desired primitive recreation experience for both land and water-based visitors. There is no longer provision for agency closure of the river for safety reasons.

Special Uses

Applications for non-developmental special uses are considered if they have a negligible impact, can be contained within existing facilities, do not displace general public use, do not advertise or promote (directly or indirectly) the area, and are non-recurring.

Applications for commercial, non-developmental special uses must respond to both the demonstrated need criteria and the negligible impact criteria.

The distinction between commercial and non-commercial is made based on whether a fee is charged, regardless of intent to make a profit. Donations or pooling money to cover the direct costs of the use are not considered a fee.

Recreation Residences

Structures are not expanded toward the river and the river facing elevation of a structure is not widened so that the scenic presence of structures as viewed from the river is not increased.

Residence lots are managed to increase riparian function within 100' of the river or the riparian area (whichever is a greater distance from the river). Riparian function is determined based on the amount of filtering vegetation, presence of native plant species, shrubs, shade/cover, trees for future instream wood contribution, and permeable soil.

On-lot areas which show unacceptable loss of riparian function will be rehabilitated. Unacceptable sites show conditions such as devegetation beyond the confines of developed areas, more than one pathway to the river trail, lack of stability, or evident erosion and run-off problems.

Septic and Water Systems

Water testing will be conducted annually by the homeowners.

Upon reissuance of a special use permit or remodeling/expansion, septic systems will be inspected for proper function and upgraded if necessary.

Other

Minor changes were made to reduce total acreage to be within the 320 acres per river mile average.

The terminj between the Recreation and Scenic segments will remain at Bridge 99

Response to Significant Issues

Boundary

The Metolius Wild and Scenic River corridor is 8560 acres in size. The boundary for the Recreational segment of the river is Rd 1400 to the east and Rd 1419, Rd 1420, and Rd 1270 to the west. This boundary was placed on main roads to be easily administered and clearly defined for river users. In the Scenic segment the boundary follows existing roads, section lines, and the high water mark of Jefferson Creek and the Metolius River. The topography and similarity in management direction of the adjacent Metolius Wildlife Primitive Management Area reduce the need for a wide corridor, and boundary placement was largely determined by ease of survey. No lands were included beyond the high water mark of the river on the Reservation side because these lands will be managed under the Confederated Tribes of the Warm Springs Reservation Wild and Scenic River Act.

Issue #1: What should be done to protect and manage the hydrologic and geologic values of the Metolius?

The cold, clear waters and stable flows of the Metolius are the cornerstone of the area's ecology and recreational appeal. I am committed to managing for the highest possible water quality throughout the corridor. Currently, water quality in the Metolius and its tributaries is very high. Monitoring and management to protect this quality is extremely important. Because most water quality indicators exceed existing state standards, I am establishing higher monitoring thresholds that will detect degradation of the existing water quality. Developing baseline data will be the first step towards establishing the need for higher standards and identifying any actions I need to take to ensure that water quality meets these standards. I am also open to exploring the designation of the Metolius as a Outstanding Water Resource by the Oregon Department of Environmental Quality, as an additional, interagency means of ensuring no water quality degradation will be allowed.

Issue #2: What should be done to protect and manage the river's ecological values?

Management actions which perpetuate healthy forests with old growth characteristics are important to the river's ecological values and the character of the area. Active management will be necessary because fire exclusion has and will continue to disrupt the natural disturbance role played by fire in the corridor.

The vegetation management direction I put in the Plan emphasizes reintroduction of fire where appropriate as a natural disturbance and the use of prescribed fire as the primary means of restoring and maintaining desired vegetative conditions. Additional vegetation management activities, such as pretreatment thinning and removal of dead trees, may be necessary to enable the safe and efficient use of prescribed fire. The vegetation management performed in the lower river will be more limited than that in the upper river for consistency with the primitive character of the Scenic segment of the river, with a strong emphasis on natural processes. However, I remain committed to protecting the adjacent private and Tribal lands from catastrophic fire and will take whatever actions necessary to prevent fires from crossing the river onto Tribal lands.

In response to public concern, I strongly emphasize that the economic value of timber will be used as a means and not an end for vegetation management in the corridor. The area's vegetation is not being managed for timber production objectives, though the commercial value of timber enables me to perform important forest management and restoration work that I may not be able to otherwise fund. The public will be closely involved in the planning of and decisions made about such projects in the corridor.

Grazing is not an essential tool for managing vegetation in the corridor. Due to public reaction, I have decided it is not an appropriate tool to be included in the Plan. A very limited amount of existing grazing will be permitted to continue, but not to the detriment of water quality, riparian function, or other natural resources.

Riparian areas are critical to the health of the river and protection of water quality, and are important habitats for a wide diversity of wildlife and plant species. I feel very fortunate to be managing a recreational river such as the Metolius where the riparian areas, for the most part, are in excellent condition. The excellence in overall conditions makes the need to address the locally-serious damage that has occurred very apparent. I have established standards for managing these unacceptably impacted areas within the context of trail, campground, and developed area management.

Issue #3: What should be done to protect and manage the river's fish populations and habitat?

On the Metolius River, the fishery resource was identified as an Outstandingly Remarkable Value, thus requiring me to ensure its protection or enhancement. I will accomplish this by providing sustainable fish habitat and seeing that populations are managed according to Oregon Department of Fish and Wildlife's Wild Fish Management Policy.

Large logs, overhanging vegetation, and undercut banks are very important habitat elements in the Metolius. Protection of banks and vegetation is a focus of my direction for riparian and trail management and restoration work.

Large logs and wood recruitment have been affected in the past and will continue to be affected by the need for public safety. In developed areas, hazard tree removal will continue to decrease the amount of wood available for natural recruitment. Habitat restoration projects will aid in addressing this loss.

Instream wood manipulation in the upper river is limited to minor manipulations of imminent hazards upstream from Gorge Campground and minimum adjustments for safe boating passage between Gorge Campground and Bridge 99. These activities will take place without losing all of the habitat value of the wood.

There will be no instream wood manipulation below Bridge 99. I do not believe that wood manipulation is consistent with my mandate to manage the Scenic river segment for its primitive character. Also, limited access would make wood manipulation difficult, dangerous, and potentially damaging to riparian resources.

Managing resident fish populations in the Metolius River is the responsibility of ODFW in cooperation with the Confederated Tribes and the Forest Service. The State Fish and Wildlife Commission has recently adopted management objectives for the Metolius that meet our intent to protect the ORV by managing under the Wild Fish Policy. The objectives are designed to maximize the protection of genetic diversity, adaptiveness, and abundance of wild fish. No hatchery fish will be released in the Metolius or tributaries. The authority to adjust or amend these rules rests solely with the State Fish and Wildlife Commission, and any future changes are outside the scope of this decision.

Issue #4: What should be done to manage and protect wildlife values in the river corridor?

Many actions that I have included in the Plan will have benefits to wildlife. Habitat restoration and road closures will help protect the health and vigor of wildlife populations. Vegetation management and the reintroduction of fire will favor those species adapted to the ecological conditions historically present in the Metolius area. Committing to the use of prescribed fire as the primary tool for vegetation management and restoration lessens my control over and ability to guarantee attainment of rigid habitat standards, especially those for snag and log retention.

Snags and down logs provide important habitat for many wildlife and invertebrate species. I believe that natural processes should determine snag and down log levels outside of developed areas. Inside developed areas, I have established standards which will guide the felling or removal of snags and logs. Public safety and the continuation of existing uses will take precedence over the habitat value of snags which have become hazard trees and obstructive down logs. The affected areas amount to a small percentage of the corridor and disturbances in developed areas have already compromised some of the habitat value of the snags and down logs they contain, so the removal of hazard trees and obstructive down logs will not result in significant impacts to the viability of wildlife populations.

Issue #5: What should be done to protect and manage aesthetic qualities and retain the existing character of the river corridor?

I believe that all of us who care about the Metolius share a sense that the scenic character of the basin has changed relatively little within the timeframe of our personal experience. I think we also have an expectation that change will continue at a much slower pace than in the rest of our world - that is a major part of the attraction of the Metolius. Accordingly, I have set Scenic Integrity Objectives for the river that maintain appearances essentially as they are today; the only changes being to improve or remove discordant elements where necessary. The river corridor above Gorge Campground will maintain its rustic rural character within a highly intact natural landscape, dominated by the river and large ponderosa pine trees. Below Gorge, and especially below Bridge 99, the objective is to maintain high or very high scenic integrity dominated by fully intact natural landscapes where elements such as roads, trails or facilities do not affect the overall landscape character.

Jefferson County and the State of Oregon through the State Scenic Waterway Rules have jurisdiction for managing uses on private lands. My objectives are to ensure that private, state, and federal land uses are compatible and complementary to protecting the Metolius River ORVs. Because the overlying objectives and regulations for land use may differ on Federal lands and private lands within and outside the State Scenic Waterway, my long-term goal is to reduce confusion for property owners and permit holders by seeking for as much consistency as possible between agencies.

Safety and water quality are my highest considerations in transportation planning and maintenance in the Corridor. I am managing motorized vehicles in a confined and designated manner to protect the natural setting, recreational experience, and river resources. Motorized travel is prohibited except on open roads. Parking outside of developed recreation sites is allowed only in designated parking areas. Centralized parking is established in areas which receive the most use and impacts from parking. Some road-side pullouts are hardened or relocated back from the river to be used as designated parking.

Safety is of particular concern to me around the Camp Sherman core. The Preferred Alternative of the DEIS suggested conversion of Rd 1419-900 to a one-way route with safety for bicyclists and motorists. I retain this intent, but have decided not to make this change until a comprehensive plan to improve safety on the roads around the Camp Sherman core area is developed in coordination with Jefferson County. This planning will consider methods to reduce congestion, provide better traffic flow, and move parking back from the river.

I have taken a management approach to road closures which first identifies the major roads to remain open for recreational access. Then I identified roads which should be closed for various resource reasons. The remaining roads are managed on a case-by-case basis, and may be subject to closure in the future.

The roads that I intend to close as a part of this plan are Rd 1419-700, Rd 1298, Rd 1499, and Rd 64. The closure, rehabilitation, or restoration of these roads reduces run-off,

erosion, and associated water quality impacts. In the case of Rd 700, conversion to a non-motorized trail will allow for the elimination and rehabilitation of the river trail in some areas, which will provide additional riparian and water quality benefits.

Motorized use is an expected and important part of the Recreational river segment, but not the Scenic segment. In the Scenic segment of the river corridor, road closures and the accompanying change in recreation use are necessary to promote the primitive recreation experience mandated in the Wild and Scenic River Act. Where access must be provided to private land, roads may be closed to public motorized use but remain as non-motorized trails to provide a different and desirable recreation opportunity.

I know that by closing some roads to motorized use I will have limited access to visitors that may have used these areas for many years. I am taking action to assess that impact and to provide for a reasonable transition from a motorized to a non-motorized recreation experience for the areas accessed by Roads 1499 and 1298. First, I will not close off access until the season after installation of the gates. Signs will be placed at the gates explaining why the roads are to be closed and suggesting alternative sites for motorized recreation. Secondly, a voluntary visitor registration system will be used to assess the effects of the closure on the condition of dispersed campsites, to determine the desired recreation experience, and to determine what areas are being used for motorized recreation in place of the closed areas.

Limiting seasonal access on Rd 64 is aimed at reducing vandalism of facilities and inappropriate recreation uses when a management presence is not provided at Monty campground. This closure will also limit disturbance during the early portion of the bald eagle nesting season.

Issue #6: How should the river's cultural values, including prehistoric sites, historic sites, and traditional uses, be protected and managed?

I recognize the non-renewable and generally fragile nature of prehistoric and historic resources. There is currently a sufficient body of law and regulations which provide protection for these resources. I am committed to involving the Confederated Tribes of Warm Springs in the determination of cultural significance, data collection, and protection of prehistoric resources. Their traditional use of this area is a value and right that will be honored and protected.

Historic features of the Metolius will be managed to avoid damage or detrimental change. My management direction for the Recreational river segment embraces the historic character and values of the Metolius. Many potentially historic features are privately owned, as in the case of the recreation residences, and so I have set forth objectives to work in partnership with special use permittees to protect the historic values and character of these features.

Issue #7: What types of recreational activities and experiences should be managed for in the river corridor, and how can these activities and experiences be provided without degrading the natural resources on which they depend?

I have approached recreation management with these overall objectives:

- ◆ Manage for existing uses to continue in a way that does not further impact or reduces impacts to resources, especially those that are riparian related.
- ◆ Some reductions in recreation capacity may result from resource protection measures, but I will try to minimize these reductions or mitigate their impacts on users.
- ◆ Managing impacts is more important and feasible than managing numbers of users.

Within campgrounds, vegetation is to be protected because it is important to maintaining privacy and a high quality natural setting for campers. I have placed a very high value on the protection and restoration of riparian vegetation and have established the objective of reducing the amount of developed area within 100' of the river in campgrounds.

Minor reductions in camping capacity and changes to site management are appropriate to protect resources, especially water quality and riparian vegetation. When resource protection measures reduce capacity in the campgrounds by more than 20%, I intend to look at options that will address the impact on overnight campers.

There is notable demand for day use facilities in the corridor. Converting the upstream portion of Smiling River campground into a day use facility will provide parking near Allingham Bridge and a very suitable and accessible location for day use. I believe this is an appropriate way to address the resource concerns generated by impacts of parking near the bridge and provide additional day use space. In response to comments, I have decided to maintain Pine Rest as a tent campground.

Streamside access is expected by Metolius River visitors. I have decided that committing some riparian area to this use by hardening and defining portions of the trail and some fishing access points is the most appropriate and realistic way to limit impacts. Options to eliminate or relocate the river trail would merely be working against the constant pressure of users seeking a riverside experience. My concern for limiting riparian development prevent me from maintaining a trail along the riverside that is safe and suitable for all types of trail uses. The Metolius River trail will remain a hiker only trail. Closed roads will provide some new opportunities for other trail users and help to alleviate the pressure for these uses on the river trail.

Just as parking places will be designated to confine the impacts of motorized vehicles on soils and vegetation, dispersed camping will only be allowed in designated sites. Some sites will be designated in the Recreational river segment, though dispersed camping is not an integral part of the upper river recreation experience. In the lower river, dispersed camping is an important component of the primitive recreation experience because it allows access to the more distant portions of the area. Sites will be designated to offer

privacy and protect resources. Those which have unacceptable impacts will be rehabilitated.

Boating

A comprehensive, interagency boating management strategy has been elusive largely because the managing agencies have not come to a common understanding about jurisdictions and authorities regarding boating management. The various agency positions are summarized as follows:

The Position of the Confederated Tribes of Warm Springs Reservation:

For countless generations, members of the Confederated Tribes of Warm Springs and their ancestors have viewed the life giving waters of the Metolius River as a sacred gift from Creator. As is evidenced by the pristine condition of the land adjacent to the river on the Warm Springs Reservation, it is treated with not only respect but reverence by tribal members.

In the Treaty of June 25, 1855, between the United States and the Tribes and Bands of Middle Oregon, the Tribes ceded title to 10 million acres in Central Oregon to the United States while reserving title to lands comprising the Reservation. The United States agreed that the Tribes would have the exclusive use of their Reservation lands. The Tribes also reserved and were guaranteed the exclusive right to take fish in rivers and streams running through and bordering the Reservation. The Reservation boundary in the treaty is defined as:

“commencing in the middle of the channel of the De Chutes River opposite the eastern termination of a range of high lands usually known as the Mutton Mountains; thence westerly to the summit of said range, along the divide to its connection with the Cascade Mountains; thence to the summit of said mountains; thence southerly to Mount Jefferson; thence down the main branch of De Chutes River: heading in this peak, to its junction with De Chutes River; and thence down the middle of the channel of said river to the place of beginning.”

Historically, the Metolius River was considered the “main branch of the Deschutes River.” The Tribes believe that the intent and language of the Treaty provided that the Tribes had complete jurisdiction over the Metolius and its waters where they adjoin the Reservation.

The Tribes believe that boating in the vicinity of the Reservation on the Metolius should be eliminated for a number of reasons:

1. The sacred nature of the Metolius River.
2. The need to restore fish habitat, primarily large down woody debris, and increase fish populations to maintain the culture of tribal members.
3. Continued boating in light of the tribal ban is an infringement on the sovereignty of the Tribe and their Treaty right to the exclusive use of lands and waters within the Reservation.

4. The danger to the members of the public and those that must rescue them or recover their bodies when boaters encounter problems on this very hazardous section of the river along the Reservation.
5. The desire of the Tribes to maintain the primitive nature of the lower Metolius.

The Tribes firmly believe that through the Treaty of 1855 they retain title to the bed and banks of the Metolius River and that banning boating on the lower Metolius is in both the public and the Tribal interest.

The Position of the State of Oregon:

Every state, upon admission to the Union, receives from the federal government all lands beneath "navigable" waterways. Thus, since 1859, Oregon has owned the bed and banks of all waterways that meet the federal navigability test. This was confirmed in the 1994 case of Oregon V. Tidewater Contractors in the U.S. District Court for Oregon, where Judge Hogan ruled that the Chetco River was navigable, and that therefore the state held its bed and banks in trust for the public.

Over the years, the Oregon Division of State Lands has gathered a considerable amount of evidence concerning the navigability of the Metolius River. The 1995 Legislative Assembly enacted HB 2697, which prohibits the state from asserting new navigability claims until rules establishing a new, more formalized navigability study process (including public hearings and public notice) are in place and particular waterways are studied through that process. Those rules were adopted by the State Land Board in 1996. Accordingly, at this point the state can neither assert nor waive a claim to the bed and banks of the Metolius River.

Also potentially relevant to the Metolius River is another, entirely separate, body of law typically known as the "floatage easement." This is a common law right that guarantees the public the right to float waterways regardless of who may own the underlying bed and banks. The Oregon floatage easement cases indicate that this right to float also includes the right to make reasonable, incidental use of the waterway's bed and banks. Because there are no Oregon cases in the context of modern recreational use, it is unclear whether the floatage easement includes the right to anchor on or wade in the river bed or to cast, picnic, camp or portage on the river bank. Moreover, no Oregon case addresses the floatage easement interaction with Indian treaty rights.

The Position of the USDA Forest Service:

The Forest Service cannot recognize the Metolius River as either a navigable waterway or submerged lands included within the reservation until these claims have been adjudicated in a court of law. Regardless of these claims, the Secretary of Agriculture through the Forest Service is charged, in the Wild and Scenic Rivers Act, with the authority to manage the surface of the Metolius River and the boating use which takes place thereon where

forest conditions indicate that boating would impair the purposes or administration of the Wild and Scenic Rivers Act.

Congress intended that the Scenic river segment and its adjacent land area be managed to provide a “primitive recreation experience” as defined in the ROS user guide.

Unrestricted boating would impair the attainment of this purpose of the Act. Prohibiting motorized boating and regulating non-motorized boating use is necessary to provide this primitive experience.

Protection or enhancement of Outstandingly Remarkable Values of the Metolius River is one the primary objectives of the river management plan and one of the purposes of the Act.

Pursuant to our authority, the Forest Service can eliminate or manage boating if local conditions indicate that boating is impairing the protection of instream and riparian resources which are essential elements of the Hydrology, Fisheries, and Vegetation/Ecology ORVs. Current conditions suggest the need for regulations, but do not warrant the removal of all boating use.

Whitewater boating is part of the Recreation ORV for the Metolius, and, therefore, must also be protected. Protection of an ORV is measured relative to its condition at the time of the river’s designation; however, protection does not preclude regulations to protect other river values or to meet other purposes of the Wild and Scenic Rivers Act.

The Forest Service, as a neighbor and holder of tribal trust responsibilities, respects the Tribal values associated with the Metolius River and the Tribes’ efforts to protect those values. We do not have the discretion to impose or enforce a ban on boating the Metolius based solely on these values. We are committed to educating river users about tribal values and encouraging boaters to respect these values.

The Metolius River provides a unique non-motorized boating experience. In low water seasons, it is often the only river available to northwest boaters that provides an experience which is remote and primitive. Boating has resulted in riparian impacts at launches and some loss of instream habitat where wood has been manipulated to provide passage. Boating has the potential for disturbing wildlife, and of particular concern are effects on nesting and foraging osprey and eagles in the Scenic segment. Though some limitation may be appropriate, there is no evidence that these impacts warrant a total ban on boating.

Until the differing claims and interests of the managing agencies can be resolved through continued negotiations or legal adjudication, the Forest Service has the responsibility to manage boating under the authority of the Wild and Scenic River Act.

Boating will be managed to accomplish these primary objectives:

- ◆ to emphasize safety,

- ◆ to preserve riparian and instream resources and habitat.
- ◆ to protect the primitive recreation experience in the lower river.
- ◆ to avoid trespass on tribal and private lands,
- ◆ to respect tribal values regarding the river,
- ◆ to manage use consistent with public trust doctrine. and
- ◆ to minimize administration and enforcement.

Until the issues of jurisdiction, ownership, and authority can be resolved, the following direction will guide the management of boating:

Upstream from Gorge Campground, wood is not managed to provide boating passage. Minimal manipulation of instream wood is allowed.

From Gorge Campground to Bridge 99, minimum safe boating passage is maintained when wood manipulation does not adversely impact riparian or instream habitat. Use is not limited, but registration may be required to establish a future threshold.

Downstream from Bridge 99, a registration system for boaters is used to determine use patterns and thresholds of use that maintain the desired, primitive recreation experience. Social setting objectives described for the Scenic river segment apply to water-based as well as land-based recreation. Modest boat landings are provided at Bridge 99 and Monty campground to minimize erosion and riparian impacts. Monty campground is closed seasonally and not available for boating take-out when the campground is closed. Wood is not manipulated for boating passage.

Boater education is emphasized in the registration system and at access points. Key messages are respect for Tribal land, values, and rights; protection of the resource, especially instream wood; and boater safety and need for competence. Hazard surveys are not done and comprehensive information on boating conditions is not guaranteed.

Motorized boating is prohibited on the river.

In order to resolve this issue, I remain open and committed to further discussion with the Tribes and the State of Oregon. A common understanding and agreement on the respective rights of the Tribes and the public is essential to the interests of all.

Issue #8: How should the lower river be managed to provide a primitive recreation experience?

In the Wild and Scenic Rivers Act, Congress directed the Secretary of Agriculture to manage the Scenic segment of the river to provide a primitive recreation experience. I consider the "primitive" and "recreation" facets of this direction to be equal in importance. My objectives are to maintain and protect a natural environment, predominately unmodified except for natural disturbance processes and the existing roads necessary for providing administrative access or access to private lands. This creates an essentially unique opportunity for a low elevation primitive non-motorized recreation experience.

Many of the specific actions I will implement here have been discussed above, such as trail and fishing access rehabilitation and designated dispersed camping. As mentioned in the discussion of road closures, I intend to place gates on Rd 1499 and Rd 64 to restrict motorized access except to the private land owners. I will use a registration system similar to that used in our Wilderness Areas to determine actual use levels. The primitive recreation experience we are directed by the Act to provide is based on limited contact and interaction amongst visitors. I recognize that solitude and interaction are relative terms and perceptions may vary between individuals. For example, a raft passing an occupied campsite may constitute an encounter for the camper, but not the boater. Because the recreation experience objectives are based on number of encounters, the registration system will be designed to allow the users latitude in defining what they consider interaction with other visitors. I may take other actions in the future if necessary to reduce recreational impacts to either natural resources or the desired primitive experience.

Issue #9: What is the appropriate role of commercial and other special uses in the river corridor?

The non-commercial character of the river is a part of the Metolius recreation experience. Protection of this recreation experience as well as the river's natural resources and availability of recreation space for general public use were the primary considerations in my decision regarding the management of special uses. I will consider permitting commercial special uses and special uses which involve development only when they respond to a demonstrated need. Special uses which do not involve development may be appropriate in the corridor as long as they have a negligible impact on natural resources and existing recreation uses. I have established criteria which will be used to evaluate proposals for their consistency with this intent.

I will no longer approve the use of National Forest lands for new septic systems which service facilities on private land because I feel strongly that this category of special use is not appropriate in a Wild and Scenic River corridor. I am denying this use because private land uses are appropriately limited by the ability of private land to support them.

Issue #10: How should the 108 recreation residences be managed in a manner compatible with Wild and Scenic designation?

Recreation residence structures and on-lot landscapes are an existing use that will continue. I will manage this use to protect key riparian components, the historic character of the structures, and the dominance of the river in the landscape character of the area. The guidelines established for structural remodeling and expansion recognize that some new ground disturbance is an acceptable part of the continuation of this existing use, though designs should minimize this impact and not result in a visible increase in the presence of structures as viewed from the river.

Recreation residence tracts are managed with the goal of increasing riparian function. It is my intention to provide education and incentives for recreation residents to achieve this goal. Unacceptable impacts to riparian vegetation are defined in the Plan, and rehabilitation of these areas is expected.

Septic systems which service recreation residences are to be inventoried and inspected with the intention of preventing or detecting any contamination of ground or surface water. Annual water system testing will complement water quality monitoring programs by providing additional data. These tests will also guard the health of recreation residents and their guests.

I am in a partnership with the recreation residents, and accordingly, I have taken an approach to the management of their residences which empowers them to fill a role as leaders in the conservation and protection of the unique values of the Metolius. I have chosen not to take a heavily regulatory tone in the management plan, and look to the process of revising the Metolius Tract Objectives as the means of implementing, in more detail, the intent of the plan.

Issue # 11: How should the unique qualities and the management policies of the Metolius be shared with the public through education and interpretation?

I consider education and interpretation of the values and sensitivity of the Metolius to be one of the most important parts of the Plan. If we can reach visitors and residents with messages that stress resource respect and protection, stewardship and responsibility, then the Plan will be a success and the river will go on as we envision. If we don't reach the users, and help them learn to respect the resources and behave appropriately, then no amount of regulations, closures, rehabilitation will be sufficient to protect the river.

It is also important that interpretation and education methods be consistent and compatible with the character of the river corridor. Accordingly, I have not proposed permanent facilities such as large signboards, kiosks, and visitor centers, except for a campfire circle at Allingham Guard Station. Large signs will be limited to existing facilities such as campground signboards; smaller temporary signs may be used in association with rehabilitation projects or designated areas such as parking and dispersed campsites. Education and interpretive programs will be small, and will not be promoted outside the local area. Residents of the local community will play an important role in getting our message out, and can be our strongest partners in an effective education program.

Public Involvement

Public Involvement for the Metolius River began in 1989 when the Deschutes held a series of public meetings to identify issues associated with all of the proposed Wild and Scenic Rivers on the forest. In this first planning effort, additional public involvement occurred during the development and review of the Resource Assessment.

In 1991, the Forest Service contracted with Land and Water Associates to complete the planning process. Land and Water initiated a series of well attended public meetings in Camp Sherman, Bend, and Salem. These meetings were used to introduce the planning process and to define issues.

In February, 1992, the Public Work Group was formed, consisting of members of the public interested in actively participating in the planning process. This group met nine times through 1992.

Land and Water presented issues and preliminary alternatives to the public in June, 1992. Public meetings were held in Camp Sherman, Bend, Warm Springs, and Portland; significant changes were proposed.

In December, 1992, the contract with Land and Water ended, and a new Interagency planning effort began. The Metolius Coordination Group was formed from representatives of the Deschutes National Forest, The Confederated Tribes of Warm Springs, the Bureau of Indian Affairs, state of Oregon, and Jefferson County. This group sets direction and coordinates agency interests for the planning process. The Interagency Interdisciplinary Team was formed with resource specialists from all of the interested agencies. This ID Team developed the alternatives and determined the environmental consequences.

In 1993 through 1994, two additional packages of alternatives were developed and reviewed by the Coordination Group, the Public Work Group, and the general public. Several public meetings were held to discuss the alternatives. Working meetings of the Interagency ID Team have been open to the public with opportunities to comment and ask questions.

A planning update, in newsletter form, was distributed to all parties on the Metolius Wild and Scenic river mailing list in early 1995. The newsletter announced a Draft Environmental Impact Statement that was made available to anyone interested. Several public meetings were held to discuss the Alternatives and other material presented in the "draft" DEIS. These meetings were also used as an opportunity for the public to express interests to be shared with the Metolius Coordination Group prior to the selection of the Preferred Alternative. This was billed as the last formal opportunity for public participation prior to the printing and distribution of the actual DEIS.

A ninety-day public comment period followed the release of the DEIS in November of 1995. Over 700 copies of the DEIS were distributed for public and agency review. From December 1995 through February 1996, public meetings were held in Sisters, Wilsonville, Camp Sherman, Bend, and Warm Springs. Opportunities for oral comments were given at most meetings. Written comments could be submitted by mail, FAX, or on-line until the close of the comment period on February 16, 1996.

The substantive comments received on the DEIS are displayed in Appendix A of the FEIS, along with responses. These comments were used to correct and amend the DEIS as well as develop the final proposed action for management of the Metolius River.

Comment Summary

The Sisters Ranger District received a total of 104 responses to the Metolius Wild and Scenic River Draft Environmental Impact Statement. Of those, the majority (60%) came from Oregon, outside of central Oregon, and Washington. Thirty-four percent of the comments came from residents of Central Oregon, concentrated in Bend, Sisters and Camp Sherman. Six percent were respondents from other areas in the U.S. including non-resident owners at Black Butte Ranch, national rafting interest groups, and visitors from out of state.

Type of Respondent	Number
Individuals	68
Interest Groups	17
Government	2
Commercial Business	4
Recreation Residents	11

The largest group of respondents were individuals (64%), with many of them having ties to interest groups. In the analysis, those who indicated that they were recreation residence owners were tallied separately. Interest groups included home owners associations, fishing, boating and environmental groups. Government respondents included Environmental Protection Agency and a coordinated input from the state of Oregon through Governor Kitzhaber's office.

Alternatives Considered

In October, 1995, The Metolius Wild and Scenic River Management Plan Draft Environmental Impact Statement was released to the public. The purpose of the Draft Environmental Impact Statement (DEIS) was to analyze and disclose the impacts of implementing different management alternatives, including the Preferred Alternative, which addressed the issues and protected the resource values of the Metolius River. The planning team proposed the Preferred Alternative as the best response to the issues and the intent of the Wild and Scenic Rivers Act.

In the DEIS, six Alternatives (Chapter 2 of the DEIS) for cooperatively managing the natural and recreational resources of the Metolius River and adjacent lands were described. The Alternatives responded to eleven major issues identified in the planning process by the public and the interested agencies. The Alternatives present a range of reasonable options for managing the resources of the Metolius River. The Environmental Consequences (Chapter 4 of the DEIS) then discussed the implication or effects of implementing each alternative. The effects of each alternative are discussed relative to the existing resource condition or the Affected Environment (Chapter 3 of the DEIS).

Alternative 1

Alternative 1 is the "No Action" alternative. The existing management as directed by the 1990 Deschutes Land and Resource Management Plan (LRMP) would continue, although

some further analysis and decisions would be necessary to address issues and activities that have been administratively deferred until completion of this plan. Resource protection and rehabilitation would be on a limited, case-by-case basis. Resource impacts from recreational use would continue to occur. Recreational capacity and the range of available activities would be unchanged. Most existing facilities would be managed as they are now, thereby maintaining the current recreational experience. The Scenic river segment would continue to provide a primitive, motorized experience. The status of legal access for boaters would continue to be uncertain.

Alternative 2

Alternative 2 actively manages the area to maintain the existing conditions. The changes to existing management focus on preventing impacts or degradation. There is a low investment in regulation, protection, or rehabilitation. Where impacts to natural resources are determined to be significant, the impacting activity or facility is managed in the simplest, least cost way that provides necessary protections. Recreational capacity, the range of activities, and the type of recreational experience are little altered, except where significant resource impacts or management issues necessitate change. The Scenic river segment provides a primitive, motorized experience. Boating is not permitted downstream from Bridge 99.

Alternative 3

Alternative 3 accommodates existing activities and facilities when natural resources can be protected or impacts can be mitigated. There is a moderate investment in resource protection and rehabilitation. Some site controls and administrative regulations manage use and protect natural resources. Where resources cannot be protected or impacts mitigated, the activity or facility may be removed. No new facilities are proposed. Recreation capacity is maintained at a slightly lower level than exists today, particularly in developed and dispersed campsites. Some recreation facilities would be managed to provide a more primitive experience. The Scenic river segment provides a non-motorized primitive experience between the private property on Rd 1499 and Monty campground. Boating is permitted on a limited, year round basis.

Alternative 4

Alternative 4 accommodates existing activities and facilities only where natural resources are thoroughly protected. There is a very high emphasis on resource protection. Rehabilitation is primarily achieved over long time frames using natural processes. Most of the river corridor is in a primitive or undeveloped condition. Facilities or activities that have impacts to natural resources are generally removed rather than mitigated. Recreational capacity is much less than currently exists, especially for developed campsites. The recreational experience is much more primitive, and day use is encouraged more than overnight use. The Scenic river segment provides an entirely non-motorized experience. Boating is not permitted anywhere on the river.

Alternative 5

Alternative 5 provides new and improved facilities and a wider range of activities which are designed to protect the river's natural resources. There is a high investment in resource protection and rehabilitation. Site controls and administrative regulations are used extensively. Where resources are unacceptably impacted, mitigation or hardening accommodates the use. Additional facilities are proposed in this alternative, inside and outside the corridor. These facilities are designed to draw visitors away from heavily used, highly impacted, or sensitive areas. The recreational experience is similar to what exists now. The Scenic river segment provides a primitive, motorized experience as exists today. Boating is permitted on a limited, seasonal basis.

The Preferred Alternative

The Preferred Alternative is a combination of management actions selected by the Metolius River Interagency Coordination Group, primarily from options presented in the other five alternatives. The management objectives place a high emphasis on protection and rehabilitation of the natural resources. There is a moderate to high investment in physical traffic and site controls and/or administrative rules and limited entry permit systems. Recreational capacity is maintained at or slightly below the current level for most user groups. New facility development is limited to that which would protect or improve conditions for natural resources. Many existing recreational facilities would be modified or managed to provide a more primitive experience. In the Scenic river segment, motorized access is restricted between Candle Creek and Monty campgrounds. Boating is permitted on a limited, seasonal basis.

Environmentally Preferable Alternative

Previously in the Record of Decision, I have described the selected alternative and provided reasons for its selection. NEPA regulations also require that one or more environmentally preferable alternatives be identified. "The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best preserves and enhances historic, cultural, and natural resources." (Council on Environmental Quality, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, Question 6a" {40 CFR 1500-1508}, Federal Register Vol. 46, No. 55, 18026-18038, March 23, 1981.)

Any of the alternatives would provide the protection to the environment required by the Wild and Scenic rivers Act. Based on that criteria and knowledge of the activities which have the greatest impact on the historic, cultural, and natural resources within the river corridor, Alternative 4 would be the environmentally preferable alternative. This alternative removes some existing facilities and activities, places the highest emphasis on rehabilitation using natural processes, and provides a recreational capacity lower than what exists today. However, this alternative would not, in my opinion, best meet the intent of the Wild and Scenic Rivers Act, nor does it best promote the national environmental policy. The Wild and Scenic Rivers Act requires the Forest Service to protect and enhance the Outstandingly remarkable Values. Alternative 4 would unduly limit access to the river for boaters and other visitors, particularly overnight campers and

recreational residences. This would not enhance the recreational values found to be Outstandingly Remarkable. Additionally, the focus on natural recovery processes rather than active rehabilitation means that some adverse resource conditions will continue for long into the future.

Implementation

Schedules and Budgets

A Cooperative Management Agreement with the Confederated Tribes of Warm Springs and the state of Oregon will be the next step in this planning process. This agreement will provide consistency between federal Wild and Scenic River designation and tribal Wild and Scenic River designation under their Integrated Resource Management Plan.

The Metolius River Management Plan will be implemented based on the priorities for action discussed therein. Most individual projects or actions will be subject to additional site-specific analysis and public disclosure in compliance with the National Environmental Policy Act. This may result in a decision not to proceed with the proposed action even if it is compatible with the Metolius River Management Plan. Other adjustments to the implementation schedule and priorities may occur based on the results of budgeting, monitoring, or unforeseen events.

Upon implementation of the Metolius River Management Plan, all projects and activities will be in compliance with Plan direction. Subject to valid existing rights, all permits, contracts, cooperative agreements, and other instruments for use and occupancy of the National Forest System lands within the Metolius Wild and Scenic River corridor are to be consistent with management direction adopted by this Record of Decision.

Monitoring and Evaluation

Monitoring provides information on the progress and results of implementation. The data that is gathered is evaluated to determine whether projects or activities are being implemented as planned. Monitoring is also used to set or determine baselines or thresholds for future action. It is also used to assess the effectiveness of projects and activities in meeting the intent of the Management Plan and the Wild and Scenic rivers Act. The monitoring program adopted as part of my decision is based wherever possible on the Limits of Acceptable Change (LAC) process. This process emphasizes the measuring of change to a desired condition or experience, rather than determining the level of use or capacity an area or resource can tolerate. In an area as socially influenced as the Metolius, the process is not used to prevent human-induced change, which would be nearly impossible. Instead, LAC is used to determine what changes should occur, how much change should be allowed, what actions should be taken to control or limit change, and how to identify when the limits or thresholds have been reached.

Findings Required by Other Laws or Regulations

Consultation Required by the Endangered Species Act

Consultation on the Preferred Alternative was conducted with the US Fish and wildlife Service in accordance with the Endangered Species Act. The biological evaluations done for threatened, endangered, and sensitive plant and animal species found no effect on any listed species. The Fish and Wild life Service concurred with this evaluation.

Review by the Environmental Protection Agency

The Environmental Protection Agency (EPA) reviewed the Draft EIS and responded in a letter that raised "no environmental objections to the proposed project."

Wild and Scenic Rivers Act and State Scenic Waterways Legislation

This Plan meets the intent and direction provided in the designating legislation.

Other Laws, Regulations, and Guiding Documentation

The Deschutes National Forest Land and Resource Management Plan (LRMP) identifies the Metolius Wild and Scenic River as a land management area. This Record of Decision amends the plan to provide direction for managing this Management Area. The river corridor falls within the Metolius Conservation Area which is a portion of the Deschutes National Forest set apart to be managed differently than other lands. My decision supports the goals and themes of the Metolius Conservation Area. It also incorporates forest-wide Standards and Guidelines which result in consistency with the LRMP.

My decision is consistent with Northwest Forest Plan Standards and Guidelines for Late Successional Reserves and the Aquatic Conservation Strategy objectives. These elements of the plan provide for the protection of riparian resources and late-successional habitat.

The State of Oregon's Wild Fish Management Policy and Upper Deschutes River Basin Fish Management Plan apply to the Metolius River. Management actions in this decision are fully consistent with the State's fisheries management.

The Metolius River from the headwaters to Candle Creek is a designated State Scenic Waterway. This Plan is consistent with the State Scenic Waterway Rules.

Jefferson County's Camp Sherman Comprehensive Plan is currently being reviewed and revised. My decision is consistent with the current comprehensive plan.

The Metolius River Management Plan complies with the Record of Decision for the Final EIS for Managing Competing and Unwanted Vegetation, (December 1988) and the Mediated Agreement of May 1989. Unwanted vegetation will be treated using a variety of methods, including manual, mechanical, biological, prescribed burning, and herbicides. Projects will comply with the Mediated Agreement by following direction provided in the Region 6 Guide to Conducting Vegetation Management Projects in the Pacific Northwest Region.

I have considered relevant laws and regulations including: the Clean Air Act as amended; the Clean Water Act; Protection of Wetlands Executive Order 11990; the Safe Drinking Water Act; the National Historic Preservation Act of 1966 as amended; the Archeological Resources Act of 1979; the Native American Religious Freedom Act ; and the National Forest Management Act of 1976. Furthermore, I have considered the effects disclosed in the FEIS and the comments received during the public involvement process. I have concluded that my decision, with the required mitigation measures discussed above, meets all applicable laws, regulations, and policies and is consistent with the purposes for which the Metolius Wild and Scenic River was designated.

Amendment and Revision Process

The Deschutes LRMP, including the direction contained herein, may be changed either by an amendment or a revision. Such changes may be made as a result of monitoring or project analysis (see Deschutes LRMP, Chapter 5). An amendment may become necessary as a result of situations such as:

- Recommendations based on the review of monitoring results.
- Determination that an existing or proposed permit, contract, cooperative agreement, or other instrument authorizing occupancy and use is not consistent with the Forest Plan, but should be approved, based on project level analysis.
- Adjustment of management area boundaries or prescriptions.
- Changes necessitated by resolution of administrative appeals, litigation, or legislation.
- Changes needed to improve monitoring plans or information and assumptions used in the Forest Plan.
- Changes made necessary by altered physical, biological, social, or economic conditions.

Based on an analysis of the objectives, guidelines, and other aspects of the Forest Plan, the Forest Supervisor shall determine whether a proposed amendment would result in a significant change to the Forest Plan. If the change is determined to be significant, the Forest Supervisor shall follow the same procedure as that required for development and approval of the Forest Plan. If the change is not determined to be significant, the Forest Supervisor may implement the amendment after appropriate public notice and compliance with NEPA. The procedure is described by 36 CFR 219.10(e) and 36 CFR 219.12(k), FSM 1922.51-52 and FSH 1909.12.

The Regional Forester will approve significant amendments and the Forest Supervisor will approve 'non-significant' amendments. The determination of significance must be documented in a decision notice and would be appealable under 36 CFR 217. A mailing list will be maintained to provide notification and invitation to comment on proposed amendments.

The amendment documentation will include as a minimum:

- A statement of why the Forest Plan is being amended (some possible reasons are mentioned above).

- A description of the amendment.
- Rationale for the amendment.
- A statement of NFMA significance relating to changes to the Forest Plan. (36 CFR 219.18f)
- A statement of NEPA compliance (40 CFR 1500-1508, FSM 1950, FSH 1909.15) regarding effects on the environment and how effects disclosed in the Forest Plan EIS may change as a result of the amendment.
- A statement of appeal rights.

NFMA requires revision of the Forest Plan at least every 15 years. However, it may be revised sooner if physical conditions or demands on the land and resources have changed sufficiently to affect overall goals or uses for the entire Forest. If a revision becomes necessary, procedures described in 36 CFR 219.12 will be followed.

Effective Date and Implementation

This decision will be implemented no sooner than 30 days after the Notice of Availability appears in the Federal Register.

For More Information

If you would like more information about the Metolius Wild and Scenic River Management Plan or Environmental Impact Statement or would like to review planning records, please contact Rod Bonacker, Sisters Ranger District, P.O. Box 249, Sisters, Oregon 97759 (541)549-2111.

Right to Administrative Review

I encourage anyone concerned about the Metolius Wild and Scenic River Management Plan or Environmental Impact Statement to contact the Sisters District Ranger before submitting an appeal. It may be possible to resolve the concern or misunderstanding in a less formal manner.

This decision is appealable under two different appeal regulations. Because an appeal filed under the wrong regulations cannot be considered, it is important that potential appellants be sure that they are following the proper procedure for the appropriate regulations. Questions can be addressed to: NEPA Coordinator, Sisters Ranger District.

The road closure portion of this decision (see page nine above) is subject to administrative review (appeal) pursuant to **36 CFR 215.7**. Any written notice of appeal of this decision must be fully consistent with **36 CFR 215.14**, providing sufficient evidence and rationale to show why the decision should be remanded or reversed.

The remainder of this decision may be appealed in accordance with the provisions of **36 CFR 217**. Any written notice of appeal of this decision must be fully consistent with **36 CFR 217.9**. For a period not to exceed 20 days following the filing of a first level Notice of Appeal, the Reviewing Officer (Regional Forester) shall accept requests to intervene in the appeal from any interested or potentially affected person or organization (**36 CFR 217.14(a)**).

A written notice of appeal must be filed with the Regional Forester within 45 days of the date legal notice of this decision appears in the Bend Bulletin (Bend Oregon). Mail written notice of appeal to:

Regional Forester
Pacific Northwest Region
USDA Forest Service
P.O. Box 3623
Portland, OR 97208-3623
Attention: 1570 Appeals

Sally Collins

Sally Collins
Forest Supervisor

May 27, 1997

II-8-1-r 002
#18

Santiam LSR Restoration Project

Decision Notice

April 9, 1998

**DECISION NOTICE/FONSI
and
FOREST PLAN AMENDMENT**

Santiam LSR Restoration Project

Jefferson County, Oregon

EA Availability

The environmental assessment (EA) that discusses the Santiam LSR Restoration Project is available for public review at the Sisters Ranger District, Highway 20 and Pine Street, Sisters, Oregon 97759.

Decision Notice

I have carefully reviewed the EA. I have considered the various comments received from the public. And I have discussed the goals and issues of the project with the planning team.

I have considered the question of whether or not to actively manage forest vegetation in late successional habitat. I have weighed immediate needs against long-term benefits; specifically the need to hold on to as much late successional habitat as possible during the short term, while we begin to restore more resilient and sustainable habitat for the long term. I have considered the risks of serious loss of habitat because of fire, and impacts to soil and water resources resulting from both taking action and choosing no action. I have reviewed the aesthetic implications, especially those resulting in a Forest Plan amendment. And finally, I have wrestled with how to economically accomplish this project without compromising the primary goals of late successional reserve habitat restoration.

I have come to the conclusion that taking action is not only important and beneficial, but it is also the more responsible course when compared with doing nothing. I believe that through the planning process, the team and I have considered relevant issues, and that ultimately, my decision to proceed is founded on firm ground, where I am confident that the selected alternative has found a balance that takes into account the complex issues and finds a workable solution to allow us to proceed.

Although leaving the area alone is an option, I have concluded that active vegetation management will provide the greatest benefit to this area and adjacent lands and resources as long as it is carefully planned and implemented. I feel it is important that I take actions to protect and maintain the limited late successional habitat that currently exists while actively managing the forest across the landscape to encourage and accelerate the development of replacement late successional habitat for the long term.

For these general reasons I have selected Alternative 3m, as described in the environmental assessment with the following changes:

- *Two stands of northern spotted owl suitable nesting, roosting, foraging habitat (9221413 and 9221429) have been eliminated in order to maintain key connectivity*

habitat between owl home ranges. These stands currently provide marginal and moderate NRF habitat, and short-term dispersal habitat, yet they serve as a very important north-south connectivity corridor for birds in the Jack-Canyon area (this is suggested by telemetry data showing owl movements). As a result of this information, Alternative 3m was modified. Treatment in a third stand (9021455, a 1-acre small tree thin) has been dropped in order to avoid the need for an incidental take permit to treat NRF within the Davis home range.

- Stand 9511116 has been dropped from the final selected alternative to reduce impacts to the Jack Springs subwatershed. This change is made in response to public comments regarding cumulative effects to the Metolius basin, as well as analysis that showed the cumulative effect of this project and the Jack-Canyon Veg. Management Project to the north.
- In the EA, 15 stands (880 acres) are listed as "remove dead only" (HSV or HSV1). As part of this decision, these treatments have been modified to allow for removing green trees (HSV-HTH). This change is consistent with the theme of Alternative 3m because it adds to the amount of thinning available. These stands were not included in Alternative 3 or 3m as dead tree/thinning treatments (HSV-HTH) because of the high mortality within these stands. Further study indicates that there may have been opportunities that were overlooked. This change has potential to improve commercial timber sale viability on a site-specific basis, while meeting wildlife habitat objectives. Before actual implementation of this change occurs on these stands, the following criteria must be met: snags and GTR objectives will be met for the appropriate climatic climax or fire climax conditions; 40 percent canopy cover will be marked to leave where it exists; green-tree removed will mostly be less than 20 percent healthy crown (i.e., they would be expected to die within the next 20 years); no ponderosa pine/Douglas fir greater than 21 inches in diameter would be marked for removal unless necessary for worker safety; and few if any white fir greater than 25 inches in diameter would be removed. Protecting the larger trees and the allowing for keeping 40 percent cover (where it exists) will keep the most important habitat elements in tact while allowing for more treatments to occur sooner because of the increased timber sale viability.
- Review of the road closures proposed in Alternative 3m after the public comment period led me to believe that a more active road closure strategy for this area would be appropriate and so I have modified Alternative 3m road closures as described in Table A-2 in Appendix A. This will result in Gating/Inactivating 26.8 miles of road, and obliterating 5.6 miles of road. These closures serve to offset current and future open vegetation conditions within portions of the project area. This will improve conditions for both aquatic species and terrestrial species. The emphasis remains on closing roads that cause hydrologic/watershed impacts, but other roads will also be closed as funding allows. I expect that because of limited funding, we will be able to watch to see how well the self-closure strategy works, but this will not be the primary method for closing roads.

This decision will result in vegetation treatments on approximately 3,540 acres. As proposed, as much as 2,474 acres of commercial harvest may be available. However, because of the low merchantable value of much of the timber on those treatment areas, the actual amount of commercial treatment is more likely to be less than that amount.

(e.g. 1,000 to 1,500 acres). Implementation methods and the wood products market will ultimately determine how much of the marginal stands will be treated commercially. Two or more timber sales will result from this decision, with a total timber volume of approximately 10 million board feet.

Approximately 1,065 acres of treatments will be small tree thinning, underburning, firewood, post/pole sales, or other means that do not involve commercial timber sales. I expect that this amount will increase as the number of viable timber sale treatments decreases because lands thought to be commercially viable will be found to be of too low a value for commercial logging.

Table DN-1 Treatments Selected, Alternative 3m Modified

Treatment	Abbr.	Acres
Shelterwood	HSH	14
Remove dead with thinning	HSV-HTH & HSV-TC	1420
Commercial Thin Regular	HTH & TC	880
Commercial Thin Clumpy	HTH2	160
Total for Commercial Treatments		2474
Firewood	FW	230
Small Tree Thinning	PCT	470
Small Tree thinning near Roads	PCT50	15
Underburn	UB	130
Other (e.g. fuels removal)	Other	220
Total for Noncommercial Treatment		1065
All Vegetation Treatment Total	3539	
% of Project area outside plantations (= 7,500 acres)	47%	
% of Project area including plantations (= 10,100 acres)	35%	

I recognize that all of these treatments are important to complete in order to fully meet the purpose and need of this project. Realistically, goals that can't be accomplished through a commercial timber sale will need to compete for limited appropriated funds. Depending on budgets and national priorities, these activities may not be funded soon enough to make a substantial difference in the fire risk of the project area.

However, the decision to rely on these other sources of funding has been made consciously in order to minimize impacts to the resource values of the LSR that are important to keep (e.g., green tree cover of 40% where it exists), and that are the most difficult to replace (e.g., large trees).

Aside from Alternative 3m, the following four alternatives were analyzed in detail.

Alternative 1 was the no action baseline alternative. This alternative was not selected because it does not provide for any of the identified needs for the project area. Fuel loading and stand densities would remain high, with the resulting threat of large-scale disturbance also remaining high. Also, the threat of loss of large trees through over-crowded growing conditions would remain high. Given several decades, some of the project area needs could be met through natural processes if no major disturbance were to occur. However, current conditions make a major disturbance very likely.

Alternative 2 (the proposed action) would aim to minimize short-term risk of climatic climax habitat loss, and aims to minimize increases to hydrologic cumulative effects. The predicted hydrologic effects were based on the assumption that thinning green trees would have a greater impact to watershed conditions than treatments that concentrate on dead-tree removal only. Also, this alternative assumed that removal of dead trees would

result in negligible difference in watershed condition when compared with no action because analysis indicates that in 10 years, even if no dead tree removal occurs now, continued deterioration of these stands will continue to create open conditions.

This alternative accepts higher stand densities and fuel loads, with consequent higher levels of stand instability in some parts of the project area. It accepts higher risk of large-scale disturbance. This alternative was not selected because it limits the amount of green-tree thinning that occurs, making the timber sale option marginal over much of the planning area. This lack of green tree treatments also creates a likelihood that areas would need to be entered again within the next 10-20 years as over-dense green stands die. Such continued mortality would create unacceptably high fuel hazards. This alternative also creates difficult post-sale fuels treatments because of the amount of green trees left in harvest units. To protect residual green, underburning would be limited, making machine piling more likely, which in turn increases soil disturbance.

Alternative 3 is similar in theme to Alternative 3m, except it provides a more conservative thinning approach because of preliminary analysis that indicated a large difference in watershed effects between dead-only treatments and green-tree treatments. Analysis showed that the largest immediate change in predicted openings results from removal of dead (or taking no action), and that removing green trees adds to open conditions by a relatively small additional amount. Alternative 3 was not selected because it limits the amount of thinning available based on assumptions regarding impacts that were replaced with better information during the analysis.

Alternative 4 would allow a medium short-term risk to climatic climax late-successional habitat dependent species, with a benefit of creating more fire climax conditions strategically located to provide fire management zones, in particular along Hwy. 20 and Road 12. As with Alternative 2, it aims to minimize increases to hydrologic cumulative effects by limiting green-tree thinning. It was not selected for reasons similar to Alternative 2, with one additional factor. Alternative 4 would affect more acres of spotted owl nesting, roosting, foraging (NRF) habitat, which would have a greater impact on the project area's population of northern spotted owls.

Other alternatives were considered, but not analyzed in detail. These ranged from alternatives that treated more of the project area with more intensive treatments, to alternatives that minimized the use of commercial timber sales to accomplish project objectives. The environmental assessment discusses why these alternatives were not analyzed in detail.

Project Location & Forest Plan Management Areas

The Santiam LSR Restoration Project Area encompasses approximately 10,140 acres, located about 16 miles northwest of Sisters Oregon. (Willamette Meridian: T. 13 S, R 8 E, sections 1-4, 9-16, 21-25, 35,36, T. 13 S, R 9 E, sections 5-7,18,19,29 and 32). Approximately 9,500 acres in the project area are national forest system lands, with the remaining 640 acres privately held. The Project Area is designated as Late Successional Reserve (LSR) under the Northwest Forest Plan. The purpose of the LSR designation is to provide habitat for species associated with and dependent upon late-successional habitats. An LSR assessment has been completed for this area, providing a framework

within which to propose actions that will benefit late-successional habitat and associated species.

The Project Area lies mostly in the Metolius Conservation Area; it includes Metolius Special Forest (MA 22); the Metolius Black Butte Scenic (MA 21); Metolius Scenic Views (MA 26); Metolius Heritage (MA 19); and Bald Eagle Management Area (BEMA, MA 3). In addition, the Forest Plan designates the Metolius River basin as a key watershed. The Metolius Wild and Scenic River lies downstream from the project area. See Vicinity Map (Figure DN-1) and Management Area Map (Figure DN-2).

As originally conceived, the project area contained 13,880 acres. Field review indicated that there was no compelling reason for immediate treatment in approximately 3,000 acres of mountain hemlock and lodgepole stands at higher elevations south of the Santiam Pass. Another 700 acres, just north of Hwy. 20 near the Santiam Pass summit are listed as Roadless in the Forest Plan Appendix C. Both of these areas were dropped from further analysis in November 1996.

The project lies within the range of the northern spotted owl; it therefore falls under the guidance of the April 1994 *Record of Decision and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (referred to as the Northwest Forest Plan, or NWFP).

Because the 164,000-acre Metolius River basin is considered a Key Watershed under the Northwest Forest Plan, a watershed analysis has been completed. Watershed analysis is required in Key Watersheds prior to resource management. The analysis is essential for making sound management decisions and is the basis for restoration activities designed to foster ecological health of terrestrial and aquatic ecosystems.

Public Involvement/Public Comment

Public scoping began in 1996, with public meetings and a scoping letter mailed to interested people and organizations. Much of the response from early scoping told us that many people use the area for, hiking, skiing, fishing, and other recreational pursuits. We found that people valued the landscape for a variety of reasons. Several said that the area gives them a sense of peace, and tranquillity. The land's beauty and diversity combined with the fact that it is close to home make it a great place to visit for work and play.

Most people showed concern for the current condition of the forest. They considered the forest unhealthy and suggested that it should be thinned, underburned and replanted where necessary. Several people also voiced a concern about the number of roads in the area; they would like to see fewer roads and minimum logging. There was a repeated concern about the threat of wildfire and the amount of dead trees and "fuel." They wanted to see the dead trees removed and fuel loads lowered.

In addition to specific issues raised during scoping, the IDT used many concerns that carried over from previous projects (Jack Canyon and Santiam Corridor), especially the concern for cumulative impacts of all three projects, which are occurring at nearly the same time. Specific resources of concern are spotted owls (and other late-successional associated species), water quality (and associated aquatic habitats), and increased risk of flooding. Also, concerns were raised about the visual impact of such a large amount of treatment in a relatively short period of time.

Upon completion of project analysis, a public review period was provided, beginning November 27, 1997 and lasting until December 26, 1997. During the review period more than 20 comment letters were received. Appendix C contains a comment summary and response.

Many commenters agreed that a need exists for restoration, and that we need to do something to begin restoring the health and beauty of the area. Yet, many comments also expressed concern with the proposed treatments, especially if they might degrade wildlife habitat, aquatic integrity, and watershed conditions.

The primary areas of concern have been summarized as follows:

- *Impacts to owls were raised as a concern, especially in light of the other two projects occurring in the vicinity. Concerns were also raised regarding other wildlife species dependent upon or associated with late-successional habitat, such as goshawk and American marten.*
- *Impacts to the watershed, water quality, fish habitat, and soils were all concerns raised.*
- *Concerns with proposed treatments in riparian reserves were raised.*
- *Concerns were raised that we are closing too many roads, or not enough roads.*
- *Concerns were raised with the cumulative impact of this project to scenic resources, especially considering the previous two projects that both amended the forest plan's scenic quality guidelines.*
- *Commercial viability is low, and so there is a low chance of achieving project objectives without the sure funding a timber sale would provide.*
- *Alternatives considered place an over-emphasis on using timber sales to achieve project goals. Comments suggested that we pursue other sources of funding because of timber sale impacts to the land.*

Other comments offered suggestions that the environmental assessment could be made more clear, or pointed out where additional information was needed. Appendix C of the Environmental Assessment discusses comments and responses in detail.

For the most part, concerns raised during this period covered many areas discussed in the environmental assessment. As a whole, the comments reflected our own struggle with the question of how we can accomplish this needed restoration work without damaging the very resources we seek to restore and protect. This was especially evident in the comments on the economic viability proposals.

Rationale for the Decision

I have selected Alternative 3m because of the following reasons. First, I feel that it is more important to begin doing something (active management) rather than nothing (leaving this area alone). Alternative 3m begins restoring the forest to more resilient and sustainable conditions, while it minimizes short-term impacts to late-successional habitat, in particular spotted owl habitat within most home ranges (except to improve bald eagle habitat). At the same time, it puts us in a position that allows us to promote development of habitat for species that depend on climatic climax habitat (such as the spotted owl) and fire climax late-successional habitat (such as bald eagle) on sites where these habitats can best be sustained into the future. Also, Alternative 3m begins reducing the fire hazard

and hence fire risk in the project area. Alternative 3m will also recover some market value from the wood removed; and Alternative 3m will further the goals of the Northwest Forest Plan.

I have listened carefully to the planning team and the public about the issues raised, and despite the complexity of the issues, I have concluded along with the planning team that it is better to do something rather than nothing.

The underlying need for this proposal lies rooted in key LSR goals: provide and maintain late-successional habitat. Natural processes such as insect outbreaks--influenced by past fire suppression and timber management policies--resulted in declining late-successional habitats, especially those that provide closed-canopy habitat for species such as the northern spotted owl.

The project area is designated as a late-successional reserve, and so natural disturbances, such as insect, disease and fire, should occur without management intervention. However, in the project area during the last 8 to 10 years, defoliation of the fir by western spruce budworm and other forest pathogens has created a catastrophic situation, with a noticeable decline in tree vigor and an increase in tree mortality being widespread in the Metolius River Basin. In the western half of the Santiam LSR Restoration project area, stand mortality is high, with a large percentage of the trees dead or dying. For example, in some stands located near Round Lake, as many as 60 to 100 percent of the trees are dead.

Within the 10,000-acre project area, approximately 2,200 acres are considered suitable as owl nesting, roosting, and foraging (NRF) habitat, yet about 1,800 acres of this NRF is highly susceptible to insect/disease and it is vulnerable to loss through wildland fire. High stand densities and high amounts of true fir species contribute to this condition. This means the stand structure and functions necessary for sustaining owls are likely to be lost during the next 40 years.

In contrast, about 2,000 acres of the project area consists of plantations (primarily planted in preferred species such as ponderosa pine and Douglas fir). These plantations have a high potential to develop into NRF within the next 80 to 100 years, provided that a large-scale fire does not destroy these plantations and other stands that are most likely to sustain owl habitat during this transitional period.

Outside these plantations, conditions and habitats will likely decline further if no vegetation treatments occur. Simultaneously under these conditions, limited amounts of new habitat are expected to develop to take the place of the lost habitat.

In addition to providing and maintaining habitat for climatic climax late-successional associated species such as northern spotted owls, the project has also been developed to provide more open, fire climax habitat for bald eagles, another species listed as threatened under the Endangered Species Act. Although this species generally requires similar habitat characteristics as spotted owls (especially large trees), bald eagles benefits from stands with less cover, and so the need to develop northern spotted owl habitat does not align perfectly with the need to maintain northern bald eagle habitat.

The following discussion describes how I believe the selected alternative responds to the purpose and need, as well as the key issues.

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Move Toward Resilient Conditions

We need to begin moving fuel loading, vegetative compositions and stand densities toward more resilient and sustainable conditions. We need to reduce the risk of large-scale habitat loss within the Metolius LSR and we need to promote the long-term development of habitat, while providing short-term habitat. The Northwest Forest Plan provides for treatments that reduce risk to the larger LSR by treating a smaller, strategic area (NWFP, B-8).

I have selected Alternative 3m because it offers the best path to begin to establish more resilient conditions while minimizing short-term impacts to climatic climax habitats that furnish nesting, roosting and foraging habitat for species such as spotted owls. The EA explains in detail how the ecosystem has changed from one that absorbed and dampened natural disturbances, to one that magnifies the spread of fire, insects and diseases beyond the range that occurred before human settlement.

Alternative 3m will result in fire suppression forces being more effective than current conditions allow. This alternative has the additional benefit that as we begin to restore vegetation conditions we will begin to see fire and other disturbance agents serving ecological maintenance functions that more closely resemble their historic roles. Alternative 2 and 4 reflect alternative approaches that are less attractive to me.

Alternative 3m begins taking steps that move the forest toward a more resilient condition. This alternative aims to begin developing climatic climax late-successional habitat on sites where it can best be maintained (wet mixed conifer and some of the north-facing dry mixed conifer) where higher stand densities do not put abnormal stress on the stand. This is especially true in the western portion of the project area, where little climatic climax late-successional habitat exists now, but where such habitat could develop in a sustainable pattern. On drier sites that do not provide owl habitat now, treatments aim to move forests towards fire climax conditions that are more sustainable, represented by more open, large tree habitats that once dominated the project area.

After dead wood is removed, as much as possible, open areas will be replanted back to ponderosa pine, Douglas fir and western larch to establish these longer lived species, and de-emphasize relatively short-lived true fir species.

Thinning and underburning will take place in areas where conditions allow in order to reduce stand densities and promote large ponderosa pine tree characteristics. Maintaining stand densities at levels consistent with a particular site's vegetative capability will result in more resistance to insect and disease outbreaks, the overstory trees will live longer, and these areas will be less likely to be involved in a catastrophic, stand replacement wildfire. These treatments will lead low mortality stands away from densely stocked small-tree conditions towards having more medium and large trees.

Alternative 2 would limit much of the restoration work to removing dead and leaving thick green stands untreated. Not only is this approach less viable because it would rely on more appropriated funding to remove the dead, but it would be more difficult to implement because of the need to protect untreated pockets of green trees left intermixed with the slash and other debris left from dead-wood removal. Underburning would be less likely in order to protect residual green trees, which would require more mechanical fuels treatments (e.g., machine piling), which would result in more impacts to soils.

Alternative 4 would be similar to Alternative 2 in much of the western portion of the project area. It calls for more intensive management of a defensible space zone along

Road 12 and Highway 20. Alternative 4 offers advantages for increasing firefighting effectiveness, yet it would also have a greater impact to spotted owl nesting, roosting and foraging habitat.

Provide Climatic Climax Habitats

We need to provide/maintain late successional climatic climax habitats (especially those used by northern spotted owls). Where site conditions allow (i.e. wetter, more productive places), we need to begin the process of developing climatic climax habitats to replace those that are expected to be lost to insects/disease in the near future;

I selected Alternative 3m because it promotes potential climatic climax vegetation in locations where it can develop into a resident and sustainable pattern. This approach works in concert with future treatments that would eventually reduce risk of habitat loss further. These future treatments could be implemented over a longer time frame, allowing the hydrologic condition to recover from current treatments. This slower pace maintains some risk to public safety and maintains some risk of habitat loss during a longer time period, with risk possibly increasing in some areas during the short term.

Alternative 2 and Alternative 4 would provide less opportunity to achieve this habitat development because of their concentration on dead-tree-only removal in a large part of this habitat, and because of their reliance on appropriated funding to accomplish the work, which would extend the time period when these objectives could be achieved.

A strong argument was made during the comment period that because so much of the landscape is already in a poor condition we have provided too much protection of cover in the alternatives considered in the EA. The logical outcome of this argument would result in an alternative with heavier treatments in areas that have low habitat value now, removing much of the green residual trees as well as the dead/dying. By starting over on these sites that are in poor condition, we can best hope to re-establish the desired habitat in the shortest period of time.

I have considered the reasoning behind this approach, yet I have also considered resource concerns raised during our analysis. I have direction in the Northwest Forest Plan, and objectives set out for the Metolius LSR assessment. Given these as a whole, I am not convinced that taking such a large step at this time can be justified.

Admittedly, strong evidence exists that suggests the green trees in over-dense condition will be lost within the next 20-40 years. In that time, however, much of the existing 2,000 acres of plantations will be providing much more cover, both for habitat and for hydrologic function. I believe that once substantial hydrologic recovery occurs, managers will possess greater options for treatments than we have today. I recognize the continued risk of large-scale fire or insect/disease outbreak associated with this slower approach.

Fire Hazard Reduction

We need to provide for public and firefighter safety during a wildland fire. This can be achieved either through landscape-wide treatments, or by developing a system of fuel management zones defensible space to contain low to moderate intensity wildfires.

Alternative 3m begins the process of reducing the fire risk by reducing high fuel loadings (in particular in the western portion of the project area) and by reducing the amount of ladder fuels throughout the project area. Wildfires occur in a complex

environment with many variables contributing to the overall level of risk. I recognize that none of the alternatives eliminate the risk of a large scale fire occurring, yet all of the action alternatives propose fuels reductions that once completed will make a substantial difference to an important element of fire behavior: fuel level (tons per acre) and fuel arrangement (ladder fuels allowing ground fires to reach crowns). I have concluded that once the fuel reduction objectives are met that this will equate to a substantial reduction in fire risk, as well as a reduction in the intensity of fires that may occur.

I have selected Alternative 3m instead of either Alternative 2 or Alternative 4 because of this alternatives reduction in fuels across a larger area than either of these other alternatives. Although Alternative 4 offsets less landscape treatment by concentrating impacts along key travel corridors, it would treat more spotted owl nesting, roosting and foraging habitat to accomplish this objective. Alternative 3m avoids these NFR treatments and so provides a less effective defensible space, yet I don't believe that added effectiveness offered by Alternative 4 makes up for the loss of spotted owl habitat.

Northern Spotted Owl (and Bald Eagle)

Treatments in spotted owl habitat present a high risk to spotted owls that currently use the project area for two primary reasons: First, because of the limited amount of spotted owl nesting, roosting, and foraging habitat (referred to as suitable or NRF habitat) in the project area, and second, because of the limited amount of dispersal habitat available. Climatic climax late-successional habitat (NRF) is limited and fragmented. Current trends indicate additional loss of habitat will occur during the next 20 to 40 years. Vegetation treatments would affect habitat immediately. However, without treatment to at least a portion of the area, the risk remains high that a larger part of the LSR habitat would be lost. From an owl standpoint, the treatments should occur outside existing NRF to avoid loss of what small amount of habitat exists.

I have already discussed how Alternative 3m promotes climatic climax habitats while preserving at least for the short term most of the existing spotted owl NRF habitat. Over the long term, Alternative 3m best positions us to increase the amount of spotted owl habitat as we jump start conditions necessary to promote developing longer term habitats at a faster pace than would occur without treatment, in particular green-tree thinning. Examples of these beneficial results include changing species composition toward ponderosa pine and Douglas fir, as well as reducing stand density.

In the short term, all alternatives would both benefit and impact spotted owls. I have concluded that Alternative 3m is preferable to Alternative 4 because it achieves the purpose and need for the project with less impact to spotted owls. Alternative 3m is preferable to Alternative 2 as well, even though it has greater impact to spotted owls. I have reached this conclusion after considering the fact that Alternative 3m has been modified in consultation with US Fish and Wildlife Service to reduce impacts to owl pairs and connectivity areas. These points represent the major difference between Alternative 3m and Alternative 2 in terms of spotted owl impacts.

Alternative 3m as modified by this decision notice affects NRF in the home range of two pairs of owls. I understand that the proposals will result in habitat loss, which will reduce NRF habitat and habitat connectivity, and consequently will reduce spotted owl nesting, roosting and foraging opportunities by reducing densities of snags, down wood and canopy cover. Thus, the spotted owls' ability to move through the project area would

be further reduced, increasing the likelihood of displacement, lowered reproductive success and mortality. (USFWS BO pp. 15-16).

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Of the impacted NRF, about 111 acres are located in a bald eagle management area (BEMA), with treatments in NRF designed to provide and maintain bald eagle habitat. I acknowledge this impact as being an important trade-off to make in order to benefit the bald eagles using this area, which in turn positively affects the recovery of the bald eagle as a species. Treatments proposed in NRF within the BEMA will benefit bald eagles by promoting the health and longevity of existing large trees; by replacing white fir dominated stands with ponderosa pine and Douglas fir; and by removing fuels. (USFWS BO p. 19)

The remaining acres of treatment occur in areas where NRF is of low concern. Five stands (111 acres) lie in the southeast of the project area, providing little connectivity value. Two other stands (40 acres) lie within the Suttle South home range. From previous activities, this home range is already at a low level for NRF (9%), which gives it a very low viability for supporting an owl pair, even if no actions occurred in this project.

I have drawn these conclusions after consultation with the US Fish and Wildlife Service, which has been consulted on this project at two levels. At the Programmatic level, the USFWS issued a biological opinion under Section 7 of the Endangered Species Act during adoption of the Northwest Forest Plan (1994). In that opinion, the USFWS determined that implementation of the Northwest Forest Plan was not likely to jeopardize the continued existence of listed species, or result in adverse modification or destruction of designated critical habitat. However, the USFWS was unable to fully assess incidental take of spotted owls or the impact to spotted owl dispersal outside of the late successional reserves (LSRs). Therefore, consultation was included to provide assessments for site-specific projects.

At the second, site-specific level, consultation has been conducted for the Santiam LSR Restoration Project. Because this project does not meet the design criteria for the 1997 Programmatic Biological Assessment for the Deschutes National Forest, consultation for the project further evaluated the impacts on northern spotted owls and northern bald eagles. A biological opinion has been provided by the USFWS (Jan. 16, 1998) to provide this evaluation. This opinion concluded that the project is "not likely to jeopardize the continued existence of the spotted owl, bald eagle, or adversely modify designated critical habitat." (USFWS BO p. 24)

The USFWS based this conclusion on four reasons (USFWS BO, p. 24):

1. *The Northwest Forest Plan provides reserves where the objective is to protect and enhance conditions of late-successional and old-growth forest ecosystems, which serve as habitat for late-successional and old-growth related species including the spotted owl.*
2. *The proposed project will not preclude the recovery contributions afforded the affected species by the Northwest Forest Plan.*
3. *The proposed management is expected to reduce the threat of catastrophic loss of spotted owl habitat to insect and disease-induced mortality.*
4. *The mitigations measures stated in the biological assessment will minimize the effects of the project on spotted owls, spotted owl critical habitat, and bald eagles. (These measure are incorporated into Appendix B of the Environmental Assessment).*

The USFWS also found that incidental take would occur for 3 pairs of spotted owls. In its conclusion to the biological opinion, the USFWS determined that "this level of anticipated take is not likely to result in jeopardy to the species or destruction or adverse modification of the designated or proposed critical habitat." (USFWS BO, p. 25). The modification to Alternative 3m dropping stand 9021455 reduces the number of take permits required from three to two.

Furthermore the USFWS found that the following reasonable and prudent measures are necessary and appropriate to take (USFWS BO, p. 25):

1. *Minimize disturbances to spotted owl pairs and their progeny during the nesting season.*
2. *Minimize disturbances to bald eagle pairs and their progeny during the nesting season.'*

This will be accomplished as part of this decision by implementing seasonal restrictions described in Appendix B of the Environmental Assessment.

Location of Defensible Space

Defensible space in the form of shaded fuelbreaks/fuel management zones along Hwy. 20 would be the most accessible and logistically more useful than areas located away from these roads. At the same time, this corridor contains some of the best owl habitat found in the project area, as well as providing key locations for dispersal habitat between owl home ranges.

By selecting Alternative 3m I have accepted trade-offs in establishing defensible space when compared with Alternative 4, which places the greatest emphasis on treating along Road 12 and Highway 20. I have selected Alternative 3m instead of Alternative 4 because upon considering the benefits of Alternative 4 to firefighting effectiveness, I do not conclude there is a enough added benefit, especially when viewed in respect to the impacts to owls. For example, options exist for creating more effective defensible space farther east (outside the project area) that present no conflicts with spotted owl habitat.

Alternative 3m is preferable to Alternative 2 because it would treat more of the stands along Road 12 and Highway 20, even if not at the same intensity and amount as Alternative 4.

Because Alternative 3m treats a larger portion of the project area at a landscape scale than either Alternative 2 or 4, the need for this defensible space is somewhat reduced. Ultimately, however, I have opted to avoid impacts to owl habitat that would directly conflict with establishing this defensible space zone.

Hydrologic Conditions

Because of the complex hydrologic processes occurring in the project area, and because of sensitive soils, portions of the project area have high potential for runoff as well as high potential to deliver sediment to local streams. Sediment flowing into streams in the project area would influence the Metolius River's pristine water quality, as well as impacting aquatic habitat, in particular habitat of bull trout, a sensitive species. This is particularly important in the West Davis and Jack Springs subwatersheds.

Public comment reinforced this concern, especially when taken in consideration with other activities taking place at or near the same time within the project area. I have reviewed the EA discussion of this issue and have concluded that the main difference between doing nothing or taking action can be found in the length of time it will take to regain hydrologic stability. If no action is taken, within 10 years the risk of flooding would be as high as the risk would be if we implement one of the action alternatives.

However, by taking no action, further decline in cover conditions will contribute to a further decline in the hydrologic condition. Taking action would mean placing more of the area on a path of recovery.

Because of extensive mortality, serious runoff risks exists, even if no action were taken. Projections indicate that in 10 years, no action and the selected alternative would result in nearly the same hydrologic consequences. Consequently, this runoff risk poses a risk of stream sedimentation that will continue to grow as mortality continues to accumulate. In addition to the openings from mortality, a hot fire would remove ground cover, which would further increase the risk of runoff and increase the likelihood of fine sediments reaching the Metolius River (a Wild and Scenic River that places high water quality as one of its outstandingly remarkable values).

I believe that Alternative 3m offers the best balance we can provide between the risk of fire weighed against the risk of fine sediment delivery to streams during runoff or rain-on-snow events. Moreover, road closures, road maintenance needs and soil restoration activities associated with the selected alternative will all improve soil and hydrologic function and reduce problems experienced in recent floods.

Moreover, consistent with the Northwest Forest Plan, Alternative 3m avoids treatment in Riparian Reserves unless they are consistent with aquatic conservation strategy objectives. Small tree thinning (by hand, not with tractors or other mechanical means) and prescribed burning associated with establishing defensible space are proposed in Alternative 3m. Additionally, riparian reserves have been proposed for treatment on a small scale to improve aquatic conditions. These treatments include commercial logging, within certain controlled conditions, such as requiring full suspension during yarding (e.g. helicopter yarding).

Soil Impacts

Several factors describe the concern with maintaining productive soils in the project area. Wildfires that burn with high intensity create the risk of soil damage. Proposed treatments may increase soil impacts. Removing dead without thinning over-dense green trees increases the risk of cumulative soil impacts by increasing the potential for several harvest entries over time, rather than one. Removing dead without thinning limits fuel treatment options to methods other than underburning, which create greater impacts to soils.

Across the project area, most of these soil concerns can be mitigated through selection of logging systems, or by using seasonal restrictions. A question that could not be resolved, however, was found in the treatment areas that only remove dead and leave overly dense green trees for cover. In these stands the green trees remain at risk of loss because of insects/disease, especially in stands dominated by white fir. This makes another entry likely in the next 10-20 years in order to remove this additional mortality. Another entry means that more soil disturbance would take place in the high mortality stands (>50%). This impact could be reduced if thinning occurs along with removing dead/dying.

I have selected Alternative 3m over Alternative 2 or 4 because of the reduced impacts over time to soil resources. This alternative treats more green as well as dead/dying, which reduces the chance of a re-entry being needed in the near future (10-20 years) to remove more dead. Alternative 3m also provides for a more simple implementation by reducing the need to protect all of the green trees interspersed within areas of dead-tree removal. Post harvest activities such as slash treatment would require protection of all green, which would limit the amount of underburning feasible, leaving options such as

mechanical fuels treatments (piling) as more likely. This would lead to higher impacts to soils than could be achieved using underburning. Although this concern will remain in the areas where we aim to keep 40% green-tree cover (especially in white fir), Alternative 3m offers the best opportunity to find ways to meet these two diverse objectives on the ground during implementation.

Achieving Socially Desired Conditions

Management activities should provide for socially desirable character that reflects what people expect to see/feel in their forests. This includes recreation use, scenic values, Forest plan agreements such as the Metolius Conservation Area. In general, people expect to see open stand conditions associated with large, ponderosa pine, especially in the lower elevations in the Metolius Conservation Area and along Highway 20. Treatments along Hwy. 20 and Road 12 would do the most toward providing ponderosa pine stand characteristics that the public desires. As with the defensible space issue, the corridor along Highway 20 contains high quality suitable (NRF) owl habitat that would be affected by treatments. However, small tree thinning could be accomplished 50 feet into the forest along this corridor, achieving at least some of the scenic quality objectives.

Alternative 3m attempts to move towards meeting the desired natural-appearing condition described for the Metolius Conservation Area. However, a Forest Plan amendment specifically for this project will be used to document the changed conditions and the rationale for exceptions needed to standards and guidelines in respective management areas.

Less than 10 years ago, in the upper basin of the Metolius River where the Santiam LSR Restoration Project is located, visitors viewed what appeared to be luxuriant forests of fir, cedar, larch and ponderosa pine. . . (LRMP page 4-164). Although the lower elevations of the project area still appear to most visitors as a forest with a diversity of orange and brown trunks of ponderosa pine and firs, with clusters or thickets of fir in the understory, the upper elevations of the project in the moderate and high mortality areas, are dominated by clusters of dead and dying trees, with a predominant gray character to the forest.

Alternative 3m will accommodate scenic resource concerns as much as possible using retention areas, although in areas of high mortality, the effects to visual quality will not fit in with the desired condition. Areas will appear substantially more open after treatment, and most of the gray trunks will be removed. Some areas of higher mortality will be treated to mimic the look and pattern of wildfire. Yet by removing the dead and replanting, we will promote recovery when compared with taking no action.

If no action is taken, the dead trees will eventually fall and create openings. With high fuel loadings on the ground, the risk of large-scale, high intensity fire is greater than if we can remove as much of this wood as possible, and plant. If a fire were to occur, the openings sizes would likely be even larger than those created by any of the action alternatives. An impact that may appear from middleground/background perspective could result as vertical lines created during cable yarding. Soil disturbance objectives may limit the use of ground-based yarding systems, while sale economics may limit use of high-cost logging systems such as helicopter. Therefore, cable systems may be necessary, with the resulting impact to scenery during the short term (up to 20 years).

The thinning units will meet the intent of the Metolius Conservation Area to retain the appearance of a continuous forest canopy; however, the treatment areas will appear more

lightly textured following treatment. The result will be consistent with perpetuation or increasing ponderosa pine, removing white fir understory, and managing for large early seral trees.

Cleanup will occur as soon as possible, with preference given to scenic corridors with Visual Quality Objectives of Retention and Partial Retention. Because of the marginal nature of timber sale economics, however, this cleanup may not occur using as much of the traditional timber sale funding used in the past (e.g., KV), except where such cleanup reinforces the fuel reduction efforts along these roads. Rather, cleanup may occur by seeking appropriated funds, or through partnerships, or other sources, none of which is as sure as timber sale funding, but which I believe can be found.

Economics/Feasibility

Many treatments may potentially benefit the LSR, but only a limited number of possibilities lie in the realm of being economically feasible and practical, especially when considering the many sensitive resources in the project area. At issue is the decreasing amount of merchantable timber (because the dead trees deteriorates over time), plus measures aimed to protect resources, which could result in a sale that is infeasible for economic and technical reasons. The fewer of the project's objectives that can be met using commercial timber sales as a tool, the more reliant the project activities will become on appropriated funding. Forest Service managers are required by policy to "operate timber sale projects in the most cost-efficient manner practicable to achieve the objectives outlined by forest plans and to produce a program where long term benefits exceed costs." (FSM 2432.22c). For the treatments proposed that depend upon commercial timber harvest, there is a need to assure the economic viability and the practical feasibility of these treatments.

During the public comment period, we received considerable comment on the economic viability question. On one hand, people felt that we were being too conservative in our approach and unduly limiting our commercial logging opportunities. These comments questioned the need to maintain owl habitat in a forest that has not historically provided habitat and that is currently in such poor shape that it barely provides any habitat at all. The suggestion arose that these areas should be treated heavily now to get the quickest recovery. This alternative is discussed in the environmental assessment in Chapter Two, under alternatives considered but not analyzed in detail. I have already discussed why I believe such an approach does not offer the best solution at this time. (above, under Provide Climatic Climax. . .)

On the other side of this issue, people suggested that the work should be done without using commercial logging as a tool because commercial logging has inherently negative effects to the environment, and that these effects can be avoided if noncommercial logging options are implemented. An additional alternative has been discussed in the environmental assessment (under "Alternatives Considered but not Analyzed in Detail"). Although I share the concern with the potential impacts of treatments to resources within the project area, the argument to avoid commercial logging because of the environmental impacts was not persuasive to me, given one of the key project objectives calls for reducing the amount of fuels, especially the dead material that exceeds desired levels by a factor of 5 to 10 times.

Because of the environmental safeguards in place to protect resources such as wildlife habitat, water quality and soil productivity (regardless of the method used to meet the fuel reduction objectives), I have concluded that the environmental effects would not be dramatically different whether through commercial timber sale or through

noncommercial means. In fact, a commercial timber sale contract affords greater control to ensure environmental protection than other means, such as personal firewood.

Comments suggested seeking funding options other than timber sales to achieve project objectives. I certainly agree that this option will need to be pursued in areas where commercial timber sales are not viable within the project area. The amount of area available for commercial harvest is expected to be substantially less than the 2,500 acres we have analyzed in the environmental assessment. In these areas, we will seek other funding means, such as natural fuels treatment funds and/or stand improvement funding.

I strongly believe that Alternative 3m offers the greatest amount of common ground of any of the alternatives. As much as possible, we should meet project objectives by providing a commercial product that helps to pay for the overall restoration and risk reduction goals of this project. This must occur with the least possible impact to important resources in the project area, but at the same time, where impacts can be reduced and logging can take place, we should proceed as quickly as possible.

In summary, Alternative 3m aims to minimize resource impacts, while reducing the risk of high intensity wildfire, which would jeopardize a greater portion of the landscape than desirable for water quality, habitat, and social values, such as public safety and scenery. This alternative also uses the by-products of forest management to meet societal needs.

Finding of No Significant Impact (FONSI)

I have determined that this decision does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment in either context or intensity; therefore, an Environmental Impact Statement is not necessary. These effects include direct, indirect and cumulative effects described in the environmental assessment and supporting documents.

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 are not significant, considering the following factors of intensity:

1. The analysis considered both beneficial and adverse effects.
2. There are no known adverse impacts to public safety. 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.
4. The effects on the quality of the human environment are not likely to be highly controversial.
5. *The degree of possible effects on the human environment are not highly uncertain, nor are there unique or unknown risks involved.*
6. The actions should not set a precedent for future actions which may have significant effects, nor do these actions represent a decision in principle about a future consideration.
7. These actions are not related to other actions that, when combined, will have significant impacts.
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.

9. As described in the Environmental Assessment, Biological Assessment, and USFWS Biological Opinion, activities will adversely impact both the northern bald eagle and the northern spotted owl. Although habitat for bald eagles and northern spotted owl will be impacted as described, this project (when considered with other projects already being implemented) "is not likely to jeopardize the continued existence of the spotted owl, bald eagle, or adversely modify designated critical habitat." (USFWS BO p. 24). In considering the analysis and the opinion of the US Fish and Wildlife Service, I conclude that the degree of adverse impact to the species is small. No other threatened or endangered species or habitat critical for the management of these species will be adversely affected by the proposed action.

Surveys for sensitive plants that are thought to occur in the project area have been conducted. Timber harvest units have been designed to avoid adverse impacts to known species (e.g. Peck's penstemon). Proposed underburning will take place where Peck's penstemon is found, but these treatments should have a beneficial effect.

10. None of the proposed actions implemented by this decision threatens a violation of the Federal, State, or local law, or requirements imposed for the protection of the environment.

Other Findings

Except for activities included in the Forest Plan amendment described below, actions in the Santiam LSR Restoration Project selected alternative are consistent with the management direction, standards, and guidelines in the Deschutes Forest Plan (1990) as amended by the Northwest Forest Plan (1994). 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. All manipulation of vegetation will comply with the seven requirements of 36 CFR 219.27 (b).

The harvest and post-harvest treatments are consistent with the strategy of prevention in accordance with the Pacific Northwest Region's Vegetation Management EIS (1988) and the mediated agreement.

The vegetation management treatments will be consistent with direction found in the ROD/FEIS for managing Pacific yew.

The current vegetation condition in the Santiam LSR Restoration Project area meets the definition of a catastrophic situation: insect and disease impacts are significant and widespread, and they are detrimental to the project area's environment (LRMP p. G-2). These vegetation conditions are described for the project area in the Environmental Assessment and for the Metolius River basin in the Metolius Watershed Analysis.

The existing catastrophic situation in the Metolius River basin invokes the built-in exemption to LRMP standard & guideline M22-8, which would otherwise limit opening size to 10 acres, and limit the percentage of the area in openings to 10 percent of the management area in any decade. This exception allows exceeding those limits when catastrophic situations occur.

Forest Plan Amendment

An amendment to the Deschutes National Forest Plan has been included with this project. This amendment is similar to amendments implemented as part of the decision for the Jack-Canyon Vegetation Management Project (1996) and the Santiam Corridor

Vegetation Management Project (1996). As was the case with those amendments, conditions in the project area have changed in important ways since these standards and guidelines were established: levels of mortality have increased so that the risk of a fire has increased; the green forest canopy that these standards were designed to maintain has been changed by the mortality, and in the event of a large fire, would be changed even more.

The current condition does not meet Metolius Conservation Area goals. In addition, the consequences of future catastrophic events are likely to occur, which would move the condition even farther from those desired conditions. Action is necessary to satisfy the long-term intent of the Goals, Themes and Objectives of the Management Areas. Taking action now can prevent conditions within the area from declining even further below the standard. By recognizing the changed conditions, and amending the standards for this project, future long-term effects will be lessened. Long term consequences to soil productivity from severe forest fires could cause lasting reduction in the area's ability to meet the current standards through time.

The Deschutes LRMP must be amended to document the changed conditions and the rationale for meeting the general intent behind the Metolius Conservation area, (FP 4-164 & 165), and the General Themes and Objectives for Metolius Heritage (MA 19), Metolius Black Butte Scenic (MA 21), Metolius Special Forest (MA 22), and Metolius Scenic Views (MA 26).

Established procedures were followed to analyze the effects of the proposed amendment for significance in the context of the National Forest Management Act. The procedures included review by the Forest Interdisciplinary Team.

This amendment is project specific, allowing the project to remove dead trees and treat dense stands of live trees at a faster pace than otherwise permissible under the current management Standards and Guidelines. This amendment does not intend to change standards and guidelines in areas not impacted by this project. As part of this project, the following Forest Plan amendment is adopted:

Metolius Heritage (MA 19)

The Metolius Basin is remarkable in the quality and diversity of its natural resource and spiritual values. This allocation is set aside to perpetuate the large yellow-belly ponderosa pine. Road 12 is in this allocation and will be managed to maintain or enhance this character. Consistent with achieving this goal, the following amendment applies:

M19-26: Although a continuous forest canopy is expected to be maintained in this management area, this standard is amended to allow treatments to be more noticeable to the casual forest visitor than would be allowed under the Retention VQOs.

Metolius Black Butte Scenic (MA 21)

Landscapes will be managed to protect and perpetuate the unique and widely recognized appearance of Black Butte, the Forest Plan Goal for MA 21. Consistent with achieving this goal, the following amendment applies:

M21-9: This standard is amended to allow treatments to be more noticeable to the casual forest visitor than would be allowed under the Retention VQOs.

M21-10: This standard is amended to allow treatments to be implemented that may not meet the Retention VQOs.

M21-20: This standard is amended to allow cleanup activities to take more than one year to complete.

Metolius Special Forest (MA 22)

In this Forest Plan allocation, the goal is to maintain scenic quality by keeping the results of activities as natural appearing as possible. A continuous forest canopy highlights this natural appearance (MA 22-9). During project activities, openings will be created that exceed 10 percent of the management area within any decade (MA 22-8). Because the project is undergoing a catastrophic situation, the current forest plan allows for exceptions to this standard. However, in order to treat dead patches and treat overstocked white fir between the dead, the following amendment applies:

M22-9: This standard is amended to allow activities to occur that may not leave a continuous forest canopy once completed because of the high level of mortality already existing.

M22-13: This standard is amended to allow cleanup to extend beyond the 1-year objective.

M22-25: This standard is modified in order to exceed the visual quality objectives of Modification along main roads (1210 south etc.). I anticipate that more than 20 percent of the corridor will be disturbed at one time during the short term. Harvest units and other vegetation treatment activities would still be designed as much as possible to meet Modification objectives.

Metolius Scenic Views (MA 26)

In this Forest Plan allocation the goal is to provide visitors with high quality scenery that represents the natural character of the Metolius Basin. Landscapes are seen from selected travel routes of Road 1210 and around Round Lake. Visitor use areas will be managed to maintain or enhance their appearance. Consistent with achieving this goal, the following amendment applies:

M26-4: This standard is amended to allow treatments to be implemented that may not meet the "Retention" VQOs. The Retention VQO may not be met because of the extent and duration of disturbance. Activities will likely exceed the 10 percent limit on the amount of treatment that can occur at one time on Road 1210 (a corridor with a VQO of Retention). Road 1210 is estimated to be 3 percent treated. It is likely that meeting the need of the project will result in exceeding 10 percent treated at one time along these corridors during the short term. Units would still be designed as much as possible to meet retention objectives.

M26-10 and M26-24: These standards are amended to allow treatments to be implemented that may exceed the opening size limits of 2 and 5 acres for Retention and Partial Retention respectively

M26-8 and M26-22: These standards are amended to allow treatments to be implemented that may not meet the one-year and two-year clean-up time frames associated with Retention and Partial Retention respectively.

Implementation Date

This project is scheduled for implementation beginning in the Summer of 1998.

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 215 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:

Robert W. Williams
Regional Forester/USDA Forest Service
PO Box 3623
Portland OR 97208
Attention: 1570 Appeals

For information contact: **Bill Anthony**
Sisters District Ranger
P.O. Box 249
Sisters, OR 97759
Phone: (503) 549-2111

Responsible Official:



for SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Highway 20 E.
Bend, OR 97701

4/9/98 Date

Date notice published in the Bend Bulletin: April 22, 1998

Vicinity Map Deschutes National Forest

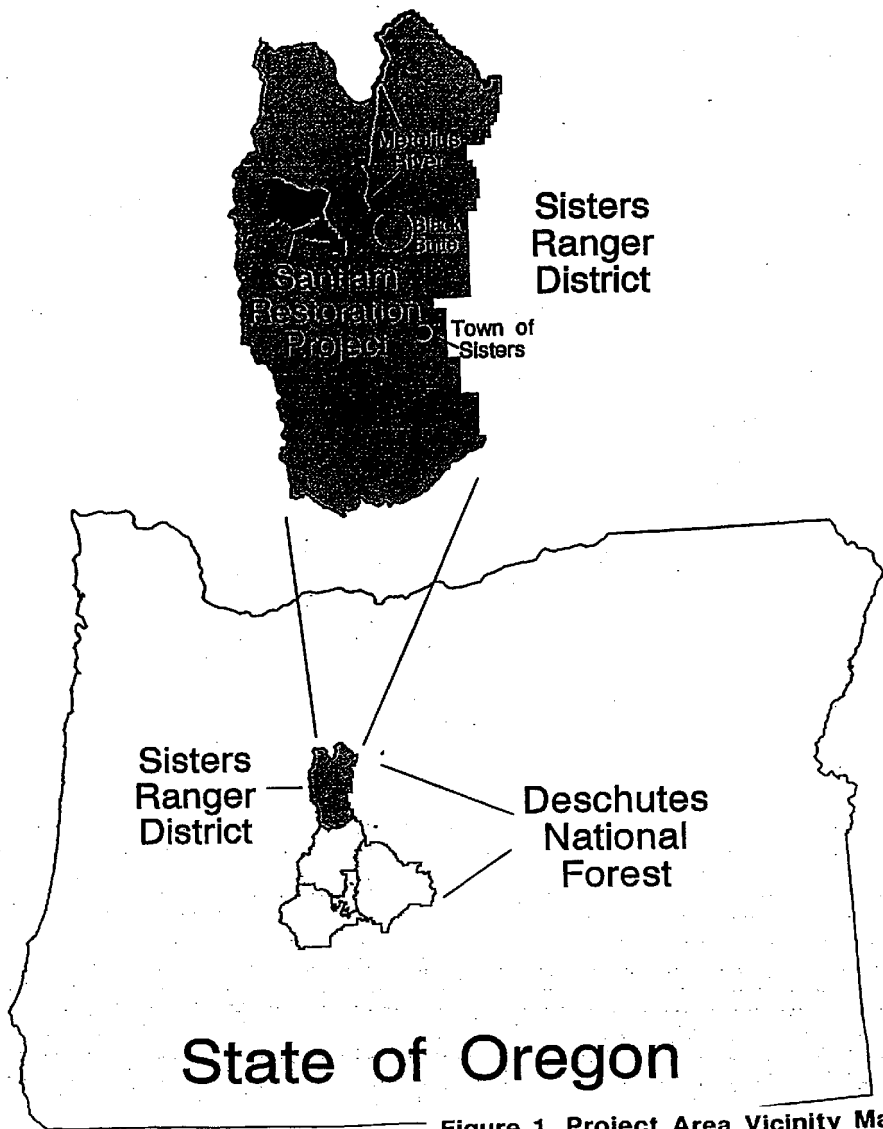


Figure 1, Project Area Vicinity Map

Forest Plan Allocations for Santiam Restoration Project Area

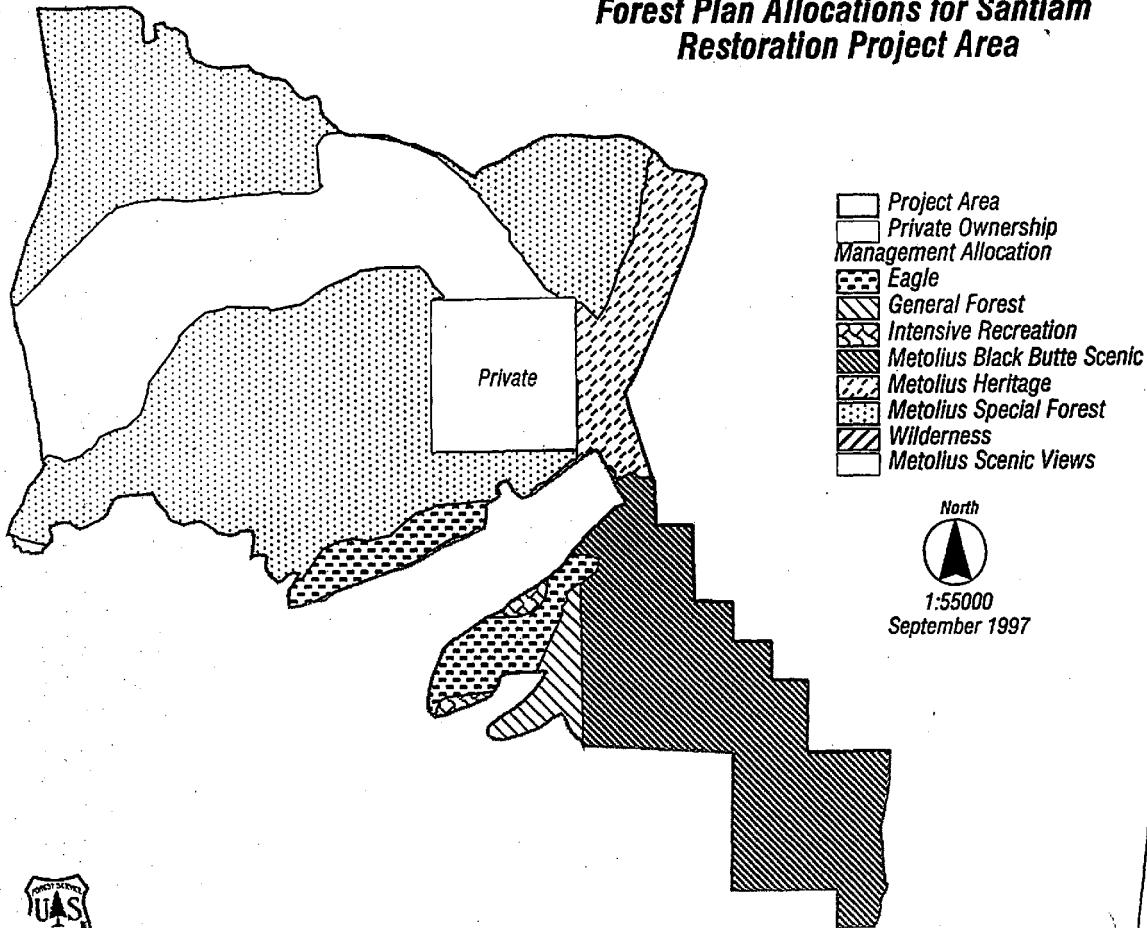
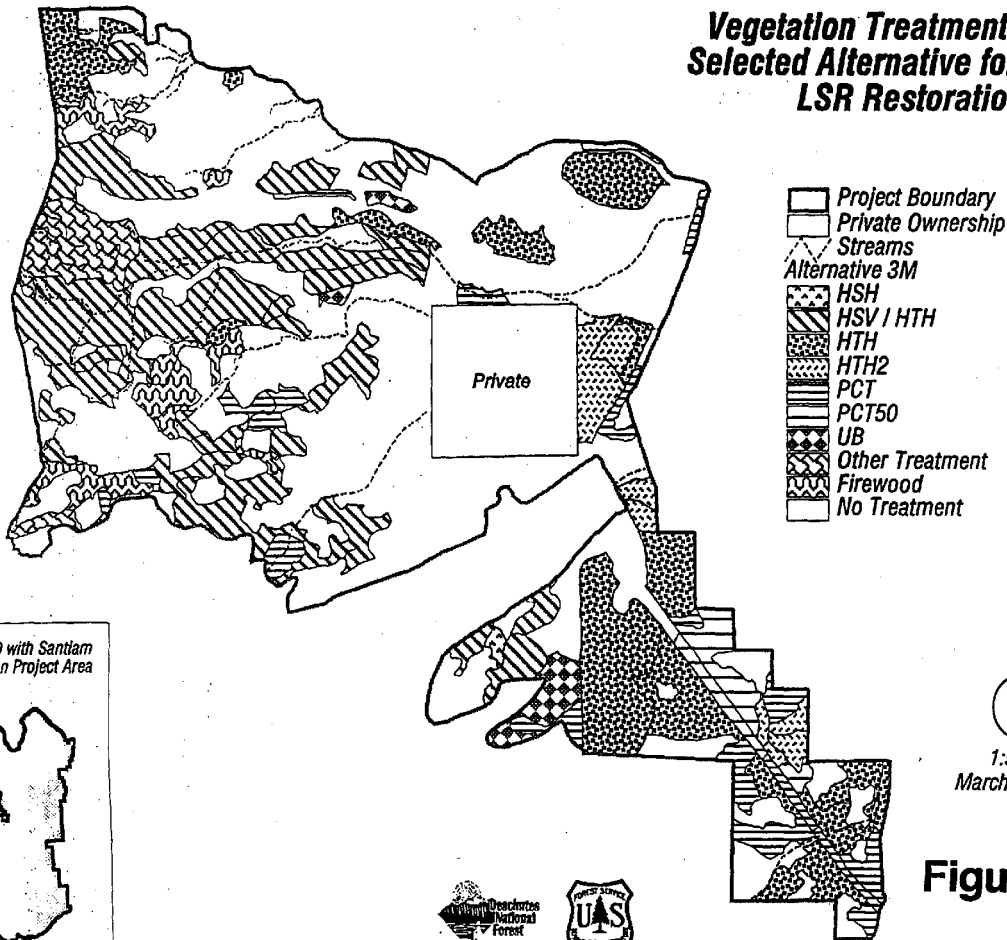


Figure 2, Deschutes NF LRM Allocations



Vegetation Treatments for Selected Alternative for Santiam LSR Restoration

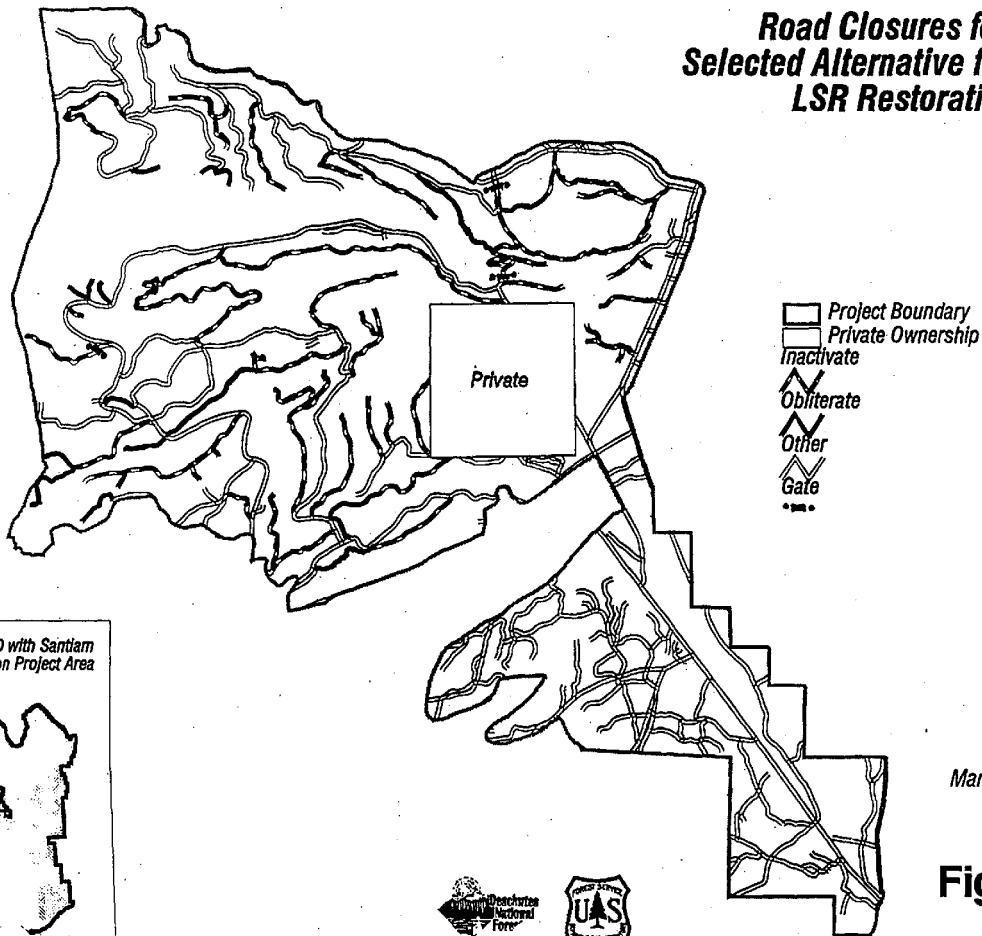


Sisters RD with Santiam
Restoration Project Area



Figure 3

Road Closures for the Selected Alternative for Santiam LSR Restoration



Sisters RD with Santiam
Restoration Project Area



1:55000
March 31, 1998

Figure 4

II-B-S 001
#19

DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT
PINE MARTEN COMMUNICATIONS PROJECT
ENVIRONMENTAL ASSESSMENT

Deschutes National Forest
Bend/Fort Rock Ranger District
Deschutes County, Oregon

This Decision Notice and the Pine Marten Communications Project Environmental Assessment are available for review at the Bend/Fort Rock Ranger District Office, Red Oaks Square, 1230 NE 3rd, Suite A-262, Bend, OR 97701.

Location

Pine Marten communications site is located on Mt. Bachelor on Pine Marten Ridge. Mt. Bachelor is adjacent to Highway 46 approximately 20 miles west of Bend, Oregon. Pine Marten Ridge is located in T18S, R9E, Sec. 29 and 30.

Decision

After reviewing the issues, alternatives, and effects discussed in the Environmental Assessment, and the accompanying project file, I have decided to authorize the actions in Alternative B. This alternative will authorize the designation and operation of an electronic communication site in accordance with 36 CFR 251.51.

The Pine Marten communications site will be operated by Mt. Bachelor, Inc. Excess space will be managed and assigned by Mt. Bachelor, the lessee, per the lease agreement signed July 18, 1996.

Under Alternative B, Pine Marten will be designated as a permanent Electronic Site. It will be established within and adjacent to the Pine Marten Lodge including Pine Marten Knob. As a part of the Site, an Electronic Relay site, will be established within the upper terminal building of the Northwest Express Ski Lift. This relay site will function only as a satellite of the PM donor site.

Electronic equipment will be housed within the Pine Marten Lodge building and within the upper terminal building of the Northwest Express Lift.

A microwave "dish" antenna will be placed on the wall of Pine Marten Lodge to provide a microwave link with the US West telephone system in Bend.

Antennas for local area transmission will be located on Pine Marten Knob for the donor site and on the terminal lift building for the relay site. Steel conduit, placed upon the ground surface will protect electronic cables between the Pine Marten Lodge building and Pine Marten Knob.

This Decision adds a non-significant amendment to the Deschutes National Forest Land and Resource Management Plan by adding this site to the list of approved electronic sites in Appendix 7.

Rationale

I am selecting Alternative B because it best meets the purpose and need for action at Pine Marten site. This decision will establish a permanent electronics site, and eliminate temporary relay stations. Permanent, complete communications coverage of Mt. Bachelor will occur. There will be faster response times for emergency situations. Public safety on the Mountain and surrounding areas will be enhanced. Communications will improve and be more dependable, in all seasons, for Forest visitors.

Other Alternatives Considered

In accordance with 40 CFR 1502.14 alternatives were based on the issues and scoping. Two alternatives were considered, the No Action, and the Proposed Action, Alternative B.

Alternative A, (No Action) was considered, but not selected because it would not establish a permanent electronics site on Mt. Bachelor. Communications at Mt. Bachelor, in the Wilderness, and south of the Mountain would remain unreliable with dead areas. Responses for search and rescue operations, and public safety in life and death situations would not improve.

Public Involvement

Public involvement included a 30 day public comment period from October 9, 1997 to November 14, 1997. A legal notice for a 30 day comment period was published in the Bend Bulletin, and letters were sent to people on the District mailing list requesting comment on the proposed action. In addition it was included in the Fall, Winter, Spring and Summer editions of the Schedule of Projects (SOP). One comment letter was received from Western Radio Co., Inc. (See Appendix G for response to his comments).

A scoping letter with a scoping period from July 14, 1997 to August 4, 1997, requesting comments was sent to the mailing list and a notice was placed in the Bend Bulletin. The following comments were received:

Greg Brown, Deschutes County Sheriff was supportive of establishing an electronics site at Pine Marten Lodge. He said law enforcement and emergency services increasingly rely on cellular phone service. The addition of this site would be a definite asset for public safety.

Moon Country Sno-mobilers said they would like to voice strong support for the site at Pine Marten Knob. More and more snow mobilers are carrying cell phones for emergency communication and work party coordination. The upgrade in service from this project would be good because most snow mobilers carry low power compact models that sometimes have problems acquiring a strong signal in the areas affected by this project.

Cellular One said there would be many social benefits from the proposed system by connecting remote areas to the outside world. Skiers will be in constant contact with their families and businesses. Cascade resorts will have reliable communications to run their businesses. Lost or late hikers and bikers can call for help. Law enforcement, fire control, search and rescue personnel will have direct communications for aid.

Findings

From the site-specific analysis documented in the Environmental Assessment, I conclude that this decision does not constitute a major federal action, individually or cumulatively, that would significantly affect the quality of the human environment or have a significant impact on the environment; therefore, an Environmental Impact Statement will not be necessary.

Based upon the information found in the Pine Marten Communications Project Environmental Assessment and its accompanying project file, and by reference, the Mt. Bachelor Communications Site EA and Decision Notice, I find that the context of the environmental effects of this decision is not significant. The effects are limited to the area where the improvements will take place.

Both short and long term effects have been disclosed. There will be a long term benefit of improved communication and other benefits. The short term effects include minor construction noise and dust. These effects are not significant because of their short duration (approximately 3 months) and low intensity.

I have also determined that the severity of these impacts are not significant by considering the following factors of intensity:

1. The beneficial and adverse impacts of this project have been discussed and are not significant.
2. This action will have a positive effect on public health and safety (see EA page 4).
3. No unique characteristics of the geographic area such as cultural resources, or wetlands will be adversely affected. See EA, Chapter III, Environmental Effects, pages 4-6; and Heritage Resources Report (project analysis file).
4. The effects on the quality of the human environment are well known and not likely to be highly controversial. See EA, Chapter III, Environmental Effects, Social Factors, page 6.
5. The degree of the possible effects to the human environment are not highly uncertain, nor are unique or unknown risks involved due to previous Forest Service experience with lookout construction.
6. The project will not establish a precedent for future actions which may have significant effects, nor do they represent a decision in principle which may limit future consideration. Other actions similar to the proposed action have already been undertaken and have not shown significant effects.
7. The action is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.25). See EA, Chapter III, Environmental Effects; and the following specialist reports in the project analysis file: Wildlife Report, Animal Biological Evaluation (BE), Plant BE, Soils Report, Heritage

Resources Report and the Landscape Architect's Report. (See analysis file).

8. The field surveys for sites, objects, etc., listed or eligible for listing in the National Register of Historic Places have been completed. See EA, Chapter III, page 6; and Heritage Resources Report (See analysis file).
9. No activity will occur that impacts proposed endangered, threatened, or sensitive (PETS) plant or animal species, or any management indicator species (MIS) or their habitat. See EA Chapter III, Environmental Effects, pages 5 & 6; and the following specialist reports in the project analysis file: Wildlife Report, Animal BE, and Plant BE.
10. None of the proposed actions violate a federal, state, or local law, or requirements imposed for the protection of the environment.

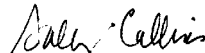
Other Findings

This decision includes implementation of a non-significant Forest Plan amendment.

This decision is subject to appeal pursuant to either the 215 or the 251 appeals process. You may select which appeals process you will use, but you may not elect to use both.

If you elect the 251 appeals process, you must file your written notice of appeal with the Regional Forester (Reviewing Officer), Pacific Northwest Region, PO Box 3623, Portland, OR 97208; and a copy simultaneously sent to Sally Collins, Forest Supervisor (Deciding Officer), Deschutes National Forest, 1645 Highway 20 East, Bend, OR 97701, within 45 days of the date of this letter. The Notice of Appeal must meet the content requirements pursuant to 36 CFR 251.90 including sufficient narrative evidence and argument to show why this decision should be changed or reversed. I am willing to meet with you to hear and discuss any concerns or issues related to this decision.

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 Bend Bulletin. For further information, contact Wayne Gammon Bend/Fort Rock Ranger District, 1230 NE Third, Bend Oregon 97701, (phone 541-383-4714).


SALLY COLLINS
Forest Supervisor

12/29/97
Date

The Notice of Decision was published one time only in The Bulletin (Bend, Oregon) on December 1997.

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

Baja 58 Project

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

Location

The Baja 58 project area is located approximately 50 miles south of Bend, Oregon, encompassing the southern third of the Crescent Ranger District. (T23S, T24S, T25S, T26S, R5 1/2E, R6E, R6 1/2E, R7E, R8E, R9E). Refer to 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

Based on the analysis documented in the environmental assessment (EA), I have decided to implement a modified Alternative 3. The modification has resulted from further review of the analysis, as well as consideration of public comment. Although I have committed in principle to implementing the entire modified Alternative 3, this decision notice applies to that portion of Alternative 3 (as modified) where plant surveys have been completed. Following additional surveys to be conducted in the coming field season, the remaining portion of Alternative 3 (as modified) would be the subject of a second decision. The portion of the modified Alternative 3 covered by this decision results in the following:

- Understory thin 5,570 acres. Approximately 150 acres lie within the Oregon Cascades Recreation Area. Of this area, most of the affected acres are incidental portions of a unit (e.g. less than 10%). Units 140, 115, and 1155 include larger proportions.
- Salvage 1,071 acres.
- Construct/reconstruct 10.2 miles of road (mostly low standard, temporary road). No road construction or reconstruction included in this decision lies within the Oregon Cascades Recreation Area.
- Harvest total green volume of approximately 10.3 million board feet (MMBF) and 2.1 MMBF of salvage. The estimated commercial timber volume for projects resulting from this decision is 12.4 MMBF.

Other actions listed as common to all alternatives would also be included in this decision (EA page 2-3). These actions include

- Close approximately 86 miles of road
- Thin green trees to reduce shading and remove hazard trees along Hwy 58 and Hwy 97. This decision covers those units with completed plant surveys (216 acres).
- Expand riparian reserve boundaries (in particular in the vicinity of Big Marsh) to include wet soils.
- Prescribe burn fire-tolerant stands to reduce density and to move stands toward a single story structure. This decision covers units with completed plant surveys (147 acres).

Amended Forest Plan

- **Manage vegetation in developed recreation sites around Crescent Lake to promote large tree growth and to help protect and enhance the settings and provide for public safety. This decision covers portions of campgrounds with completed plant surveys (165 acres).**
- **This decision also includes Unit 45 (489 acres), which includes 350 acres within the Crescent LSR, and 150 acres in the Crescent BEMA, and which includes summer residences along the northwest shore of Crescent Lake. The treatments in Unit 45 have been designed to be consistent with the recommendations found in the Big Marsh LSR Assessment, specifically sustaining and enhancing a large tree component to accommodate bald eagle in the short and long term. The treatments will move the stands near Crescent Lake toward a fire-climax type habitat to reduce the risk of large-scale habitat loss caused by wildfire. Implementation objectives aim to maintain spotted owl dispersal habitat as well.**

See Map DN-3 and the attached unit list for a description of the portion of Alternative 3 (modified) implemented with this decision.

Rationale

Alternative 3, as modified, was selected because it treats more high-risk stands than Alternative 2 responding more completely to the need to reduce fuel loads and reduce stand densities. Similarly this alternative 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.

As modified, Alternative 3 avoids the areas of greatest concern in terms of cumulative impacts to wildlife habitat. In this way it can begin the process of reducing risk of large-scale habitat loss, while it also avoids areas currently needed to provide wildlife habitat for specific species (e.g. northern spotted owls) or for a variety of species that could be adversely impacted by cumulative impacts of this project when considered with other projects.

During the public comment period, concerns were raised regarding impacts of Alternative 3 to project area resources, in particular the cumulative impacts caused by a relatively fast change in habitat characteristics for certain wildlife species. Concerns were also raised with whether Alternative 3 goes far enough, fast enough to provide the risk reduction that we seek, and whether Alternatives provide for adequate utilization of salvageable material in the project area.

I have considered both the impacts and the benefits of the selected alternative and I 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 important long-term benefits to wildlife habitat and other resources that depend upon a healthy and resilient forest. 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.

Although this decision implements only a portion of the modified Alternative 3, I would like to explain how the *entire* Alternative responds to concerns raised during the analysis and public comment period. See Map DN-4 and the attached list for a description of the entire modified Alternative 3.

The modified Alternative 3 would eventually include the following:

- **Understory thin 9,557 acres. This is 1,973 acres fewer than Alternative 3 (which proposed thinning on 11,530 acres). This eliminated thinning that is located primarily in two subwatersheds (Big Marsh and Walker Rim). As a result of this change, areas have been avoided that present the highest concern for cumulative impacts to wildlife habitat. In addition, the amount of commercial timber harvest will be reduced within the Oregon Cascades Recreation Area (OCRA), mainly by dropping Unit 30 and about half of unit 280.**

- Salvage 1,197 acres. This is about 100 acres fewer than salvage proposed in Alternative 3, primarily because this alternative avoids salvaging in units that are mainly riparian reserve.
- Construct/reconstruct 12.1 miles of road (low standard, temporary road). This is approximately 2.75 miles less than Alternative 3. This modification eliminates road construction/reconstruction within the OCRA, as well as roads associated with other units that were dropped from Alternative 3 in order to reduce cumulative effects to wildlife habitat. (In the OCRA, a previously closed road may still be used by off road vehicles to aid in implementing the lodgepole burning, but it would be not be opened for public use and so would remain in a more undeveloped condition. The final decision on this road will occur with the second Baja 58 decision.)

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.
- 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.

Public Involvement

Public involvement for this Environmental Assessment 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 information on issues and concerns about the management proposals. The Proposed Action was also listed in the *Schedule of Projects for the Ochocho 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. Five 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 G. Modifications to the environmental assessment are also described in that appendix.

Finding of No Significant Impact

I have determined that implementing 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 ownerships within potentially affected areas which 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.*
2. *There are no known adverse impacts to public safety. 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.*
4. *The effects on the quality of the human environment are not likely to be highly controversial.*
5. *The degree of possible effects on the human environment are not highly uncertain, nor are there unique or unknown risks involved.*
6. *The actions should not set a precedent for future actions which may have significant effects, nor do these actions represent a decision in principle about a future consideration.*
7. *These actions are not related to other actions that, when combined, will have significant impacts.*
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.*
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 improve 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.*
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.)*

Other Findings

Within the range of the northern spotted owl, actions in the selected alternative are consistent with the management direction, standards, and guidelines in the Deschutes Forest Plan (1990) as amended by the Northwest Forest Plan (1994). East of the range of the northern spotted owl, 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 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 of 2000. Other projects (salvage, road closures, highway safety thinning/salvage, etc.) are expected to be implemented starting in Spring 1999.

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:

Robert W. Williams
Regional Forester/USDA Forest Service
PO Box 3623
Portland OR 97208
Attention: 1570 Appeals

For information contact: Phil Cruz
Crescent District Ranger
P.O. Box 208
Crescent, OR 97733
Phone: (503) 433-2234

Responsible Official: /s/ Jim Golden for
SALLY COLLINS
Forest Supervisor
US Department of Agriculture
Deschutes National Forest
P.O. Box 6010
Bend, OR 97708-6010

9/30/98
Date


United States
Department of
Agriculture

Forest
Service

Deschutes
National
Forest

II-B-1-t cc
Crescent Ranger District
P.O. Box 208
Crescent, OR 97733
(541) 433-2234
Fax (541) 433-3224

File Code: 1950

Date: February 4, 1998

Deschutes National Forest
Susan Skakel
1645 Highway 20 East
Bend, OR 97701

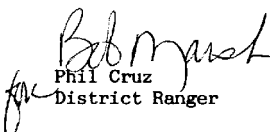
Dear Susan:

On November 11, 1997, you were sent the Proposed Action for the Baja 58 Environmental Assessment. At that time, the map of lodgepole treatments identified in items 5 and 6 of the Proposed Action was not available. Enclosed please find the map for approximate treatment areas in imminently susceptible lodgepole pine stands.

Also enclosed you will find a map of the proposed riparian reserve boundary changes. These boundaries follow all available guidelines in the Northwest Forest Plan and the Inland Native Fish Strategy (INFISH) documents. The proposed changes include additional buffers on the wet/riparian soil areas identified in the Deschutes National Forest Database by the soil scientist.

Originally the comment period was to end January 19. It has been extended through February 20. Please respond with your comments by February 20, 1998. If you have any questions, please contact Mike O'Hara at this office. Thank you for your interest and input on this project.

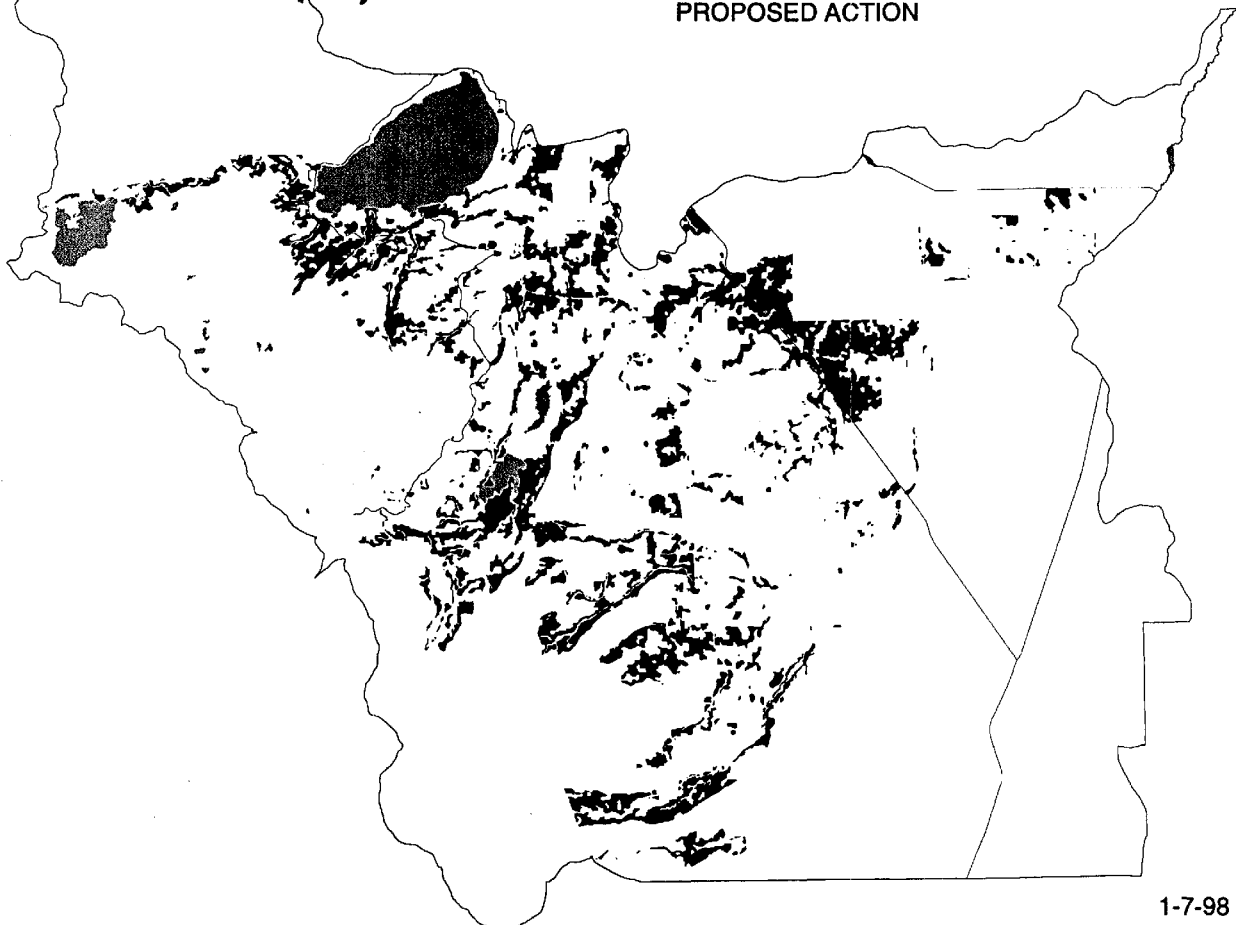
Sincerely,


for Phil Cruz
District Ranger

Enclosure



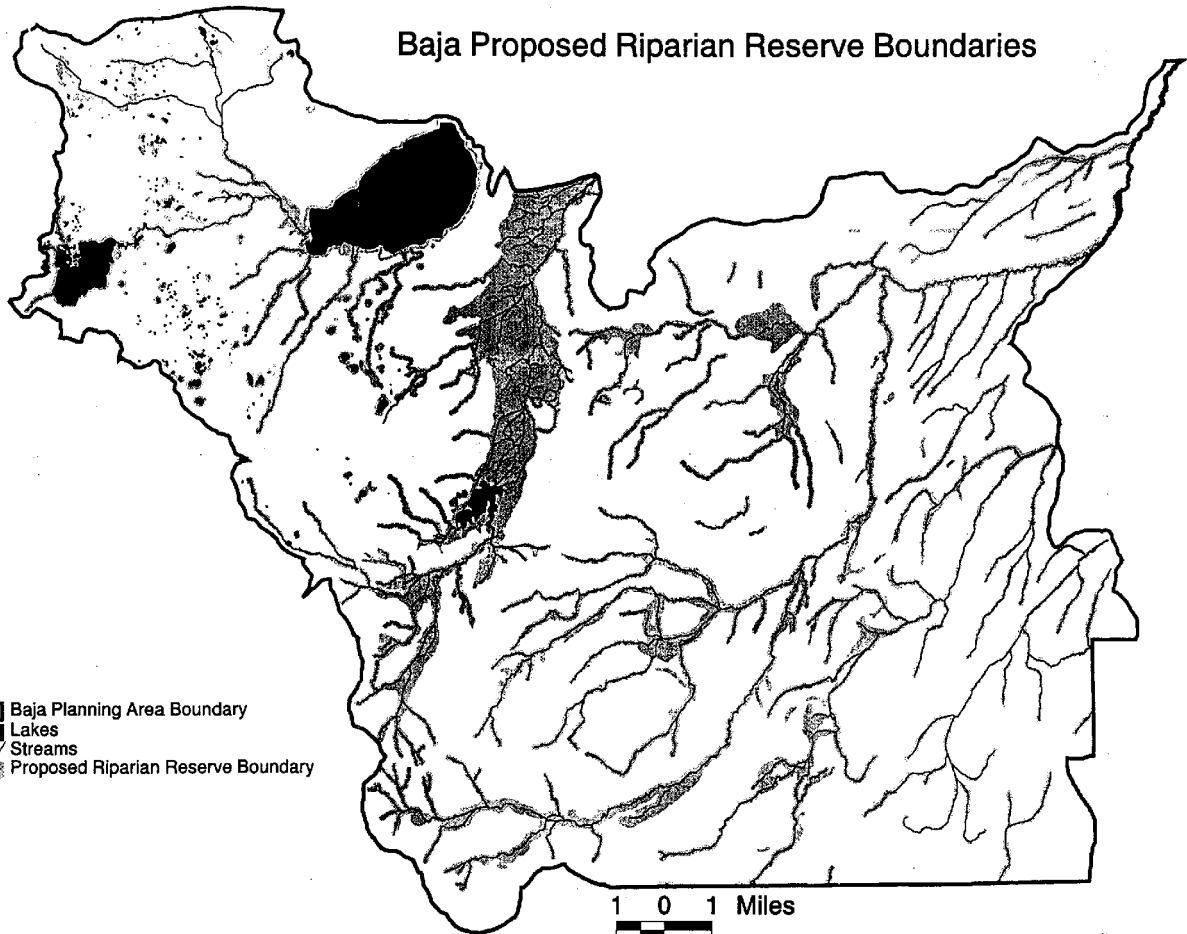
**BAJA ANALYSIS PROJECT
LODGEPOLE PINE IMMINENTLY SUSCEPTIBLE
PROPOSED ACTION**



Baja Proposed Riparian Reserve Boundaries

- Baja Planning Area Boundary
- Lakes
- ▬ Streams
- ▨ Proposed Riparian Reserve Boundary

1 0 1 Miles





United States
Department of
Agriculture



Deschutes
National Forest

Fremont
National Forest

Winema
National Forest

Amendment # 21

USDA FOREST SERVICE
CROWN PACIFIC LIMITED PARTNERSHIP



LAND EXCHANGE PROJECT

February 1998



❖ *R O D* ❖

RECORD OF DECISION

Record of Decision

USDA Forest Service Crown Pacific Limited Partnership Land Exchange

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Record of Decision

USDA Forest Service Crown Pacific Limited Partnership Land Exchange

Background

In Central Oregon during the past decades, land exchanges have served the public interest many times. By trading certain lands out of the national forest system, we have been able to place distinctively beneficial lands into public hands. Examples of these acquisitions near Bend include long stretches of the Deschutes River, lands along U.S. Hwy 97 between Bend and Sunriver, the location of the Lava Lands visitor center, the Newberry Volcanic Monument, and Big Marsh on Crescent Ranger District. A third of the Deschutes National Forest's 1.5 million acres have been acquired through land exchanges. In short, because of the foresight of those who came before us, we clearly enjoy the benefits.

Today, we must make a decision that looks toward our own legacy, a decision that challenges our own sense of vision. In an era when we view ecosystems as a whole, we have pursued an exchange of lands that we believe provides important public benefits.

Currently, the land pattern on many areas of the Deschutes, Fremont and Winema National Forests is characterized by intermingled National Forest System lands and private land ownership, creating irregular boundaries and inholdings (public lands surrounded by private lands, and private lands surrounded by public lands). This existing ownership pattern imposes different--and often contrasting--land management objectives on intermingled land ownership parcels, which reduces our ability to apply ecosystem management principles across the landscape.

The purpose for this action is to consolidate land ownership and enhance long term resource conservation and management by exchanging parcels of National Forest System (NFS) lands for Crown Pacific Limited Partnership (Crown Pacific) lands. Lands proposed to be conveyed out of the National Forest System to Crown Pacific include lands identified in the Deschutes and Fremont National Forest land adjustment plans, as well as National Forest System inholdings, and areas of irregular boundaries.

Some of the benefits will become apparent immediately, while others will take generations to achieve. We recognize that many uncertainties in the coming decades could affect how well we realize the long-term promise of this new land ownership pattern, yet unless we act now, we will have lost an important opportunity to position ourselves to better achieve many of our landscape level goals.

Study Process

The study process was designed to help ensure that in meeting this action's purpose and need, the Forest Service makes the most informed and reasoned decision possible for the Deschutes, Fremont and Winema National Forests. An environmental impact statement (EIS) has been prepared to analyze and disclose the impacts to the physical, biological and social environment.

Public scoping and analysis began with the mailing of the scoping letter on September 26-30, 1996. A draft environmental assessment (EA) was completed, and upon review, we determined that an environmental impact statement was needed. Another scoping letter was mailed on September 5, 1997, notifying the public of our intent to complete a draft environmental impact statement (DEIS). The Notice of Intent was published in the Federal Register on September 5, 1997.

A DEIS analyzing two different alternatives for future land ownership patterns between the Deschutes, Fremont and Winema National Forests, and Crown Pacific was released for public review in November 1997. The Notice of Availability was printed in the Federal Register on November 14, 1997. Comments were received on the draft EIS up to January 9, 1998. These comments resulted in changes to the analysis. These changes are reflected in this decision and the final environmental impact statement (FEIS) on which it is based.

In developing the FEIS and this Record of Decision (ROD), it is recognized that less than complete knowledge exists about many relationships and conditions of wildlife, fish, forests, jobs and communities. The ecology, inventory, and management of a large forest area is a complex and developing science. The biology of wildlife species prompts questions about population dynamics and habitat relationships. The interaction of resource supply, the economy, and the community is the subject matter of an inexact science.

The data and level of analysis used in the FEIS were commensurate with the importance of the possible impacts (40 CFR 1502.15). When encountering a gap in information, the interdisciplinary team (IDT) took one of two approaches: (1) they collected the missing information or conducted the analysis necessary to identify important relationships; or (2) they concluded that, although the missing information would have added precision to estimates or better specified a relationship, the basic data and central relationships are sufficiently well established in the respective sciences that the new information would be very unlikely to reverse or nullify understood relationships. Thus, any information missing from the Final EIS did not preclude making a reasoned choice among the alternatives.

The acreages reported here are based on Geographic Information System (GIS) analysis of the Deschutes, Fremont and Winema National Forest databases. They are approximate. Final exchange acres will be determined from the Government Land Office (GLO) plats and title report.

Relation To the Interior Columbia Basin Ecosystem Management Project (ICBEMP)

The ICBEMP Scientific Assessment provides a multi-state context to view this land exchange. Among the trends noted in the assessment is a decline in the "system integrity" of forest and range lands, as well as a reduction in both biological and social resilience. A contributing factor to these trends has been a lack of integration between resource disciplines and a lack of coordination between management regions (for instance, the assessment noted a lack of connected ownerships and administrative areas), which precludes achieving a landscape perspective. Although no final decision has been made regarding a specific alternative described in the ICBEMP draft environmental impact statement, the goals outlined in the scientific assessment are the foundation for any selected alternative. Our intent is to make our decision consistent with the following goals:

1. Maintain evolutionary and ecological process
2. Manage with an understanding of multiple ecological domains and evolutionary time frames
3. Maintain viable populations of native and desired non-native species
4. Encourage social and economic resiliency
5. Manage for places with definable value
6. Manage to maintain the mix of ecosystem goods, functions and conditions that society wants.

Decision

This Record of Decision documents our decision to make lands available for exchange with Crown Pacific as analyzed in the USDA Forest Service/Crown Pacific Limited Partnership Land Exchange FEIS, and to amend the Deschutes and Fremont National Forest Land and Resource Management Plans to establish replacement allocated old growth. Our decision will:

- ◆ identify which parcels and acreage to make available for exchange with Crown Pacific;
- ◆ identify the Management Areas to designate on lands transferred to the National Forest System;
- ◆ establish acres and location of replacement old growth, to be designated under a Forest Plan Amendment for the Deschutes and Fremont National Forests.
- ◆ establish acres and location of additional allocated old growth on the Deschutes National Forest, to assure long-term management opportunity.

Our decision is to adopt the Proposed Action Alternative described in the FEIS, with modifications. We modified the Proposed Action alternative by making the following specified changes:

- ◆ This modification eliminates from the exchange the parcel at the Sisters Ranger District Administrative Site. This modification also retains in Forest Service ownership a strip of lands in the northern part of the Tumalo/Bull Springs area. (Map 3, ROD). Thus, the following parcels are removed from the exchange and will be retained by the Forest Service: Sisters Parcel: T. 15 S., R. 10 E.; Bull Springs Parcels: T. 16 S., R. 11 E., Section 31 and T., 17 S., R. 11 E., Sections 4,5, and 6; and Pothole Springs Parcel : T. 25 S., R. 12 E., Section 34. Removal of these parcels reduces the exchange of National Forest System lands by approximately 1,700 acres or 5 percent (from 32,936 acres to 31,256 acres).
- ◆ In order to balance the value of exchanged lands, this modification also removes the Crown Pacific lands from the exchange. These lands will be retained by Crown Pacific: Melvin Creek Parcel: T. 16 S., R. 10 E., Sections 7, 8, 17, and 18; Moffit Butte Parcel: T. 23 S., R. 11 E., Sections 31 and 36; Odell Butte Parcels: T. 24 S., R. 8 E.; Section 19, T. 25 S., R. 8 E., Sections 7 and 8. Removal of these parcels from the exchange land base reduces the amount of Crown Pacific lands acquired by the national forest system by approximately 4,400 acres or 11 percent (from 38,745 acres to 34,319 acres).

After the appraisal is final, if the Crown Pacific acreage available for exchange has more value than the Forest Service acreage, lands will be removed from the Crown Pacific package from the following parcels:

- ◆ Odell Butte Sections 2,3,8,11,12,13, T.25S., R.8E.

Reasons for Decision

The Proposed Action Alternative, with Modifications, was selected as a result of data gathered and analyzed. It was selected to be responsive to issues raised during scoping, and to be responsive to public and Tribal comments on the draft EIS.

In making our decision, we gave careful consideration to all issues, and considered the competing interests, opinions and values of the public. There were several divergent public, personal, and professional opinions expressed during this project. This decision will likely not completely satisfy any particular group or individual. However, we considered all views, and we believe the decision we have made is reasonable and provides the best balance of resource use. The Selected Alternative provides a beneficial mix of resources for the public within a framework of the existing laws, regulations, policies, public needs and desires, and capabilities of the land, while meeting the stated purpose and need for this land exchange.

We have chosen the Proposed Action Alternative, as modified, over the other alternatives because it best approximates the purpose and need while providing for a balance of social, economic and resource conservation considerations. The decision will provide the following benefits:

- ◆ The proposed action encompasses areas that are desirable for inclusion into the National Forest System: these include Crown Pacific owned inholdings, lands along the Little Deschutes River, lands along Tumalo Creek, and lands within important ecological areas, such as the Three Creeks Butte key watershed. As part of this exchange, Crown Pacific has purchased lands with specific public values so that they could be included in the National Forest System. Examples include parcels along the Sprague River (a Wild & Scenic study river), parcels along near Stevens Canyon on the Sisters Ranger District purchased to consolidate deer winter range, and parcels that make up scattered, small inholdings on the Winema National Forest.
- ◆ The concrete benefits to be realized in our decision are: a) the addition of approximately 4,352 acres of allocated old growth across the project area, which will allow us to provide for habitat for old growth associated species in the long term; b) the addition of approximately 18.2 miles of perennial and intermittent streams including consolidation of the entire upper watershed containing Tumalo Creek; c) the inclusion of more than 500 acres of riparian and wetlands, including three meadow complexes and a seasonal lake in the southeast portion of the project area; d) an increase of over 6,000 acres of mule deer winter range and; e) a decrease in joint boundaries of 170 miles or a 35% reduction in joint boundaries.
- ◆ Lands proposed for acquisition provide an opportunity to develop a Bend-to-wilderness trail along Tumalo Creek. On a larger scale, ecological benefits will be realized from the consolidation of lands. Where Crown lands now exist in watersheds predominated by National Forest System lands, achieving ecosystem goals would likely be more difficult because of the difference in management goals between public lands and private, industrial forests. This benefit is especially noteworthy in the Three Creek Butte subwatershed--a Northwest Forest Plan key watershed--where public ownership will increase from 30 percent to 50 percent. Consolidation allows for the long-term development of landscape scale habitats, free of fragmentation caused by multiple ownerships. This thrust toward more coherent goals across larger landscapes follows from the most recent scientific assessments regarding ecosystem management in the Pacific Northwest. (Such as the Interior Columbia Basin Ecosystem Management Project).
- ◆ Also, as a result of the fragmented land ownership pattern, implementing management activities is often inefficient and expensive. Blocking up lands provides many efficiencies, including less need to maintain property boundaries. Management practices, such as prescribed burning, applied over a large area are more efficient and effective than the same practices applied over an

area containing interspersed private land. These advantages apply to Crown Pacific lands as well, so that lands traded out of the national forest system will provide a long-term benefit to the economic efficiency of land management for Crown as well as the Forest Service.

- ◆ We believe that the land exchange conforms to the goals of the ICBEMP Scientific Assessment and that over the long term, this exchange helps the Deschutes, Winema and Fremont National Forests achieve those goals more quickly and more effectively. Our decision provides a cohesive ownership pattern, both for National Forest System and Crown Pacific, thereby increasing the ability of managers to restore or maintain ecological functions on federal lands. Most ecological processes function over large landscapes and the intermingled pattern of existing ownership can disrupt those processes. The intent of the land exchange is to consolidate ownerships so that federal management of lands will reduce impacts from adjacent private ownership activities.
- ◆ Before considering the current proposal (approximately 38,740 acres of Crown Pacific land exchanged for 32,940 acres of national forest system lands--or about 71,680 total), the original proposal included about 62,650 acres of Crown Pacific land in exchange for approximately 55,360 acres of national forest system land (or 118,000 acres total). This alternative was eliminated from detailed study because of conflicts with other resource values, such as old growth forests (LOS); conflicts with habitat species protected under the Endangered Species Act (such as bald eagles); conflicts with potentially significant cultural sites; and other concerns.

For example, approximately 4,200 acres of national forest system lands were eliminated because of resource concerns related to late and old structure (LOS) stands. Specific parcels were removed from the proposed trade because of our concerns over the scarcity of old-growth (LOS) forests. Also, approximately 5,290 acres of lands were eliminated because of concerns with mule deer winter range; approximately 2,300 acres of national forest system lands were eliminated from the trade because of bald eagle concerns; and approximately 100 acres of national forest system lands were eliminated because of concerns over sensitive plants. Other lands were eliminated because of their value as "desert fringe" forest.

Reviewing these early changes in the proposal in the context of ecosystem goals (expressed in the Scientific Assessment and other publications), filtered out much of the lands found to be critical to meeting ecosystem goals. National Forest System lands left as part of the proposal (as of March 1997) are parcels that play a relatively minor role in the larger context, while they provide the means to acquire more ecologically strategic lands.

Furthermore, our decision to select the Proposed Action with modifications, provides more advantages and benefits than the No Action Alternative. For example:

- ◆ If no exchange occurs, the fragmented ownership pattern would remain in place and preclude achieving connectivity of important habitats. Intensive timber management by Crown Pacific is expected to reduce the amount and distribution of LOS stands on their lands, reducing the quality of these habitats for associated species. Lands managed by Crown Pacific are expected to have fewer snags and logs than lands managed by the Forest Service. Thus, continued timber harvest on Crown Pacific lands adjacent to National Forest system LOS stands is expected to increase the contrast and isolation of LOS stands on national forests. Continued timber harvest on Crown Pacific lands is expected to make management more difficult for LOS associated species to disperse across the landscape and reduce the effectiveness of these areas as refugia.
- ◆ If no exchange occurs, the current ownership pattern of irregular boundaries and inholdings would be maintained, thereby making ecosystem management on a landscape scale more difficult. Long-term resource conservation objectives for National Forest System lands would not be achieved. Desirable lands identified for inclusion by the three National Forests, including lands along the Little Deschutes River, Tumalo Creek, South Fork of the Sprague River, lands around Corral Springs, Moffit Butte, and lands within the Fort Rock, Metolius, and Tumalo mule deer winter ranges would not be conveyed to public ownership.

The land exchange process recognizes that even though all lands within the National Forest System provide some public benefit, not all parcels provide equal benefits. For example, large blocks of contiguous habitat serve as better habitat than smaller, fragmented pieces. As we approached this exchange, we focused on trading out lands that--because of widely different management objectives on adjacent lands--do not provide more than fragmented pieces of habitat. Recognizing that these lands do offer a refuge within private lands, this is a trade-off that needed to be considered and weighed over the long term.

We have chosen the Proposed Action Alternative, as modified, over the other alternatives because it best approximates the purpose and need, while providing for a balance of social and resource conservation considerations. In addition to the purpose and need and reasons identified above, we can point to concrete benefits to be realized in our decision including: a) the addition of approximately 4,352 acres of allocated old growth across the project area, which will allow us to provide for habitat for old growth associated species in the long term; b) the addition of approximately 18.2 miles of perennial and intermittent streams including consolidation of the entire upper watershed containing Tumalo Creek; c) the inclusion of more than 500 acres of riparian and wetlands, including three meadow complexes and a seasonal lake in the southeast portion of the project area and d) an increase of over 6,000 acres of mule deer winter range; a decrease in joint boundaries of 170 miles or a 35% reduction in joint boundaries.

In addition to successfully achieving the purpose and need, we made this decision with other key considerations in mind:

1. We heard concerns raised about the valuation of the Sisters parcel, how the exchange may affect growth in the Sisters area, and differing opinions on what the best use of that parcel might be, including retaining it as part of the Sisters Ranger District administrative site. The City of Sisters is adjacent to National Forest System lands. It was recognized during the development of the Deschutes National Forest LRMP, that land exchanges may be necessary in order to allow for growth of the community. The Sisters Ranger District needs to continue to assess its facility needs and update the Facility Master Plan for its administrative site. If the District determines that some of the National Forest System land that is currently part of the administrative site is in excess of the projected long term facilities needs, future opportunities will be considered if an exchange will serve important public objectives, including but not limited to, expansion of communities and economic development. Our decision to keep the Sisters parcel in public ownership at this time will allow the Sisters community to address its Master Planning and growth issues upon which future proposals for land exchanges could be based.
2. We listened to comments from Tumalo area residents and the surrounding community regarding dispersed recreation use, access, and concern over potential future development of exchange lands in the Bull Springs area. In this decision we have retained public ownership of a strip of land along the northern part of the island of National Forest System Lands in the Tumalo Reservoir area (Map 3, ROD). Given that this retained parcel mostly abuts other public lands (Bureau of Land Management, Tumalo Water District including Tumalo Reservoir, and the State of Oregon), we make this change without substantially lowering our expectation that these lands will form a consolidated block of public lands. Therefore, this change meets, in part, the purpose and need of the exchange, while responding to public concerns. Retaining some lands along the northern part of NFS lands in the Tumalo area will allow the public to access the rest of the Deschutes National Forest from the Tumalo area. The Deschutes National Forest and Crown Pacific have agreed to begin a small land exchange for the purposes of acquiring lots 1 and 2, E 1/2 of the NW 1/4, Sec.31, T 16 S, R 11 E, approximately 175 acres, in order to complete a Tumalo access route through NFS lands, in response to comments. We also believe that given Crown Pacific's stated policy on public use of their lands, exchanging other lands in this area to Crown Pacific ownership will continue to allow for public access. After the land exchange occurs, Crown Pacific would be unlikely to market their consolidated ownership in the Tumalo area for real estate development. The current zoning is F1, or Forestry. Current zoning limits development to a minimum of 640 acres, to be managed for Forestry purposes. Also, Crown Pacific has indicated that it is not interested in selling the Tumalo area exchange parcels for real estate development if they acquire these lands. Given

these factors and the inherent suitability of their entire Bull Springs Tree Farm for timber production, it does not appear likely that Crown Pacific will sell the land for real estate development. The modifications to the Proposed Action alternative also respond, in part, to comments received from ODF&W, by retaining some higher quality big game winter range for the Tumalo herd.

3. We heard concerns about data recovery and/or cost of recovery for cultural resource sites on one parcel. This resulted in our dropping from the exchange a parcel on the Fremont National Forest near Pothole Spring, retaining this site in public ownership.
4. We listened to concerns from ODF&W, and others, concerning the transfer of ownership of LOS in the Sellars and Toast subwatersheds, to Crown Pacific. While our analysis indicates that habitats for LOS associated species would be maintained in the long term, across the exchange, we have decided to allocate approximately 3,200 acres to old growth management on the Deschutes National Forest (Map 4, ROD). These additional allocated acres represent an opportunity to manage vegetation in the long term, for habitat for old growth associated species such as the white headed woodpecker. Four additional areas are identified; three of the areas increase the size of current old growth allocations, while the fourth is a new designation. The new allocations include mixed conifer, lodgepole pine, and Ponderosa pine vegetation types in the Walker Ridge, Toast, and Middle Little Deschutes subwatersheds. The areas were selected to enhance connectivity along Walker Rim, and incorporate the best available acreage, including lands acquired under public ownership through this exchange. Under the No Action alternative, intermingled ownerships make additional old growth allocations less effective over time.
5. While considering this decision, we heard concerns from the Ponderosa Pines and Jack Pine subdivisions, regarding trading out of public ownership lands adjacent to these subdivisions. We have listened to these concerns and considered them in the decision. We have also considered Crown Pacific's policy regarding public use and Crown's stated intention to manage these lands as industrial forests, not future subdivision development. We have also considered the current land-use laws established by the state of Oregon, which restrict development on prime forest lands. Taken as a whole, we believe that a transfer of ownership will change the management of these lands, yet this change will not result in a change in the access for recreational use, fire protection, property values, or other values raised by the subdivisions. Crown Pacific has begun discussions with the Ponderosa Pines property owners association regarding management set backs from subdivision boundaries. Although changes in management emphasis, land use zoning, and other factors could potentially occur in the future, given the current knowledge of this area, changing the proposed action to respond to these concerns would mean giving up public benefits in order to anticipate uncertain and widely variable factors that are largely beyond our control.

6. Our decision to implement the Proposed Action Alternative, as modified, is in conformance with the Final EISs and Land and Resource Management Plans for the Fremont National Forest (1989), the Winema National Forest (1990), and the Deschutes National Forest (1990) as amended by the Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (USDA Forest Service and U.S. Department of the Interior Bureau of Land Management 1994), INFISH (1995), and the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (1995). We have also considered the need to provide for enhancement of long term resource conservation and management.
7. We have chosen the Management Areas (MA's) as identified in Appendix B of the Final EIS, with additional old growth MA's identified on Map 4, ROD, because these MA's best provide for balanced management of the newly acquired National Forest System lands. The Management Areas are related to the adjacent, existing MA's and the existing or potential habitat and resources of these lands.
8. We heard concerns regarding the amount of old growth forest to be conveyed to Crown Pacific, and the amount of cut-over acreage to be conveyed to the National Forest System. We want to clarify that the greatest amount of ponderosa pine old growth forest to be conveyed to Crown Pacific is on the Deschutes National Forest (FEIS, Chapter 2), and amounts to 3,281 acres or 2% of ponderosa pine LOS habitat on the Deschutes NF. Map 5, ROD, depicts the early, mid, late and old structural stands for the Deschutes National Forest. The majority of NFS lands conveyed to Crown Pacific from the Deschutes NF are plantations or previously harvested areas (early structural stage).

As part of the process to modify the Proposed Action Alternative--which retained certain parcels by the Forest Service--we identified similarly valued Crown Pacific lands that would consequently be retained by Crown. We were able to identify and agree with Crown Pacific regarding the lands to be retained by Crown. In our judgment, removing these lands from the exchange still allows the net exchange to meet the purpose and need, while having no measurable effects to the analysis of the issues.

How Issues are Addressed

In the following summary, I detailed how the Selected Alternative addresses each of the significant issues. Refer to Chapter 3 of the Final EIS to supplement the following discussion and provide a comparison of the proposed land exchange and consequences of the alternatives.

Key Issues

1. Old Growth Allocations

The proposed land exchange includes six areas that were allocated as old growth under the Deschutes and Fremont Forest Plans (Map 4, ROD). These allocations were designed to provide retention of old growth habitat in all forest types distributed across the landscape to insure the viability of native and desired non-native wildlife species.

On the Fremont, this decision conveys five allocated old-growth areas to Crown Pacific. Two of these parcels are designated as three-toed woodpecker old-growth management (97 and 93 acres). These stands are lodgepole pine but do not meet the definition for old growth. The replacement parcels (approx. 356 acres) are ponderosa pine with a lodgepole understory. These parcels meet the definition of old growth and so will provide suitable habitat for three-toed woodpeckers where the current allocations do not. The other parcels are designated as goshawk old-growth (63, 74, and 10 acres), which are ponderosa pine stands that meet the definition of old growth. These 147 acres will be replaced by designating parcels totalling approximately 1057 acres. In total, the Fremont NF will designate 19 replacement stands (that meet the old-growth definition) with a total of 1413 acres.

On the Deschutes National Forest, 231 acres designated as old-growth would be replaced with a 308-acre stand. Both of these stands are lodgepole pine. The area currently designated to old growth management is a lodgepole pine stand that is approximately 60 years old. This stand has been managed to achieve old growth conditions. The replacement parcel is slightly larger with slightly older trees. The replacement parcel would also be managed to achieve old-growth conditions. In addition, the 3,200-acre old-growth area mentioned previously will also contribute to these management goals.

All replacement parcels selected will meet the purposes and provide habitat for species for which they were originally allocated. The Proposed Action alternative as modified will have no effect on management indicator species, since there are minor gains or losses (depending needs of individual species) to habitat across the exchange area, and sufficient habitat will exist to maintain viable populations of these species.

2. LOS Associated Species Habitat

Late and old structural stage stands (LOS) are those forest seral stages that include mature and old-growth age classes. Characteristics of LOS habitat include the presence of large trees, multiple canopy layers, and abundant snags and down logs. LOS forest habitat supports a multitude of plant and animal species. Historically, frequent low intensity fires typically maintained relatively open understories in ponderosa pine. Lodgepole pine stands were typically single storied. Habitats for LOS associated species in the project area include all habitats that these species use throughout their life history, not just LOS habitat. The land exchange would result in minor overall gains or losses in habitat for individual LOS

associated species. The land exchange substantially reduces the level of fragmentation and increases the consolidation of habitat within the three National Forests. This consolidation and fragmentation reduction is particularly significant in the southern part of the Deschutes National Forest, and the northern part of the Winema and Fremont National Forests. We have recognized a reduced distribution and abundance of LOS habitats for some associated wildlife species as a result of this decision. We have also recognized reduced amounts of large, old tree forests for public use and enjoyment for approximately the next 50-100 years. Reduction in old-growth as a result of the exchange and of harvest practices will be minor, with greatest change occurring on the southern part of the Deschutes National Forest, where less than 2% of the existing ponderosa pine old-growth would be conveyed to Crown Pacific. The long-term benefit gained from this short-term cost will be found in consolidation and reduction in habitat fragmentation. This desired condition will make an important contribution to medium- and long-term management of all LOS associated species on the three forests. Over the long term, 100 years or more, National Forest System management is expected to maintain or improve LOS habitat characteristics and connectivity, and reduce fragmentation.

3. Mule Deer Winter Range

Mule deer winter range and migration corridors were identified by the Oregon Dept. of Fish and Wildlife (ODFW) and in the Deschutes and Lake County Comprehensive plans. The project area contains lands located in the Fort Rock, Tumalo, and Metolius deer winter ranges. In addition, deer from Devil's Garden, Fort Rock, Hole-in-the-Ground, Metolius, North Paulina, and Tumalo winter ranges migrate across the project area lands on their way to and from summering areas.

The proposed exchange will increase the amount of mule deer winter range in public ownership by over 6,000 acres. All three winter ranges in the project area would realize gains in public ownership. Acquiring lands within mule deer winter range is expected to increase consideration of mule deer winter range during planning and implementation of management activities. Forest Plan standards and guidelines emphasize maintaining well-distributed cover and reducing open road densities. Forest Service management of these areas may include projects specifically designed for winter range enhancement.

Overall, the land exchange, with modifications in the Tumalo area, will benefit mule deer winter range. The Proposed Action Alternative, with modifications, is expected to increase habitat suitability for mule deer on the Metolius and Fort Rock winter ranges. Consolidation of ownership and net gain in public ownership in these areas are expected to result in management strategies and activities that maintain or enhance the quality of these habitats. Retention of the northern strip of National Forest System lands in the Tumalo area under the Proposed Action alternative, with Modifications, will retain some low elevation, high quality deer winter range that would otherwise be conveyed to Crown Pacific under the Proposed Action alternative. Modifications to the Tumalo/Bull Springs portion of the

exchange are made, in part, to respond to concerns by Oregon Department of Fish and Wildlife.

Deer from Devil's Garden, Fort Rock, Hole-in-the-Ground, Metolius, North Paulina, and Tumalo winter ranges migrate across the project area lands on their way to and from summering areas. Over the project area, the exchange will result in an increase to Crown Pacific ownership of 481 acres identified by ODFW as migration corridors.

Under the no action alternative, the intermingled nature of public lands would conserve migration corridors designated in county comprehensive plans or by public agencies by restricting residential density and/or maintaining forest cover. In comparison, the exchange will result in an increase of migration corridor habitat on the Fremont and Winema National Forests. The Deschutes National Forest would have reduced amounts of mule deer migration corridor habitat, particularly in the Sellers and Toast subwatersheds. The exchange of lands in the Sellers and Toast subwatersheds is not expected to adversely affect mule deer migration. Projected management activities under both ownerships are expected to provide adequate hiding cover and forage for big game during migration periods.

The transfer of public lands to Crown Pacific in the LaPine migration corridor could result in land management activities which reduce hiding cover abundance and quality, and big game use of these areas. However, zoning provisions under County Comprehensive Plans would apply to Crown Pacific management activities. These zoning provisions protect mule deer migration corridors by conserving important wintering areas and limiting conflicting uses such as residential or commercial developments, roads, fences that do not allow safe passage of deer, and actions which cause deterioration of cover and forage.

4. Sensitive Plants

Under the exchange, populations of Forest Service designated sensitive plant species on public lands will be conveyed to Crown Pacific. Two species of concern are Peck's milkvetch and pumice grape-fern. Less than five percent of the global population for either species would be conveyed to Crown Pacific. Estes' artemesia also occurs on lands to be conveyed to Crown Pacific, in Rosland Campground. Once conveyed to Crown Pacific, Crown will donate the campground to the LaPine Parks and Recreation District. We expect use to continue as it exists today. The plants are located in an area away from camping use but the possibility exists for damage from future recreational use. Impacts to the artemesia population in the campground, resulting from a change in ownership to CP and subsequently the LaPine Parks and Recreation District, are not determinate and are immeasurable. A minor amount of this species would change ownership under the exchange. The Proposed Action Alternative, as Modified, may impact individual plants but is not likely to cause a trend toward federal listing or loss of viability of either of the three species.

Public Involvement

Public involvement has been instrumental in the identification and clarification of issues for this project. This has been helpful in the formulation of alternatives and has assisted us in making more informed decisions for the Forest Service/Crown Pacific Limited Partnership Land Exchange. Public mailings, Federal Register notices, news releases, open houses, government to government, group and individual meetings were some of the tools used to solicit public input for the project. The project received 1034 pieces of mail during the comment period. Public scoping and involvement activities for the Forest Service/Crown Pacific Land Exchange are described in Chapter 1 of the Final EIS.

Coordination with Other Agencies

From the time scoping was initiated, meetings and other contacts with interested Federal agencies, State and local agencies, and Indian Tribes have occurred. Issues were discussed and information was exchanged. The Final EIS identifies the agencies who were informed of and/or involved in the planning process.

Treaty Rights, Trust Responsibility, Consultation

Government to Government consultation has been on going with the Klamath Tribes, the Confederated Tribes of the Warm Springs Reservation, and the Burns Paiute Indian Tribe. This decision will not abrogate the Treaty Rights of any of these Tribes. We believe that there may actually be a net benefit to the Klamath Tribes and the Confederated Tribes of the Warm Springs resulting from a net gain in acres of former Tribal lands where treaty rights exist. The consolidation of land ownership will also provide the Tribes with a more comprehensive delineation of public and private boundaries. We believe we have fulfilled the Trust responsibility of the Forest Service as it relates to these Tribes.

Description of Alternatives Considered but Eliminated

Primarily Deschutes National Forest Exchange

An initial land exchange was proposed between the Deschutes National Forest and Crown Pacific. The Fremont National Forest recommended that the scope of the exchange be expanded to include the Crown Pacific Central Oregon Tree Farm and the Deschutes, Fremont and Winema National Forests, in order to consolidate several exchanges under consideration. Therefore, the decision was made to eliminate this proposal and expand the area to consider lands on all three National Forests.

Restrict Exchange to Noncontroversial Lands

This alternative responded to scoping comments suggesting that certain lands that might generate public controversy be removed from consideration for exchange. These lands included National Forest System lands with ecological concerns (e.g., late/old forests, sensitive plant habitat, wildlife habitat), cultural resource concerns (e.g., American Indian and historical issues) and socioeconomic concerns (e.g., urban interface and public access). Removal of these lands from the exchange proposal was considered and would have expedited the exchange process but this alternative would not have achieved the desired results of elimination of

many isolated tracts and boundary concerns. Since this was one of the primary purposes of the exchange, this alternative was not considered further.

Forest Service Purchase Crown Pacific Lands

Several scoping comments suggested that the U.S. Forest Service should acquire Crown Pacific lands through a direct purchase by the Federal Government. This alternative was not analyzed in detail because it would not meet the need for Crown Pacific to consolidate its ownership and to better manage its timber resources. In addition, it is unlikely that the Forest Service would be able to secure the type of funding needed to acquire Crown Pacific lands.

Tumalo Alternative

This alternative, including several variations, responded to comments by identifying all National Forest System lands in the Bull Springs area, on the Deschutes National Forest, for retention. The alternative also included additional Crown Pacific lands to be acquired, including Bull Springs. This alternative was not considered in detail because, while it would, in part, meet the purpose of and need for action by consolidating land ownership in the Tumalo Reservoir area, it would not meet the overall purpose of and need for action to reduce intermingled ownerships, reduce the number of inholdings, and minimize administrative costs. This alternative would have limited our ability to apply ecosystem management principles across a landscape in these areas. Also, this alternative included lands not offered for exchange by Crown Pacific. In addition, in order to develop a proposal that exchanged lands of equal value, additional Crown Pacific owned lands would need to be retained by Crown Pacific. A review of possible lands to be retained, such as Crown Pacific retaining the Tumalo Creek parcel, indicated large trade-offs that in and of themselves would not meet our purpose and need for the exchange.

Subdivision Alternative

This alternative responded to scoping comments by identifying a "greenspace" or "buffer" between the Ponderosa Pines and JackPine Village subdivision and lands proposed to be conveyed to Crown Pacific. This alternative was not considered in detail because it did not meet the purpose and need for the exchange. This alternative would substantially reduce our ability to consolidate land ownership into larger blocks, it would limit our options to apply ecosystem management principles across the landscape, and it would limit our efforts to reduce the amount urban/wildland interface within the project area. Crown Pacific has met with the Ponderosa Pines Property Owners Association and has offered to meet with homeowners at JackPine Village. Crown Pacific has outlined a proposal for a "Community Management Area" which addresses many of the comments received.

Maximum Acres For Exchange

This alternative included all lands that were originally studied for potential exchange between the Forest Service and Crown Pacific. This "pool" of lands included approximately 62,650 acres of Crown Pacific lands in exchange for approximately 55,360 acres of National Forest System lands. This alternative as a whole was eliminated because of conflicts with other resource values (i.e., old growth forests, sensitive plant populations), habitat for species listed under the Endangered Species Act; potentially significant cultural sites, and concerns of local residents and county administrators.

This alternative as modified during the scoping process became the proposed action.

Description of Alternatives Considered in Detail

No Action Alternative

In this alternative, no land exchange would take place. The 32,936 acres of National Forest System Lands and the 38,745 acres of Crown Pacific lands would not be exchanged. The current ownership pattern of intermingled ownerships, irregular boundaries and numerous small inholdings would remain. National Forest System lands would be managed under current Forest Plans as amended, with most lands managed with a timber management or deer habitat emphasis. Crown Pacific lands would be managed primarily for timber production in accordance with the Oregon State Forest Practices Act and other applicable local, state and Federal laws.

Proposed Action Alternative

Under this alternative, the land exchange would occur as proposed in the exchange agreement. Up to 32,936 acres of National Forest System lands would be exchanged for up to 38,745 acres of Crown Pacific lands. The final exchange acreage would be determined by the valuation of the lands as required by the exchange appraisal. Lands would be exchanged on an equal value for equal value basis. Crown Pacific would manage acquired lands in accordance with Oregon State Forest Practices Act and other applicable local, state and Federal laws. These lands would be managed with a timber emphasis, using an uneven-aged management strategy. The Forest Service would manage acquired lands by the Forest Plan Management Areas (MA's), with acreage by MA summarized in Appendix B of the Final EIS.

Environmentally Preferred Alternative

The Proposed Action Alternative, with Modifications, is the environmentally preferred alternative. While there is no single factor that can be used to determine which alternative is environmentally preferred, the Proposed Action Alternative with Modifications, will improve the overall amount and consolidation of wildlife and riparian habitat over the long term. Over the long term, wildlife associated with old growth habitat will benefit from reduced fragmentation that currently exists with an intermingled ownership pattern.

Based on the comparison of alternatives displayed in Chapter 2 of the Final EIS, the proposed action would cause the least environmental disturbance, and would best protect, preserve, and enhance historic, cultural and natural resources in the long term, and therefore is the environmentally preferred alternative. The Proposed Action Alternative with Modifications has even less potential for environmental disturbance than the proposed action alternative described in the FEIS.

The No Action Alternative is not the environmentally preferred alternative. This alternative would retain land ownership in the current intermingled pattern, resulting in greater environmental disturbance over the long term. The No Action

Alternative would not allow for the additional miles of streams, additional acres of wetlands and riparian habitat, and additional acres of critical deer winter range.

Administrative Record

The Administrative Record for this project includes the Watershed Analysis for the Big Marsh Watershed (Crescent Ranger District), the Tumalo Creek Watershed (Bend/Fort Rock Ranger District), the Final EISs and Land and Resource Management Plans for the Fremont National Forest (1989), the Winema National Forest (1990), and the Deschutes National Forest (1990) as amended by the Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (USDA Forest Service and U.S. Department of the Interior Bureau of Land Management 1994), INFISH (1995), and the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (1995).

Required Mitigation Measures: Cultural Resources

The 12 cultural resource sites identified as eligible for listing on the NRHP that are located on lands to be transferred from the Forest Service to Crown Pacific have been recorded, and their eligibility determined in consultation with SHPO. Four historic logging related sites will require appropriate mitigation measures, as specified in the Treatment Plan, to be carried out by Crown Pacific.

The execution and completion of the required mitigation is subject to review and approval by the Forest Service and SHPO. This mitigation would take place following the execution of the Exchange Agreement, with those lands affected by said mitigation being reserved to the United States of America, under deed reservations, until such mitigation has been completed and approved. Crown Pacific will have 3 years from the date of execution of the Exchange Agreements to perform such required mitigation.

Findings Required by Law

The National Forest Management Act (NFMA) requires specific determinations in this Record of Decision including consistency with existing Forest Plans. The following provides these determinations for the various plans and laws.

National Forest Management Act

This decision is consistent with the Deschutes, Fremont, and Winema National Forest Land and Resource Management Plans as amended by the Northwest Forest Plan, Eastside Screens, and the Inland Native Fish Strategy. We have reviewed the management direction, standards and guidelines in relationship to the Selected Alternative and find the Selected Alternative to be consistent with these elements. No lands west of the Northern spotted owl line will be conveyed to Crown Pacific.

General Exchange Act of 1922 (as amended)

This land exchange is consistent with the Act in regards to exchanging for lands within the boundary of a National Forest and for exchanging lands to the exchange partner within the same state.

Federal Land Policy and Management Act of 1976

The land exchange will be in compliance with this Act with respect to 1) the exchange properties will be equal in value, or if not equal, either party may make them equal by a cash payment not to exceed 25 percent of the Federal value; and 2) the non-Federal land owner is a corporation subject to the laws of the United States.

American Indian Religious Freedom Act of 1978

This action does not affect the inherent right of American Indian to believe, express and exercise their traditional religions, and is therefore consistent with this Act.

National Historic Preservation Act of 1966

The Forest Service has taken into account the effects of this undertaking on properties eligible for the National Register of Historic Places. Effects will be mitigated pursuant to the process established in 36 CFR Part 800: Regulations of the Advisory Council governing the implementation of Section 106 of the National Historic Preservation Act.

Endangered Species Act

Consultation on the alternatives analyzed in the Final EIS was conducted with the U.S. Fish and Wildlife Service in accordance with Section 7 of the Endangered Species Act. The biological opinion of the Fish and Wildlife Service determined that the adoption of these alternatives is not likely to jeopardize the continued existence of any listed species. The Final EIS appendix includes a biological assessment of the land exchange Proposed Action Alternative. Because the Selected Alternative exchanges fewer acres of National Forest System lands than the Proposed Action Alternative, the effects of the Selected Alternative are less than those indicated in the U.S. Fish and Wildlife Service biological opinion.

The USFWS has concurred that there will be no effect to the Northern Spotted Owl as a result of this exchange.

Clean Water Act

The Selected Alternative brings under federal ownership more miles of stream, and more acres of riparian zones, wetland, and floodplain into than are traded out to private ownership. These additional publicly owned lands will be managed under Forest Plan Standards and Guidelines, which will protect water quality in these areas. On the lands exchanged out of the National Forest System, Crown Pacific will be responsible for maintaining water quality during their future

management activities in order to comply with federal and state water quality and forest management laws and regulations.

Executive Order 11988 (Floodplains) and 11990 (Wetlands)

Executive Orders 11988 and 11990 direct federal agencies to avoid, to the extent possible, both long- and short-term adverse impacts associated with modification of floodplains and wetlands. The selected alternative does not have any specific actions that adversely affect floodplains or wetlands. As part of this decision, 117 acres of riparian habitats would be traded out of public ownership and 619 acres of riparian habitats would become publicly owned as a result of this trade, resulting in a net gain of ownership. Whether publicly or privately owned, floodplains and wetlands would receive protection through appropriate laws and regulations.

Other Laws, Regulations, and Direction

We have considered other relevant laws and regulations including but not limited to the Clean Air Act as amended; the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (The non-federal lands have been examined in accordance with Section 120(h) of this act); and the Safe Drinking Water Act. This action will not have significant effects to prime forest land, prime range land, energy, American Indians, or cultural resources. The project will have no effect on prime farm land, women or minorities, civil rights, or consumers. The action will not result in unnecessary or undue degradation to the environment.

Federal and State Permits

There are no Federal or State permits required to implement this land exchange.

Implementation Process

Implementation of this decision may occur no sooner than 45 days plus 5 business days after the date of publication of this notice of decision and availability of the Final EIS in the Bulletin, Bend, Oregon, and the Herald and News, Klamath Falls, Oregon. Additionally, a decision documented in a ROD can be implemented no sooner than 30 days following the date the Environmental Protection Agency published the Notice of Availability (NOA) of the Final EIS in the Federal Register.

The exchange will be implemented in accordance with the Forest Service Land Exchange Handbook and the appraisal procedure will follow the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisition. If the exchange is not balanced in value, Crown Pacific lands will be removed from the exchange in the sequence described in the section titled Decision in this document.

Right to Appeal

This decision is subject to administrative appeal. Organizations or members of the general public may appeal this decision according to Title 36 Code of Federal Regulations (CFR) Part 215. The appeal must be filed within 45 days of the date that legal notification of this decision is published in the Bend Bulletin and the

Klamath Falls Herald & News, the official newspapers of record. The Notice of Appeal must be filed with:

Regional Forester
ATTN: 1570 Appeals
USDA Forest Service
P.O. Box 3623
Portland, OR 97208-3623

It is the responsibility of those who appeal a decision to provide the Regional Forester sufficient written evidence and rationale to show why the decision by the Forest Supervisors should be changed or reversed. The written notice of appeal must:

1. State that the document is a Notice of Appeal filed pursuant to 36 CFR part 215;
2. List the name, address, and if possible, the telephone number of appellant;
3. Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Officials;
4. Identify the specific change(s) in the decision that the appellant seeks or portion of the decision to which the appellant objects;
5. State how the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period, and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

Contact Person

For additional information concerning the specific activities authorized under this decision contact:

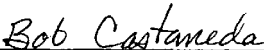
Susan Skakel
Planning/Environmental Coordinator
1645 Highway 20 East
Bend, Oregon 97701
(541) 383-5563



SALLY COLLINS
Forest Supervisor
Deschutes National Forest



CHARLES R. GRAHAM
Forest Supervisor
Fremont National Forest



BOB CASTANEDA
Forest Supervisor
Winema National Forest

Date: 2/27/98

MAP 1

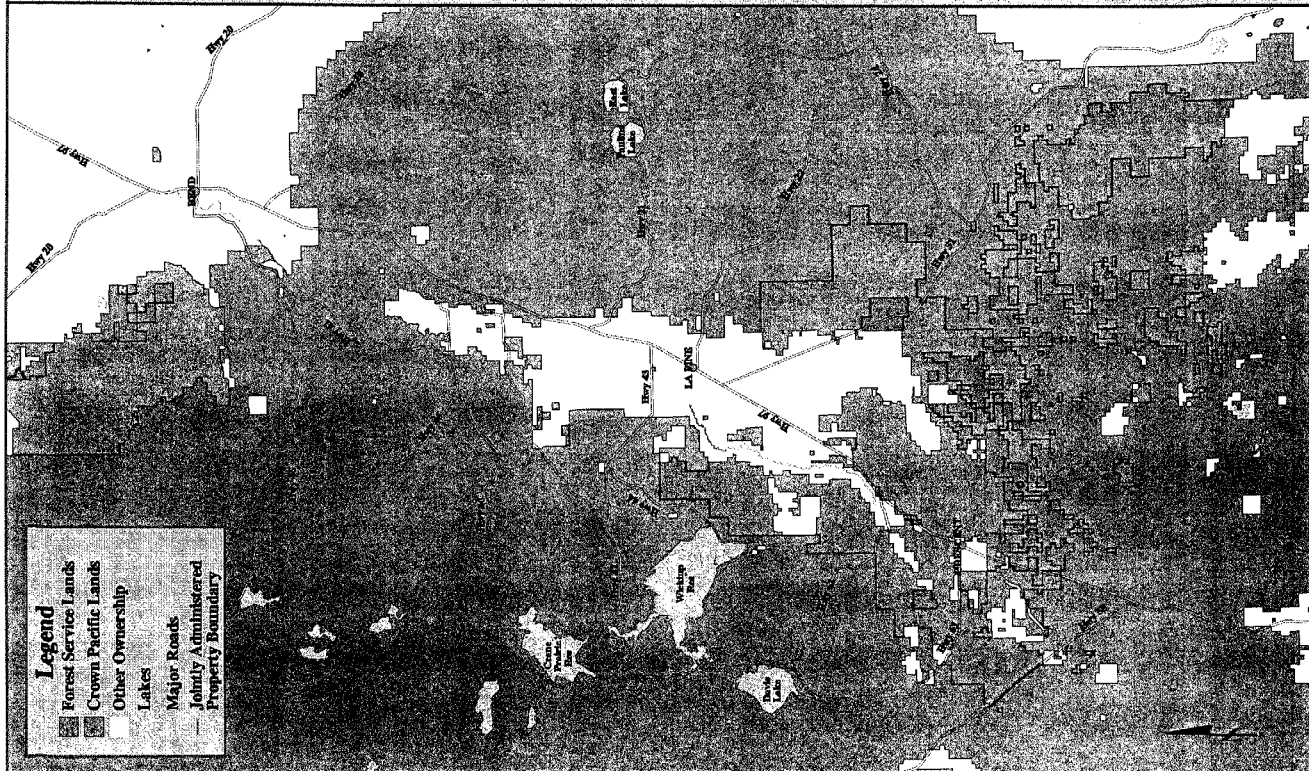
CURRENT LAND OWNERSHIP BEFORE THE LAND EXCHANGE



Location Map



Deschutes National Forest
Fremont National Forest
Winnemucca National Forest



Legend

- Forest Service Lands
- Crown Pacific Lands
- Other Ownership
- Lakes
- Major Roads
- Jointly Administered Property Boundary

MAP 2

PROPOSED LAND OWNERSHIP AFTER THE LAND EXCHANGE WITH OUR MODIFICATIONS

Legend

Dropped Parcels
-retained by Forest Service

 Dropped Parcels
-retained by Crown Pacific

 Potential Balancing Parcel

 Forest Service Lands

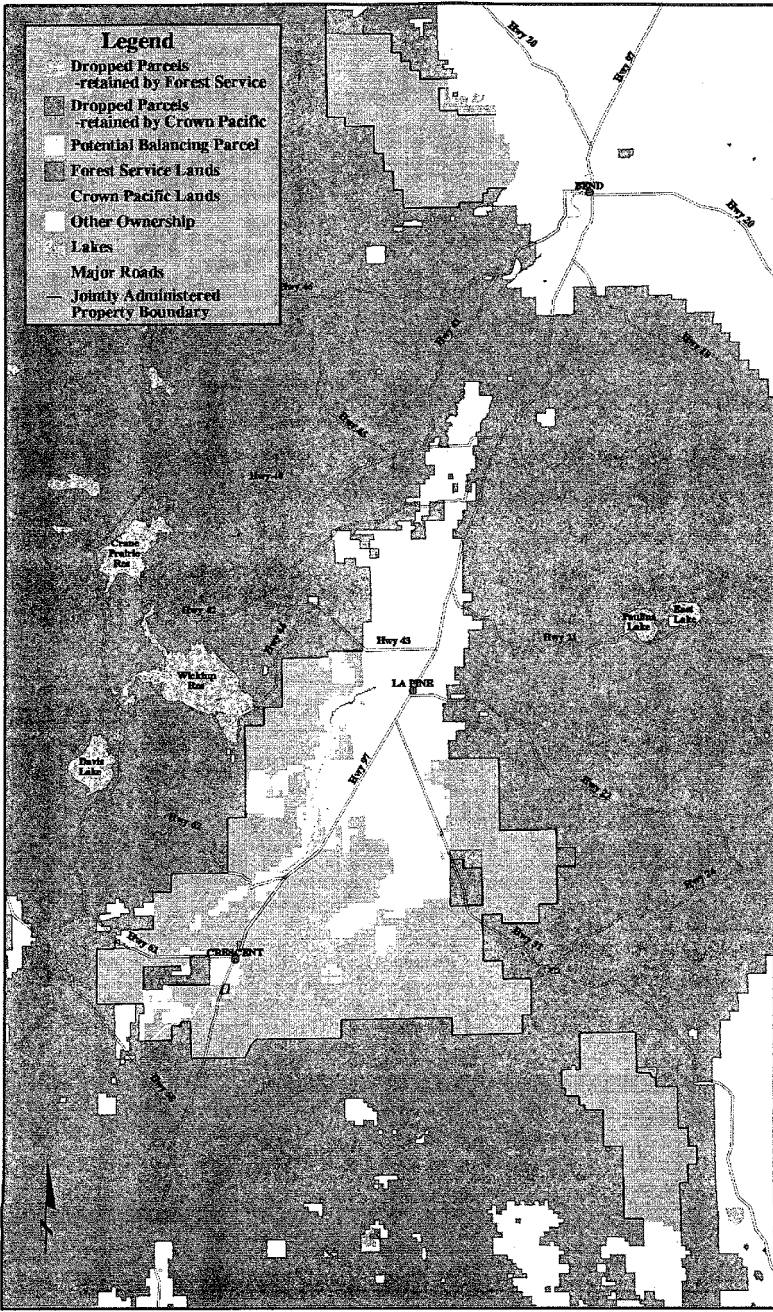
 Crown Pacific Lands

 Other Ownership

 Lakes

 Major Roads

 Jointly Administered
Property Boundary

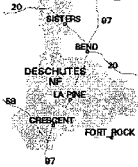


Location Map



Deschutes National Forest
Fremont National Forest
Winema National Forest

Location Map

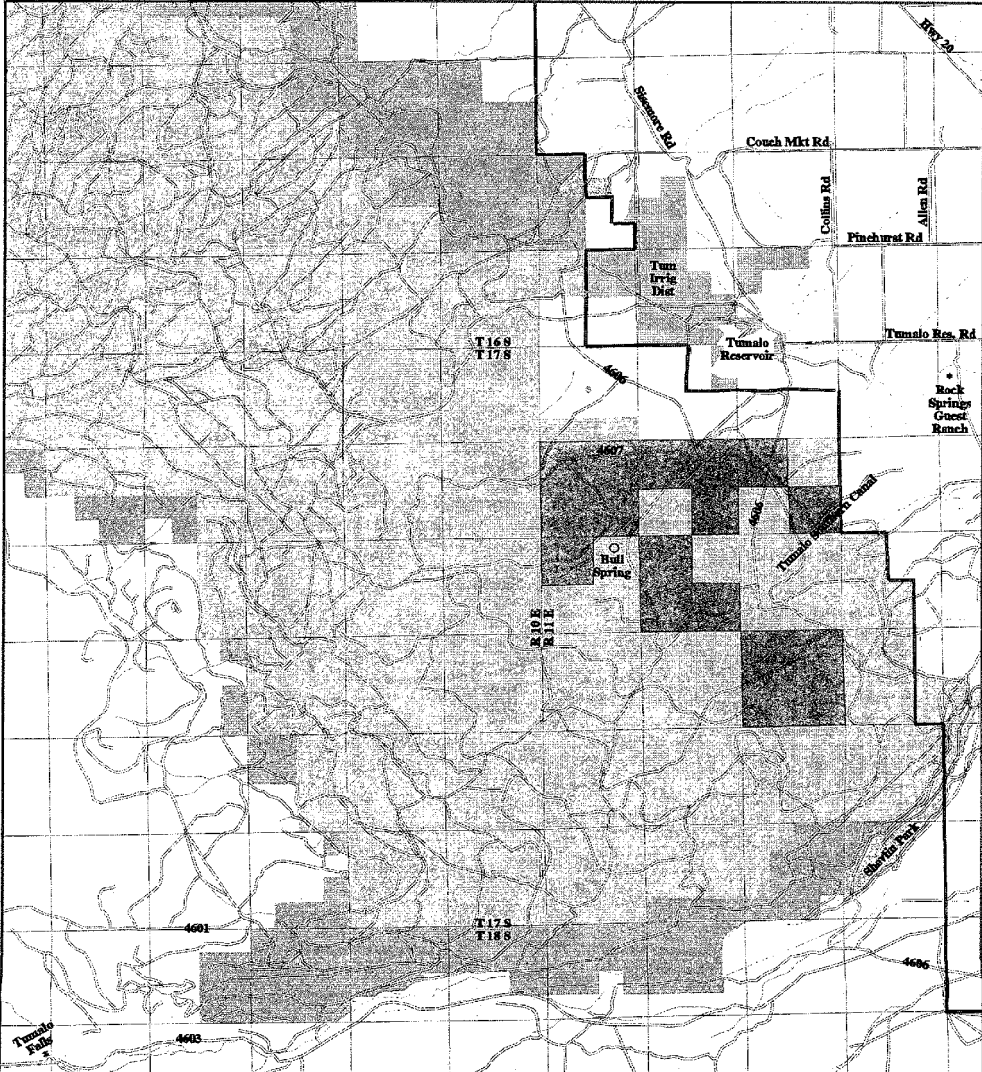


MAP 3

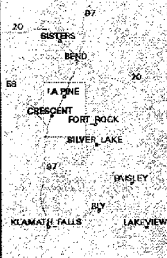
TUMALO VICINITY DETAIL WITH MODIFICATIONS

Legend

- Forest Service - Acquired Lands
- Forest Service - pro-owned
- Crown Pacific - Acquired Lands
- Crown Pacific - pro-owned
- Other Ownership
- Bend Park & Rec
- Tumalo Irrigation Dist.
- State
- BLM
- Lakes
- Major Roads



Location Map

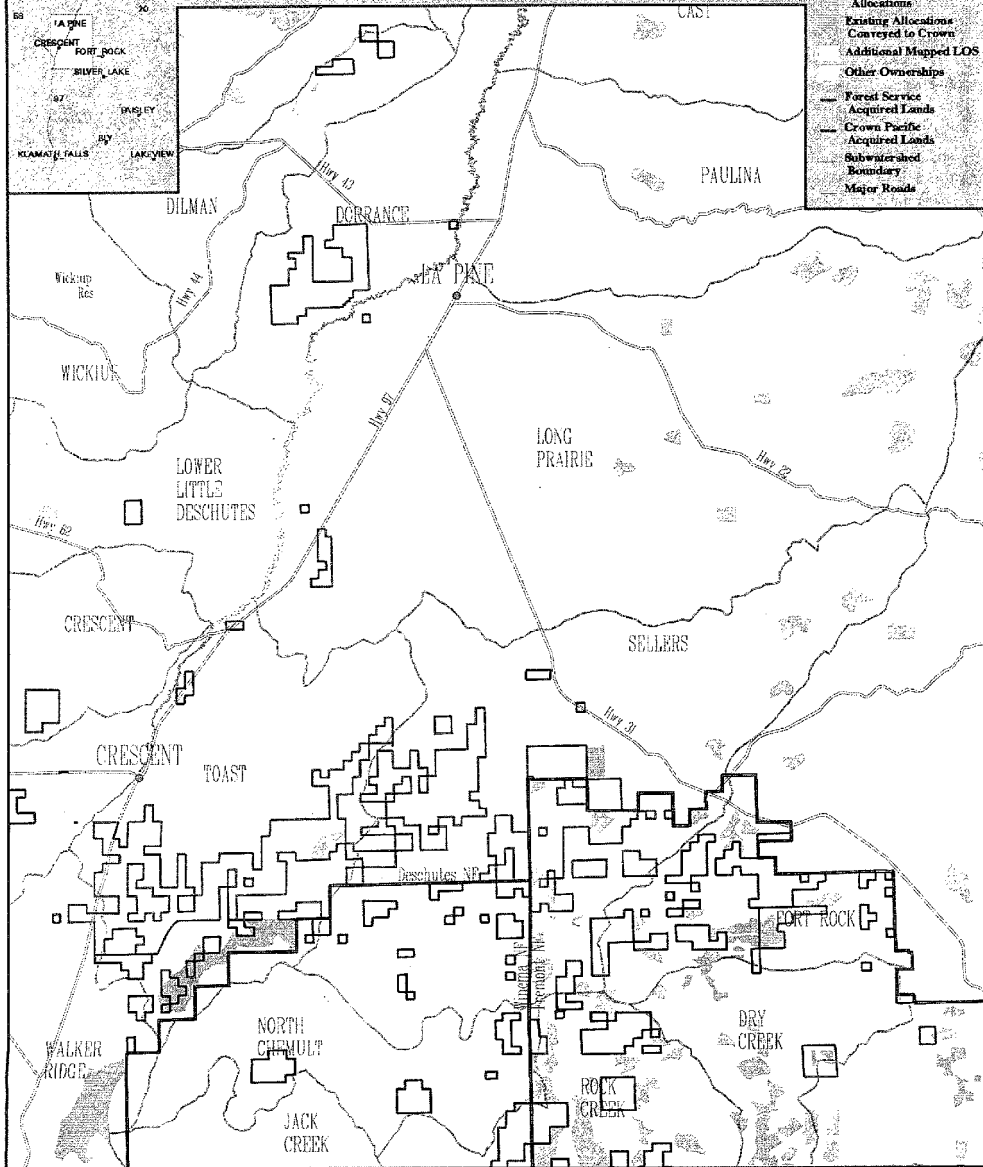


Current & Proposed Old Growth Allocations With Additional Mapped Late & Old Stands (LOS)

MAP 4

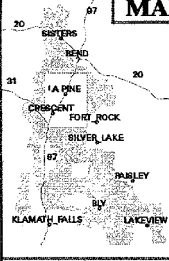
Legend

- Current Old Growth Allocations
- Proposed Old Growth Allocations
- Existing Allocations Conveyed to Crown
- Additional Mapped LOS
- Other Ownerships
 - Forest Service Acquired Lands
 - Crown Pacific Acquired Lands
- Subwatershed Boundary
- Major Roads



Location Map

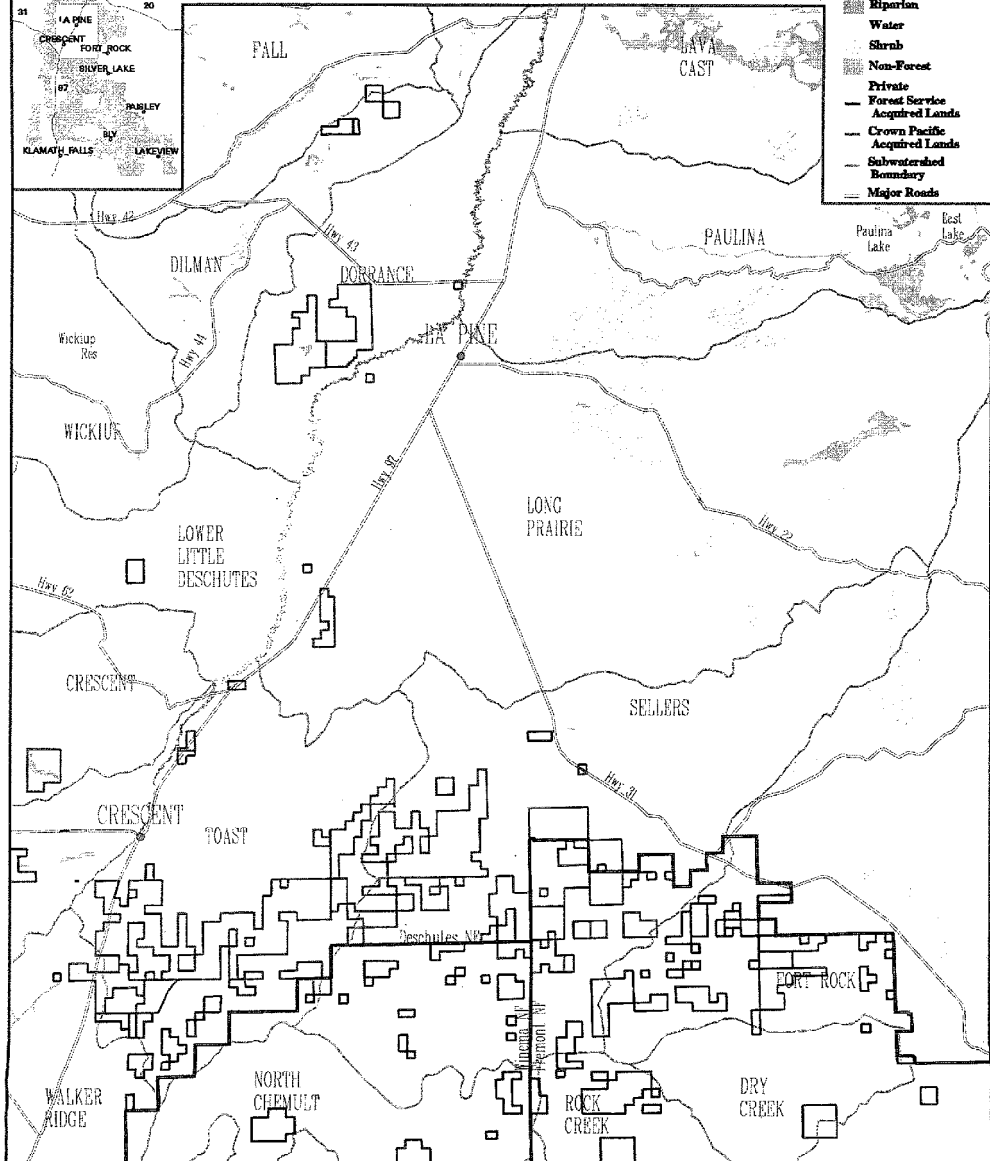
MAP 5



Deschutes Seral Stages on Parcels Being Conveyed to Crown Pacific

Legend

- Early Seral
- Mid Seral
- Late Seral
- Old Seral
- Riparian
- Water
- Shrub
- Non-Forest
- Private
- Forest Service
- Acquired Lands
- Crown Pacific
- Acquired Lands
- Subwatershed
- Boundary
- Major Roads



DECISION NOTICE/DESIGNATION ORDER
AND
FINDING OF NO SIGNIFICANT IMPACT

Torrey-Charlton Research Natural Area
(Deschutes & Lane Counties, Oregon)

USDA Forest Service
Pacific Northwest Region

Willamette National Forest
Middle Fork Ranger District
(Forest Amendment No. 40)

Deschutes National Forest
Bend Ranger District
(Forest Amendment No. 22)

Introduction

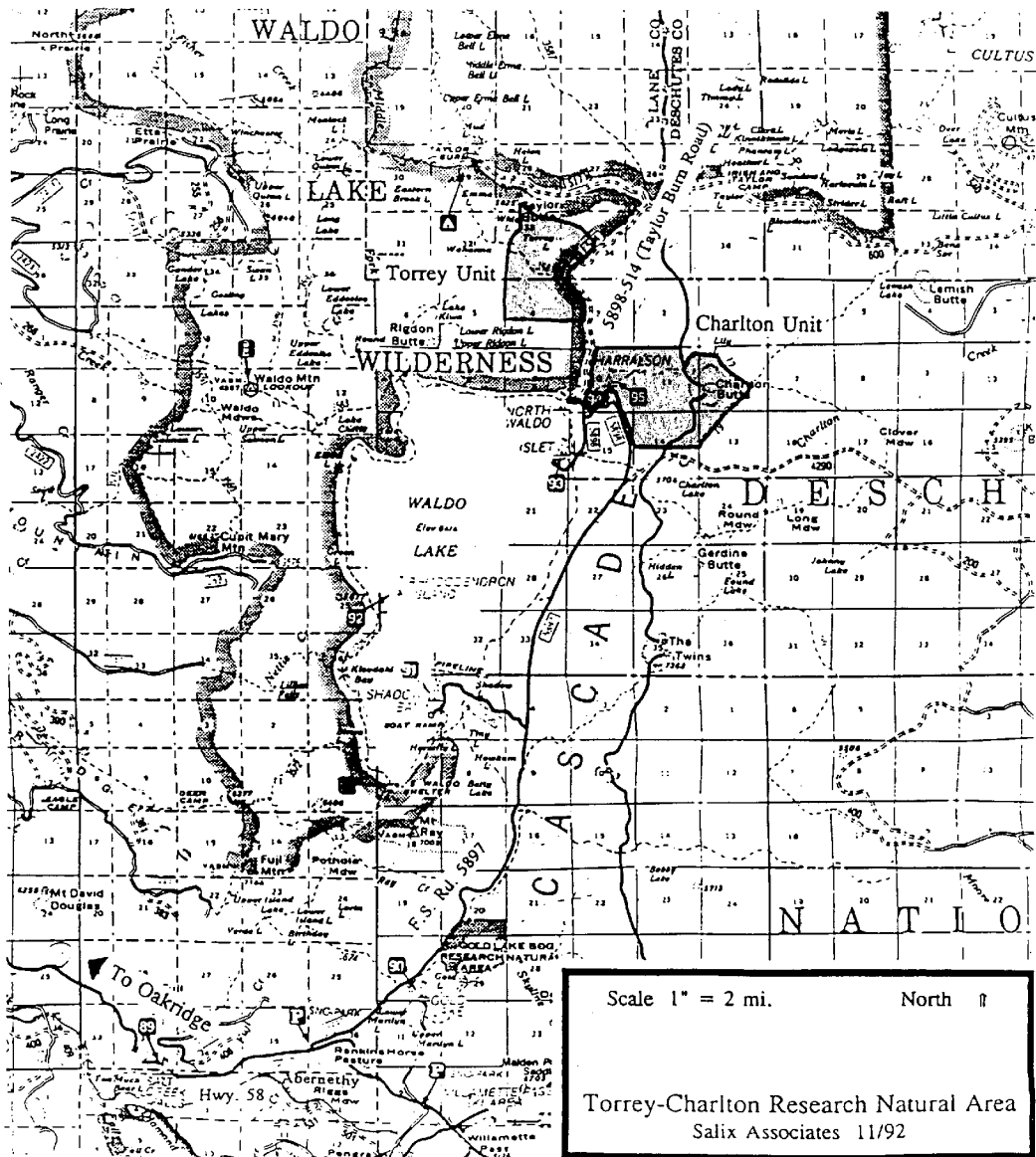
The Torrey-Charlton Research Natural Area (RNA) is located on a high plateau to the northwest of Waldo Lake, and is forested primarily with mountain hemlock. The RNA is comprised of two separate units--the Torrey Unit (approx 1,053 acres) contains Torrey Lake (the largest lake in the RNA) and most of the lakes, ponds, and wetland habitats. This unit also includes the southeast slopes of Taylor Butte. The Charlton Unit (approx. 1,775 acres) contain Charlton Butte and a variety of mountain hemlock stands of different ages and densities some true fir stands, ponds, and small meadows. (see map on next page)

The Torrey Unit is within the Upper North Fork watershed of the Middle Fork Willamette River system on the Middle Fork Ranger District [This year the Lowell, Oakridge, and Ridgon Ranger Districts combined to be come the Middle Fork Ranger District] of the Willamette National Forest (WNF). The Charlton Unit is partially within the Upper North Fork watershed of the Middle Fork of the Willamette River system on the Middle Fork Ranger District and partially within the Upper Deschutes watershed of the Deschutes River system on the Bend Ranger District of the Deschutes National Forest (DNF).

The RNA and surrounding lands are entirely within National Forest ownership. The Torrey Unit is entirely within the Waldo Lake Wilderness in the WNF. Besides the wilderness designation, no part of the RNA is within any wild and scenic river, national recreation area, or other congressionally designated area.

The purpose of establishing the Torrey-Charlton RNA is to contribute to a series of RNAs designated. The Torrey-Charlton RNA contributes to this series of RNAs by providing an example of a Mountain hemlock/grouse huckleberry community in the mountain hemlock zone, subalpine lakes, ponds, and Montane vernal ponds as discussed in the WNF, final EIS (chapter III, p. 170), and the DNF, final EIS (chapter 3, p. 24).

The Torrey-Charlton area was identified in the WNF and DNF Plans as a "proposed" RNA based on the relatively undisturbed conditions of these types in the area at that time. Comments received from interested and affected publics supported establishment of an RNA in the area at that time.



I "proposed" the establishment of this RNA in the Records of for the WNF and DNF Land and Resource Management Plans (Forest Plans) in 1990. That recommendation was the result of an analysis of the factors listed in 36 CFR 219.25 and Forest Service Manual 4063.41. Results of that analysis are documented in the Forest Plans and final EIS which are available to the public. I have reexamined the Torrey-Charlton area to ensure that the environmental effects of establishing the area as an RNA have not changed since 1990.

Issues raised in this reexamination included: (1) Current boundary locations may result in some conflicts between recreation use of the Charlton Unit and RNA management objectives. (2) Inconsistent management direction between WNF and DNF Forest Plans for the Torrey-Charlton proposed RNA, or with adjacent management areas (EA, pp. 4-5).

Decision

By virtue of the authority delegated to me by the Chief of the Forest Service in FSM 4063, I hereby select Alternative B and establish the 2,877 acre Torrey-Charlton RNA. This decision will amend the DNF (DNF Plan Amendment No. 22) and WNF (WNF Plan Amendment No. 40) Forest Plans by making minor boundary modifications. It will also amend the Deschutes Forest Plan by changing selected Standards and Guidelines to match the Willamette Forest Plan language concerning management of the RNA. These are non-significant Forest Plan amendments [36 CFR 219.10(f)].

The modifications to the boundary for the Charlton Unit of the RNA are the following:

1. The current description of the unit boundary around Harralson Horse Camp is 200 feet from the centerline of FS Road 5898-511, which encompasses areas currently used for camping and stock tethering. To avoid conflict establish a 400 foot distance from the centerline.
2. Run the northeast boundary corner straight across section 11 and around Lily Lake until it rejoins the current RNA boundary. This will simplify surveying needs associated with establishing the boundary and does not include any atypical vegetation types in the northeastern corner near Lily Lake. The current description of the boundary line along the westerly and easterly edge of Lily Lake is 50-200 feet from shoreline. Move the boundary back 500 feet from the shoreline to allow dispersed camping 200 feet away from the lake.
3. Incorporate the 5 acre creek/spring/wetland meadow complex into the RNA. This complex demonstrates some very unique, high elevation wetland habitats and would be a positive addition to the RNA. The existing Lily Lake Trail route should be reviewed and evaluated for relocation out of the upper reaches of the non-forested complex with a 150 foot slope distance reserve around the edge of complex

(approx. 13 acres) would result, including a portion of the Lemmish Lake Trail within the RNA boundary. Normal trail maintenance including repair and relocation was necessary within or without the RNA boundary to protect resource values would continue.

4. Run the boundary from the trail junction by the spring to the 1/4 corner of section 13. This line would run off established corners and would simplify surveying and marking boundaries. There is no evidence of atypical vegetation included in this boundary change.

5. Standards and guidelines in the DNF Forest Plan would be amended as follows and would be specific to the management of the Torrey-Charlton RNA.

M2-2: Picnicking, camping, and other public uses will be allowed, though not encouraged, as long as they do not modify the area to the extent that such uses threaten impairment of research or educational values.

M2-3: All recreation Off Road Vehicle use shall be prohibited.

M2-4: Cutting and removal of all vegetation, including firewood, shall be prohibited, except as part of approved scientific investigation.

M2-5: Deleted.

No changes to DNF M2-17 or to WNF MA-4-22.

The acreage and boundary of the RNA in MA-4 and MA-2 will be finalized with this decision.

Alternative B is selected because it provides long-term protection and recognition of Mountain hemlock/grouse huckleberry community type and Subalpine lakes, ponds, and Montane vernal ponds without diminishing recreational or research opportunities (issue #1). Alternative B also provides consistent management direction across the WNF and DNF boundaries for the RNA (issue #2).

Public Involvement

Of the public comments received for the WNF draft EIS and Forest Plan (1990), fifty comments identified were relevant to RNAs and MA 4A/4B. In general, the comments received were supportive of the RNA and the program. (see Content Analysis Report No. 1652, 1990 Planning Records)

Scoping was initiated during the process of updating information to determine whether to proceed with establishment of this RNA as proposed in the Forest Plans. Internal scoping began in September 1993, when forest specialists reviewed the existing condition of the RNA and proposed boundary changes to the Charlton Unit. Public (external) scoping

started on April 20, 1994 with the release of the Oakridge Ranger District (WNF) "Schedule of Proposed Actions". The public was invited to provide comment on the proposal to establish the Torrey-Charlton RNA. In May 1997, a notice of this RNA proposal was mailed to the DNF "Schedule of Proposed Actions" mailing list. No comments were received by either forest.

Alternatives Considered

Alternative A would establish the 2,761 acre area as proposed in the Establishment Record and be managed according to the management prescription in the Forest Plans (WNF, pp. 134-137; DNF, pp. 92-93) as amended by this alternative (EA, pp. 5-6) without changes to Forest Plan standards and guidelines.

Alternative A was not selected because it did not adequately respond to the issues raised regarding potential recreational and research conflicts due to the proposed boundary location. This alternative did not address the conflicting standards and guidelines between forest plans.

Alternative C, the No Action Alternative, would continue management of the 2,761 acre Torrey-Charlton area as a "proposed" RNA.

Alternative C was not selected because it would only provide short-term protection of the 2,761 acre area.

Finding Of No Significant Impact

It has been determined through this environmental analysis that this decision is not a major federal action that would significantly affect the quality of the human environment. Therefore, an environmental impact statement is not needed (40 CFR 1508.27).

Context

Although this is an addition to the national system of RNAs, both short-term and long-term physical and biological effects are limited to the local area.

Intensity

*Beneficial and adverse effects have been disclosed and there are no significant adverse effects (EA, pp. 8-10; Establishment Record, pp. 24-28).

*There are no significant effects on public health and safety.

*Unique characteristics of the geographic area are recognized and protected through the designation of the RNA. The designation of the RNA with the accompany standards and guidelines will help to preserve ecological systems uniquely

represented in this area (EA, pp. 6-7; Establishment Record, pp. 26-27).

*Effects on the human environment are not uncertain, do not involve unique or unknown risk, and are not likely to be highly controversial.

*The action is not likely to establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration.

*No significant direct, indirect, or cumulative impacts to natural resources or other components of the human environment area anticipated (EA, pp. 8-10; Establishment Record, pp. 24-28).

*The action will not affect district, sites, highways, structures, or objects listed or eligible for listing under the National Register of Historic Places (Establishment record, p. 24).

*This decision will not adversely affect any federally listed or proposed endangered or threatened species or associated critical habitat, not will it affect any regionally sensitive plant or animal species (EA, p. 9; Establishment Record, p. 3).

*This decision is consistent with Federal, State, and local laws and requirements for the protection of the environment.

Implementation

Implementation of this decision will not occur for seven days following publication of the legal notice of the decision in the newspaper of record, The Oregonian (Portland, Oregon).

Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR Part 217. A copy of the Notice of Appeal must be in writing and submitted to--

Chief
USDA - Forest Service
ATTN: NFS Appeals
14th and Independence Avenue, S.W.
P. O. Box 96090
Washington, D. C. 20090-6090

Any written Notice of Appeal if this decision must be fully consistent with 36 CFR 217.9 (Content of a Notice of Appeal) and must include the reasons for appeal and be submitted within 45 days from the date of legal notice of this decision in The Oregonian.

Torrey-Charlton Research Natural Area
Decision Notice/Designation Order

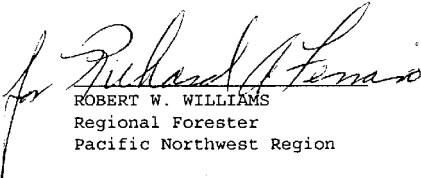
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The Forest Supervisors of the Deschutes and Willamette National Forests shall notify the public of this decision and mail a copy of the Decision Notice/Designation Order to all persons interested in or affected by the establishment of Torrey-Charlton RNA.

For Further Information Contact

Cindy McCain, Ecologist, Siuslaw National Forest, 4077 S. W. Research Way, P. O. Box 1148, Corvallis, Oregon 97339; or phone 541-750-7000.

Katie Grenier, Forest Botanist, Deschutes National Forest, 1645 Highway 20E, Bend, Oregon 97701; or phone 541-383-5564.


ROBERT W. WILLIAMS
Regional Forester
Pacific Northwest Region

7/13/95
Date

JULY 18, 1998

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NOTICE OF DECISION

On July 13, 1998, USDA, Forest Service, Regional Forester, for the Pacific Northwest Region, made a decision to establish a 2,877 acre Torrey-Charlton Research Natural Area on the Deschutes and Willamette National Forests, in Deschutes and Lane Counties, Oregon. This decision will be implemented after July 25, 1998.

A copy of the Decision Notice/Designation Order and Finding of No Significant Impact is available upon request from the Regional Office, Environmental Coordination, P.O. Box 3021, Portland, OR 97208.

This decision is subject to appeal pursuant to Forest Service regulation 36 Code of Federal Regulation (CFR) Part 217. Any written Notice of Appeal must be fully consistent with 36 CFR 217.9 (Content of a Notice of Appeal) and must include the reasons for appeal. Any written appeal must be postmarked or received by the Appeal Deciding Officer, Chief Mike Dornbeck, USDA - Forest Service, ATTN: NFS Appeals, P.O. Box 96090, Washington, D.C. 20090-6090 within 45 days of the date of this legal notice.

For further information about Torrey-Charlton RNA, contact Cindy McCain, Ecologist, Siuslaw National Forest, 4077 S.W. Research Way, P.O. Box 1148, Corvallis, Oregon 97339, phone (541) 750-7000 or Katie Greiner, Forest Botanist, Deschutes National Forest, 1445 Highway 20E, Bend, Oregon 97701, phone (541) 383-5564.



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January 2001

Record of Decision and Standards and Guidelines

**for
Amendments to the Survey and Manage,
Protection Buffer, and other Mitigation Measures
Standards and Guidelines**



Forest Service National Forests in Regions 5 and 6 and the Bureau of Land Management Districts in California, Oregon, and Washington Within the Range of the Northern Spotted Owl

Record of Decision
for Amendments to the Survey and Manage,
Protection Buffer, and other Mitigation Measures
Standards and Guidelines

RECORD OF DECISION

for

**Amendments to the Survey and Manage, Protection Buffer,
and other Mitigation Measures Standards and Guidelines**

in

**Forest Service and Bureau of Land Management Planning
Documents Within the Range of the Northern Spotted Owl**

January 2001

Lead Agencies: Forest Service - U.S. Department of Agriculture
Bureau of Land Management - U.S. Department of the Interior

Cooperating Agency: Fish & Wildlife Service - U.S. Department of Interior

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Attachment 1: Standards and Guidelines

RECORD OF DECISION

for

Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines

1. Introduction

Summary

In this Record of Decision we are amending a portion of the Northwest Forest Plan by adopting new standards and guidelines for Survey and Manage, Protection Buffers, and other mitigating measures. Our Decision selects, with additional mitigation and minor modifications, Alternative 1 in the November 2000 Final Supplemental Environmental Impact Statement for Survey and Manage, Protection Buffers, and other Mitigation Measures in the Northwest Forest Plan (Final SEIS). This Decision makes it possible for the Agencies to more efficiently provide the level of species protection intended in the Northwest Forest Plan. Our Decision retains the major elements of Survey and Manage, restructuring them for clarity, describing criteria and processes for changing species assignments in the future, and removing 72 species in all or part of their range because new information indicates they are secure or otherwise do not meet the basic criteria for Survey and Manage. This Decision applies to administrative units of the USDA Forest Service and USDI Bureau of Land Management (BLM) (generally referred to as “the Agencies”) within the range of the northern spotted owl.

Background/Purpose and Need

In 1994, the Bureau of Land Management and Forest Service adopted standards and guidelines for the management of habitat for late-successional and old-growth forest related species within the range of the northern spotted owl, commonly known as the Northwest Forest Plan. The key elements of the Northwest Forest Plan are the system of reserves, the Aquatic Conservation Strategy, and various standards and guidelines affecting each of seven different land allocations. Also, mitigation measures were included for management of known sites, site-specific pre-habitat disturbing surveys, and/or landscape scale surveys for about 400 rare and/or isolated species. These are species that, either because of genuine rarity or because of a lack of information about them, the Agencies did not know whether they would adequately be protected by other elements of the Northwest Forest Plan. The standards and guidelines for these mitigation measures are known as Survey and Manage, Protection Buffers, and Protect Sites From Grazing. This decision

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also addresses standards and guidelines protecting certain bat roosts and calls special attention to recreation sites.

Considerable new information has been acquired about these species since they were included in Survey and Manage in 1994. More than 47,000 individual data records have been gathered from historical information as well as various agency surveys. The 1994 Northwest Forest Plan anticipated species would be moved to different categories or would be removed from Survey and Manage as new information indicated they were more secure than originally projected. This is appropriate; many species were included simply because information available at the time indicated they were very rare or endemics and other standards and guidelines from the Northwest Forest Plan might not adequately provide for them. In 1994, for example, the terrestrial mollusk papillose tail-dropper (*Prophysaon dubium*) was known only from two sites in the Northwest Forest Plan area. Since then, the Agencies have compiled nearly 1,000 records representing 300 to 500 individual sites.

It is appropriate and expected that species should be removed from Survey and Manage or that the level of management should increase or decrease for individual species based on new information. Implementation experience also shows some of the standards and guidelines overlap, are unclear, or are not the most practical way to meet species management objectives. The Final SEIS proposes to amend these standards and guidelines in a way that continues to provide for late-successional and old-growth associated species, while reducing implementation costs and reducing unnecessary impacts to other forest management activities, including the production of timber, and thus better meet the original balance in the Northwest Forest Plan.

It is important to take special note of this relatively specific Purpose and Need of the Proposed Action. The proposed action and resultant analysis was triggered by uncertainty and duplication in the language of the existing Survey and Manage direction and related standards and guidelines. Clarity was needed, duplication and unnecessary levels of protection needed to be removed, and an adaptive management process was needed to describe the process for future changes. The range of alternatives included in the Final SEIS is sufficient to deal with these identified needs. Alternatives that considered eliminating or greatly expanding Survey and Manage were not needed, nor would they have been appropriate, because the overall concept of Survey and Manage has not yet been implemented and monitored long enough to thoroughly evaluate its overall effectiveness in meeting species persistence objectives. It must also be remembered that Survey and Manage and related measures are mitigation measures applied to the ecosystem-focused strategy of the Northwest Forest Plan. As noted in the Final SEIS, "Although these mitigation measures reduced the impacts of management actions, they are only a part of the overall strategy of the Northwest Forest Plan to meet species stability and distribution

(persistence) objectives. Late-Successional, Riparian, and other reserves, as well as many standards and guidelines, work together to provide for habitat and species.”

Nature of this Action

This Decision amends the Survey and Manage and related standards and guidelines of the 1994 Northwest Forest Plan (See Final SEIS, Appendix B, for the specific standards and guidelines replaced). The amendment is designed to add clarity, remove duplication, increase or decrease levels of management for specific species based on new information affecting the level of concern for their persistence, and establish a process for making changes to management for individual species in the future originally intended in the Northwest Forest Plan.

Plans Amended

Although this Decision continues to use the popular and inclusive title of “Northwest Forest Plan” to denote what is being amended, readers need to recognize there is no one such “Plan.” The phrase denotes the April 13, 1994, amendments to all existing land and resource management plans for the U.S. Bureau of Land Management and U.S. Forest Service within the range of the northern spotted owl relating to management of habitat for late-successional and old-growth forest related species, as well as to the Regional Guides for Forest Service Regions 5 and 6, as listed below. Our Decision amends a portion of those previous amendments, the standards and guidelines relating to Survey and Manage, Protection Buffers, and three other mitigation measures. The administrative units whose Plans are amended by this Decision are generally located in western Oregon and Washington (including some areas east of the Cascades) and northwestern California (see Figure 1 in the attached Standards and Guidelines).

For the Bureau of Land Management, the alternative adopted by this Decision amends the Resource Management Plans for the Salem, Eugene, Roseburg, Medford, and Coos Bay Districts in Oregon; the Klamath Falls Resource Area of the Lakeview District, also in Oregon; and the Arcata, Redding, and Ukiah field offices in California. The King Range National Conservation Area Management Plan in the Arcata Resource Area in California is also amended. This Decision does not apply to the Headwaters area recently acquired by the BLM for which a separate management plan is being written.

For the Forest Service, the alternative adopted by this Decision amends the 1984 Regional Guide for Region 6, as amended in 1988 and 1994, the 1984 Regional Guide for Region 5, as amended in 1994, and the National Forest Land and Resource Management Plans for the Gifford Pinchot, Mt. Baker-Snoqualmie, Mt. Hood, Olympic, Rogue River, Siuslaw, Siskiyou, Six Rivers, Umpqua, and Willamette National Forests, as well as portions of the

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Deschutes, Okanogan, Wenatchee, Winema, Klamath, Lassen, Mendocino, Modoc, and Shasta-Trinity National Forests. Although the November 9, 2000, Forest Service planning regulations specify the Regional Guides will be withdrawn within a year, such withdrawal will have no effect on the application of these standards and guidelines because they are included in the existing land and resource management plans of the affected administrative units described above.

Supplemental Environmental Impact Statement

This Decision is based on information and analysis in the Final Supplemental Environmental Impact Statement for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (Final SEIS), the underlying Administrative Record for this Decision (including comments from other agencies, governments, and the public), and the NEPA documents to which the Final SEIS is a supplement. The Final SEIS has been available to us and to the public at least 30 days following the Notice of Availability published in the Federal Register on November 24, 2000.

The Final SEIS was prepared by the BLM and Forest Service in cooperation with the U.S. Fish and Wildlife Service. The Notice of Intent to prepare the Final SEIS was published in the Federal Register on November 25, 1998, and amended April 21, 2000. This Final SEIS is a supplement to the 1994 Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest-Related Species Within the Range of the Northern Spotted Owl, referred to herein as the 1994 Northwest Forest Plan Final SEIS. The 1994 Northwest Forest Plan Final SEIS itself supplemented Forest Service Regional Guides for Regions 5 and 6, the 1992 Forest Service EIS for Management of the Northern Spotted Owl, and the EISs or Draft EISs for the land and resource management plans for each of the administrative units within the range of the northern spotted owl for both Agencies. Analysis in the Final SEIS, upon which this Record of Decision is based, built upon analysis in the 1994 Northwest Forest Plan Final SEIS, particularly Appendix J-2 and the report of the Forest Ecosystem Management Assessment Team (FEMAT). Other research literature, agency records and databases were searched, and other experts consulted, to provide the most updated and complete collection of information about these species as possible. These sources of information are referenced throughout the effects sections of the Final SEIS and are listed in the References.

2. The Decision

In this Record of Decision, we jointly adopt Alternative 1 of the Final SEIS, as modified by:

- The addition of equivalent-effort surveys for eight mollusk species and manage sites known as of 9/30/99 direction for two mollusk species projected to have unstable populations under Alternative 1.
- A requirement that monitoring results be included in the Survey and Manage Annual Status Report.
- A requirement that Species Review Panel recommendations be disseminated to lead and cooperating agency taxa experts for comment at least 30 days prior to being forwarded to the Regional Interagency Executive Committee (RIEC) for review.
- A rewritten monitoring section to better match monitoring described for other elements of the Northwest Forest Plan.
- Clarification that Protection Buffer direction continues to apply to six species for which Management Recommendations are not yet prepared (see attached standards and guidelines).
- References to a Strategic Survey Plan have been changed to a Strategic Survey Implementation Guide to avoid confusion over whether the guide was intended to conform to National Forest planning regulations.
- Other minor clarifying edits having no effect on Alternative 1 from the standpoint of the environmental consequences described in Chapter 3&4 of the Final SEIS.

The written directions which comprise the selected alternative in this Decision are set forth in concise form in Attachment 1 to this Record of Decision, entitled "Standards and Guidelines." This Decision, as spelled out in Attachment 1 (sometimes referred to herein as "the attached standards and guidelines"), applies to lands administered by the Bureau of Land Management and the Forest Service within the Northwest Forest Plan area as previously described. In addition to including standards and guidelines and related tables from Chapter 2 of the Final SEIS, Attachment 1 includes, as standards and guidelines for the selected alternative, the criteria for identifying species closely associated with late-successional and old-growth forests from Appendix E of the Final SEIS, the description of the Species Review Process from Appendix F, and relevant portions of the Final SEIS Glossary.

The attached Standards and Guidelines are controlling in terms of the administrative direction adopted by our decision. Except for the section regarding application of the decision to management activities with signed NEPA decisions or decision documents before the effective date of this Decision, the text of the Record of Decision are not so controlling, but instead may be used as a guide in interpretation and application of the Standards and Guidelines.

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The following discussion clarifies our Decision and provides rationale for making this Decision. In order to facilitate the Agencies' implementation of this Decision, the actual direction adopted by this Decision is separately contained in the attached Standards and Guidelines (Attachment 1).

Alternative 1 was identified as the proposed action and Preferred Alternative in the Draft and Final SEISs. Among the alternatives considered, Alternative 1 will best meet the Purpose and Need for the proposed action of reducing costs and increasing clarity of the Survey and Manage and related standards and guidelines by:

- integrating Protect from Grazing and most Protection Buffer Standards and Guidelines into Survey and Manage, thereby eliminating inconsistent and redundant direction;
- reorganizing the Survey and Manage Categories to better reflect information about the species and to better clarify the protection needed; and,
- adding a detailed process for adding, removing, or changing species categories in the future.

Alternative 1 would do these things while providing approximately the same level of species protection intended in the 1994 Northwest Forest Plan. As modified by this Decision, Alternative 1 will provide species outcomes equal to or greater than the No-Action Alternative for each of the more than 400 species covered by the Final SEIS at less cost.

Summary of the Decision

This Decision integrates the Northwest Forest Plan direction for Protect From Grazing and most Protection Buffers into Survey and Manage, thereby eliminating duplication and conflicting direction. This Decision also eliminates separate direction for recreation areas, modifies the direction for certain bat roosts, and modifies the Protection Buffer direction for Canada lynx and certain cavity nesting birds. The Decision reorganizes Survey and Manage into six species categories based on species rarity and other characteristics, to better align species groups with management objectives. The Decision retains the three management elements of Survey and Manage of *manage known sites*, *survey prior to habitat-disturbing activities*, and *conduct landscape-scale (strategic) surveys*. In fact, for many species remaining on Survey and Manage, the specific management elements applicable to them are not changed by this Decision. Direction for many other species, however, is changed in response to new information about the species. These changes include the removal of 72 species from these standards and guidelines in all or part of their range, based on new information regarding their abundance, habitat association, or presence in the planning area. This Decision retains direction to manage known sites of

Protection Buffer species, although it removes their automatic designation as small, species-specific Late-Successional Reserves and Managed Late-Successional Areas.

This Decision also provides direction for the preparation of Management Recommendations and Survey Protocols, the conduct of Strategic Surveys, and the review of specified actions by the Regional Ecosystem Office (REO) or the Regional Interagency Executive Committee (RIEC). The Decision also provides a process and criteria for an annual review of new species information to determine when species should be assigned to different categories, or added to or removed from, Survey and Manage (hereafter referred to as the Species Review Process).

This Decision replaces only the five specific mitigation measures that were added to planning documents of the administrative units as part of the Northwest Forest Plan adopted April 13, 1994, and shown in Appendix B of the Final SEIS. Other standards and guidelines of the Northwest Forest Plan remain unaffected and apply to Survey and Manage as in the past. For example, the Northwest Forest Plan standard and guideline direction giving precedence to existing laws and regulations (1994 Northwest Forest Plan Record of Decision [ROD] p. C-1) still applies. Required deference to health and safety issues already being implemented by the Agencies are not affected by this Decision. Any exceptions or alternative methods described for research (Northwest Forest Plan ROD p. C-4) or for Adaptive Management Areas (Northwest Forest Plan ROD pp. C-21 and D-1 through D-17) continue to apply. Further, since many of the elements of the attached standards and guidelines are reformatted but otherwise borrowed from the No-Action Alternative, implementation memos and other policy interpretations not affected by changes in the standards and guidelines continue to apply unchanged by this Decision. Existing Management Recommendations and Survey Protocols continue to apply (for species still requiring management of known sites or pre-disturbance surveys) until revised.

Key Elements of the Decision

Species Review Process - Our decision establishes an annual Species Review Process for evaluating the latest information about taxa is key to the long-term success of Survey and Manage. Survey and Manage was applied to the Northwest Forest Plan as a mitigation measure to provide additional protection for species that, because of rarity or endemism, might not be adequately protected by the broad-scale, ecosystem approach of the Northwest Forest Plan. For truly rare or endemic species, Survey and Manage is expected to continue to contribute to their persistence for the foreseeable future. We also expect to discover previously unknown species which will benefit from this measure.

On the other hand, many other species were included in Survey and Manage because the Agencies do not yet have sufficient information about how the reserves and other

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Standards and Guidelines of the Northwest Forest Plan (other than Survey and Manage) provide for their persistence. For these species, we expect future information to indicate that other standards and guidelines of the Northwest Forest Plan provide a reasonable assurance of persistence. We note, for example, that while 72 species will be removed from Survey and Manage in all or part of their range by this Decision, there are numerous others still on Survey and Manage for which the number of known sites has increased 5 to 15 times since the Northwest Forest Plan was adopted in 1994, and such species are likely to be removed in the future. We expect to gain additional information about species even faster from the strategic surveys emphasized in the attached standards and guidelines.

The annual Species Review Process is critical to applying this new information. With this process and the detailed criteria defining the Survey and Manage categories and concern for persistence, changes can be made annually, as appropriate, to eliminate excessive protection or to add protection where it is insufficient. This ongoing process will ensure that Survey and Manage continues to be applied as needed. One long-term result of this process will be a shift from the Survey and Manage species-specific approach toward a more broad-scale approach to species management integral to the original design of the Northwest Forest Plan's conservation strategy. As noted in the Adaptive Management discussion in the Summary of the Final SEIS, as more is learned over time, and consistent with sound principles of conservation biology and adaptive management, the Agencies need to work toward a more complementary and efficient application of these two approaches.

Additional NEPA Not Anticipated for Annual Changes to Species Assignments - The Species Review Process is expected to result in species being added, removed, or changing categories in Survey and Manage, as the results of surveys are compiled and as dictated by the specific criteria for such changes provided by this Decision. The parameters for making adaptive management changes are part of the standards and guidelines, and changes made within these parameters would not constitute a change to these standards and guidelines or constitute new effects not already anticipated and addressed in the Final SEIS. Such changes are also not expected to constitute "plan" changes in the context of the National Forest Management Act or the Federal Land Policy and Management Act. Prior to implementing the changes resulting from the Species Review Process, the Agencies will examine whether the magnitude and nature of changes indicate a need for additional environmental analysis (e.g., an Environmental Assessment), or whether the potential effects to species are consistent with the effects anticipated by, and described in, the Final SEIS. The results of this examination will be documented and summarized in the Annual Status Report.

It is not anticipated that changes made pursuant to the annual Species Review Process will require annual NEPA documentation for three major reasons. First, the parameters for

making such changes are clearly delineated and part of these standards and guidelines. Second, adjustments made pursuant to the annual Species Review Process are fully expected to occur and are included in the set of assumptions on which the effects analyses of the Final SEIS have been made. Third, the status of species relative to the standards and guidelines should remain consistent with, and at least as secure as, that reflected in the Final SEIS, given that the criteria guiding the Species Review Process have been designed in large measure to achieve such consistency. The Agencies will evaluate such changes over time to ensure their application is having the intended result and their accumulated effects are within the scope anticipated by this SEIS. If such effects rise to the level exceeding that scope at some point in the future, supplemental NEPA analyses will be conducted as appropriate pursuant to 40 CFR 1502.9(c).

Because some changes to category assignments are expected to occur annually, the Agencies will create a summary of changes and brief statement of reasons (similar to Tables F-1 and F-2 in the Final SEIS), create new lists of species category assignments with species addition or removal dates, establish an effective date for the changes, and make timely publication of this information in the Annual Status Report. The Annual Status Report can be obtained by writing to the Survey and Manage Program Manager as described under "Contact Person" near the end of this Decision. Future NEPA documents prepared by the Agencies for habitat-disturbing activities will identify if any of these expected future changes in categories will be applied to the planned activity, or will reference a specific year's assignments, as documented in the Annual Status Report, that appropriately applies to that activity or project. Grace periods described in the attached standards and guidelines for species being changed or removed by this Decision will apply to future changes, according to the effective date of these changes. (The annual Species Review Process is conducted according to the standards and guidelines adopted by this Decision, and will not change the standards and guidelines themselves.)

Strategic Surveys - Our Decision includes a requirement to conduct strategic surveys for all species on Survey and Manage. These surveys add greatly to the information available to the annual Species Review Process and for other management decisions. For all species, strategic surveys will be designed to address the information gaps identified during the annual Species Review Process. The Species Review Process and the updating of the Strategic Survey Implementation Guide must be closely linked (and followed closely by the Annual Status Report). Similarly, criteria used to identify when strategic surveys are completed are also linked to the deliberations of the Species Review Panel, and this panel will help determine when such surveys should be considered completed.

Strategic surveys are particularly important for Category B species, species for which such surveys are the primary method of finding new sites (and for which 5- and 10-year deadlines are established), as well as for Category E species that are rare but do not require

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pre-disturbance surveys. We recognize sites for these species will also be located incidental to pre-disturbance surveys for other species in their same taxa groups.

Strategic surveys, particularly those carefully designed to collect statistically rigorous samples, will provide data about habitat association, relative distribution, and population status far more efficiently than pre-disturbance surveys, because information from statistically rigorous samples can be extrapolated throughout the sample area. Such data will substantially improve the conduct of the Species Review Process that, until now, has had to rely more heavily on the absolute numbers of known sites. Species sites found with sampling can scientifically support broader conclusions about the species being studied. In the future, displays of numbers of sites in summary tables accompanying the Species Review Process records, such as the site numbers in Tables F-1 and F-2 in the Final SEIS, will have less meaning and in fact, could be very misleading, since a few sites found with samples will have vastly different implications to projections of overall species populations than the same number of sites found with pre-disturbance or other non-statistical methods. It will be critical that the Species Review Process make appropriate consideration of data from statistically rigorous samples, and be able to reflect that consideration in the records of that process.

Provision to Add Species - This Decision allows the Agencies to add species to Survey and Manage if they determine, through the Species Review Process and subsequent RIEC review, that these species need these provisions to provide a reasonable assurance of persistence. This will help keep the land and resource management plans amended by the Northwest Forest Plan current with species needs, serve as a method of reinstating species if new information indicates a new level of concern regarding persistence, and permit adding newly identified and named species if they meet the Three Basic Criteria for Survey and Manage.

Prophysaon coeruleum (Blue-Gray Tail-Dropper) - In our Decision, we are removing *Prophysaon coeruleum* from Survey and Manage in the Oregon portion of its range. The effect's discussion in Chapter 3&4 of the Final SEIS displays data for the currently described species and evidence for why this mollusk could represent several as yet undescribed species, and provides an estimate of effects if that is true. For reasons discussed in the "Reasons for the Decision" section of this Record of Decision, however, we are choosing to treat these sightings as belonging to one species, and our Decision removes *Prophysaon coeruleum* from Survey and Manage in a portion of its range, as recommended by the Species Review Panel.

Non-late-Successional Forest Species Being Considered for Other Programs - Of the 72 species removed from Survey and Manage by this Decision, 22 species are removed from Survey and Manage only because they are not closely associated with late-successional

(which includes old-growth) forests (and therefore do not meet the three basic criteria for inclusion in Survey and Manage)(see Table 1-2 in the attached standards and guidelines).

Any residual concern for these 22 species is being addressed by the fact that they are already on, or are currently being considered for inclusion in, the Agencies' special status species programs. Some of them may not qualify for these programs because there is little or no perceived risk to these species. In fact, the effects discussion in the Final SEIS projects stable populations similar to reference distributions, the highest outcome, for eight of these species. A final decision by the Agencies regarding whether or not to include each of these species in their special status species programs will result in the species either being managed under the guidelines for those programs, or removed from any special protections and known sites being released to other activities as with the other 50 species being removed by this Decision. The final determination of this consideration will be included in the Annual Status Report. Management of known sites for all 22 of these species is required for all activity decisions made between the effective date of this Record of Decision and the date the decision regarding inclusion in special status species programs is finalized.

Relationship to the Need to Treat Hazardous Fuels - The Survey and Manage Standards and Guidelines apply to all habitat-disturbing management activities, including prescribed fire and other fuel reduction treatments. However, the standards and guidelines include an *exemption*: pre-disturbance surveys are not required for wildland fires for resource benefits in designated Wilderness. Wildland fires for resource benefits are prescribed fires resulting from natural ignition, are consistent with the applicable land and resource management plan, are addressed in a fire management plan, and are burning within prescription. In addition, *exceptions* to the pre-disturbance survey requirement, subject to RIEC review, may be proposed for other wildland fires for resource benefits in backcountry, Wilderness Study Areas, roaded natural, and similar areas where the objective of such fires is similar to those in Wilderness. Similarly, exceptions to the pre-disturbance survey requirement may also be proposed for wildland fire for resource benefits in Late-Successional Reserves if the Late-Successional Reserve Assessment, also subject to RIEC review, addresses the potential presence and likely effect on Survey and Manage species. For the exceptions described in this paragraph, RIEC may delegate its review authority to REO.

We see the need to integrate the dual management goals of reduction of risk of future large-scale, high-intensity fire and conservation of habitat for Survey and Manage species. To meet this need, Management Recommendations should give specific consideration to the acceptability and appropriate application of prescribed fire in known sites of Survey and Manage species whose historic range includes fire dependent ecosystems (such as the east side of the Cascades and the Klamath Provinces), even if it entails some short-term risk to individual site occupancy. In general, it is our expectation that restoration of the

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natural fire regime is compatible with the long-term conservation of these species, and is an incidental benefit to the hazardous fuels reduction program.

Within the priorities established through these Survey and Manage Standards and Guidelines, managers may emphasize opportunities for streamlining the implementation of these provisions in response to recent emphasis on fuels management, especially around urban areas. Streamlining could include an approach that prescribed fire might best be handled within Management Recommendations for groups of species, or give priority to Strategic Surveys within fire prone areas.

Timing of "Pre-disturbance" Surveys - The attached standards and guidelines, as well as discussion in the Findings section of this Record of Decision, make clear that the requirement for pre-disturbance surveys applies to, and will be conducted before, decision notices are signed for activities. The "pre-disturbance" title too characterizes the types of activities for which these surveys are required. They are not required for all projects, all activities, or all decisions. Conversely, they may be required for activities not requiring a NEPA decision. Pre-disturbance surveys are required, as described in the attached standards and guidelines, if the planned activity is "likely to have a significant negative impact on the species' habitat, its life cycle, microclimate, or life support requirements." The decision to conduct such surveys, and their actual conduct, will precede the decision notice.

Five and Ten Year Deadlines for the Completion of Strategic Surveys for Category B - The 5 and 10 year deadlines for the completion of strategic surveys for Category B, and other deadlines times noted in the standards and guidelines, will begin with the effective date of this Record of Decision.

Additional Mitigation for 10 Mollusk Species - In addition to the standards and guidelines for Alternative 1 in the Final SEIS, our Decision adds direction to manage species' sites known as of September 30, 1999, for two mollusks, and adds equivalent-effort pre-disturbance surveys for eight mollusks. This aspect of our Decision is explained in more detail under "Mitigation" later in this section.

Management Recommendations for Certain Bat Roosts and Cavity Nesting Birds - The Northwest Forest Plan standards and guidelines for these two groups of species have been rewritten, placing overall management goals and objectives in standards and guidelines, and placing some of the specific details into Management Recommendations so they can be revised more easily as new information becomes available. These Management Recommendations should be revised when new information indicates a need, following the process for revising Management Recommendations for Survey and Manage species. These are not Survey and Manage species, however, and there is no stated requirement that

Management Recommendations prepared for these species conform to the standards and guidelines of Management Recommendations for Survey and Manage species.

Programmatic Decision Does Not Authorize Activities - This Decision does not authorize habitat disturbing activities or other site-specific actions. This Decision amends existing land and resource management plans with provisions that help manage or protect certain late-successional forest associated species from disturbances and loss of habitat during other activities. The basis for the conduct of other management activities including timber sales is found in other parts of these plans according to each Agency's planning regulations, as well as in other laws and regulations governing the Agencies' missions.

Programmatic Decision Does Not Change Probable Sale Quantities for Administrative Units - This Decision does not assign or otherwise estimate Probable Sale Quantity (PSQ) for individual administrative units. The analysis of PSQ effects has been done at the range-wide scale and does not have the precision necessary to estimate PSQ at smaller scales. Effects at the administrative unit level will vary from this regional-level analysis based on the amount of a habitat on the individual administrative unit, the number of species ranges that fall within the unit, future detection rates, and so forth. Any future modifications to National Forest and BLM District level PSQ will need to be based on an accumulation of these specific unit-level effects and made through the plan update processes prescribed by each Agency's regulations. At the range-wide scale, however, the PSQ effects calculated here are considered to be reasonable estimates, sufficient to meet the objective of comparing differences between the alternatives.

Additional Mitigation Measures

Mitigation measures avoid, rectify, reduce, or eliminate potentially adverse environmental impacts of management activities. They may include avoiding the impacts altogether, minimizing impacts by limiting the magnitude of an action, rectifying the impact of an action through repair, rehabilitation or restoration, reducing or eliminating the impact over time, or compensating by replacement or substitution (CFR 1508.20). The Survey and Manage and other standards and guidelines amended by this Decision are themselves mitigation measures for the 1994 Northwest Forest Plan. They do not, in themselves, authorize any management activities. We have reviewed, however, the effects of Alternative 1 operating as a mitigation measure for other elements of the Northwest Forest Plan including the activities likely to be proposed or conducted under other elements of the land and resource management plans of the individual administrative units, and are adding additional mitigation measures to Alternative 1, as described below, with our Decision.

The outcomes for 10 species under alternatives other than Alternative 1 are anticipated to result in more stable populations, suggesting mitigation or improvements to Alternative 1

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are possible. Table 2-14 in the Final SEIS, “Species With Outcomes That Vary By Alternative,” shows the 10 species, all mollusks, where habitat provided by Alternative 1 would be insufficient to support stable populations of the species, but where at least one other alternative is projected to result in stable populations. We note, in the record and in the discussion of these findings in the effects section of the Final SEIS, that there is controversy regarding the basis for such different findings between alternatives that are so similar. But, we are choosing, as with other species effects discussed in the Final SEIS, to place a high level of confidence on the conclusions of the agency experts on the SEIS Team and take the Final SEIS findings at face value.

Two of these mollusks, *Megomphix hemphilli* in California and south of Lincoln, Benton, and Linn Counties in Oregon, and *Monadenia churchi*, are projected to achieve stable populations under Alternative 2 because sites known as of September 30, 1999, will be managed as known sites. The other eight, *Ancotrema voyanum*, *Deroceras hesperium*, *Helminthoglypta hertleini*, *Hemphillia pantherina*, *Monadenia chaceana*, *Monadenia fidelis klamathica*, *Monadenia fidelis ochromphalus*, and *Pristoloma articum crateris*, are projected to achieve stable populations under Alternative 3 because of the requirement for equivalent-effort surveys.

In this Decision we are adopting these two provisions, manage sites known as of September 30, 1999, for the two species, and equivalent-effort surveys for the other eight species. We are adopting these provisions to ensure we are achieving stable populations for as many of the Survey and Manage species as practicable, and optimizing biological diversity, within the parameters of the Purpose and Need of the Proposed Action. By adopting this additional mitigation, for example, our Decision better complies with the BLM Special Status Species direction to ensure actions on BLM administered lands do not contribute to the need to list the species under the Endangered Species Act. (See the Conflicts With Other Plans section of the Final SEIS).

Five of the eight species receiving equivalent-effort surveys are already subject to pre-disturbance surveys in the No-Action Alternative, so the essentially identical equivalent-effort survey requirement becomes effective immediately, with no phase-in period. The development of Survey Protocols for the remaining three species would normally fall under the Survey Protocol phase-in language in the standards and guidelines, but since these species are rare, have limited ranges, and habitat-disturbing activities are limited only to grazing, we direct the Agencies to prepare Survey Protocols and initiate surveys (where and when required by other elements of the standards and guidelines) as soon as practicable.

The following discussion refers to “categories” as defined in the Glossary for the Standards and Guidelines (Attachment 1).

These mitigations are to remain in effect for the periods described as follows:

- For the two species for which the “manage known sites as of 9/30/99” provision applies, continue this mitigation as long as they remain in Category F.

Explanation - If future information about these species, analyzed and considered through the Species Review Process as described in the standards and guidelines, indicates they no longer belong on Survey and Manage, this mitigation is no longer needed. If such information shows a sufficient concern to move them to a category requiring management of known sites or high-priority sites, this mitigation would be moot.

- For the eight species for which the “equivalent-effort surveys” provision applies, continue this mitigation as long as the species remain in Categories B or E and strategic surveys are not completed.

Explanation - If future information about these species, analyzed and considered through the Species Review Process as described in the standards and guidelines, indicates they do not belong on Survey and Manage, this mitigation is no longer needed. If such information indicates pre-disturbance surveys are practical and they are moved to Category A, the mitigation is moot. If such information changes their relative rarity to “uncommon,” concern for persistence is lower and this mitigation is no longer needed. Finally, completion of strategic surveys according to one or more of the completion criteria included in the standards and guidelines for strategic surveys is expected to provide sufficient information about the species and its habitat for the Species Review Process to determine if some combination of the three management elements of Survey and Manage provide a reasonable assurance of persistence. If such a determination cannot be made, this additional mitigation will be retained.

The above conditions rely on the Species Review Process as described in the standards and guidelines, including its criteria for defining categories and defining concern for persistence, RIEC review, and publication of results in the Survey and Manage Annual Report. Like the process for changing species between categories, the above conditions and criteria are well defined and are expected to be implemented without further NEPA analysis.

We envision the possibility that circumstances or information other than those described above may, in the future, indicate these additional mitigation measures are not having their desired effect and should be discontinued. An example of such circumstance may be evidence that equivalent-effort surveys are having little success at finding any extant sites. Such a circumstance, and the related proposal to remove one or more of these measures, is

outside the scope of our Decision today and would require appropriate future NEPA analysis.

For all but one species, the species outcomes are the same across all alternatives but the level of uncertainty in that outcome varies between alternatives. For the portion of the range of the lichen *Usnea longissima* that is in Oregon, except in Curry, Josephine, and Jackson Counties and in Washington, all alternatives are projected to provide stable populations. However, the level of uncertainty surrounding this prediction is high under Alternative 1 and low under Alternative 3 (see Table 2-12 in the Final SEIS.) We are not applying any of the elements of Alternative 3 in this instance because the number of sites has increased from four to approximately 100 since 1994 without pre-disturbance surveys, and the Species Review Panel chose to assign it to Category F, the least restrictive. Therefore, application of additional mitigation in this instance is not warranted.

Some effects discussions indicate retaining all late-successional forests might provide some benefit for some rare species, but generally not enough to change outcome projections. Many of the projections of unstable outcomes, or conclusions that information was insufficient to project an outcome, were for species so rare that no alternative would ensure stable populations. These findings are similar to those in the 1994 Northwest Forest Plan Final SEIS.

No other practicable mitigation measures were revealed by the analysis in the Final SEIS.

Monitoring

Monitoring for the Survey and Manage Standards and Guidelines will continue to follow the monitoring direction included in the Northwest Forest Plan. The primary objective of monitoring relative to Survey and Manage species is to evaluate progress toward meeting species persistence objectives. Modifications will build upon new information identified in the November 2000 Survey and Manage FSEIS and compiled in future years during the annual Species Review Process. Sources of new information that will contribute to monitoring, and help identify the specific monitoring questions, include pre-disturbance and strategic surveys, as well as publications, research results, public, academia, and other sources.

The Northwest Forest Plan Record of Decision monitoring section at pages E-4 through E-10 identifies three types of monitoring:

1. Implementation monitoring for the Northwest Forest Plan began in 1996 and has been conducted annually. Future Northwest Forest Plan implementation monitoring protocols will be revised as needed to address these standards and guidelines.

2. Effectiveness monitoring for Survey and Manage is expected to be most appropriately addressed as part of the Biological Diversity effectiveness monitoring (as described in the Northwest Forest Plan Record of Decision, page E-8) and is expected to focus on multiple species and habitat relationships. Also some of the special monitoring issues and situations discussed on pages E-10 and 11 are particularly relevant.

3. Validation monitoring questions described in the Northwest Forest Plan that relate to Survey and Manage substantially overlap with the questions that strategic surveys are designed to address. Strategic surveys, and the annual analysis that is part of the Species Review Process, are generally expected to contribute to meeting validation monitoring objectives.

Application to Contracts, Permits and Special Use Authorizations

The management direction provided by this Decision applies to new contracts, permits and special use authorizations as required by BLM and Forest Service planning statutes and regulations.

Application of this Decision to management activities in the planning phase or with signed NEPA decisions or decision documents as of the effective date of this Decision

Note: The following discussion supercedes all of the language in the Final SEIS under the heading *Application of this Decision to Activity Planning in Progress* on pages 29 and 30. The following direction is consistent with effects assumptions described in the Final SEIS, Chapter 3&4, including the assumption beginning at the bottom of page 193 that, since November 1, 1996, the requirement to conduct pre-disturbance surveys applied only to activities without signed NEPA decisions or decision documents, and that activities with signed decisions were assumed, for analysis purposes, to have already taken place.

Background – Oregon Natural Resources Council (ONRC) Action et al v. USFS, BLM, CV 98-942WD (W.D. Wash.)

The Agencies' proposal to change the Survey and Manage Standards and Guidelines that culminated in this Decision preceded the initiation of the ONRC Action litigation which challenged, in part, the Agencies' interpretation of the Northwest Forest Plan's requirement to phase-in certain pre-disturbance survey requirements. The Agencies had directed that the date of the NEPA decision or decision document was the point of "implementation" for phasing-in the staged Survey and Manage requirements. In August 1999, the Court found the Agencies' direction was not consistent with the language of the Northwest Forest Plan Record of Decision and ruled that pre-disturbance surveys were required for all Category 2 species after October 1, 1998, up until the ground was disturbed, thus overruling the

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Agencies' direction. The court relied on the language of the Northwest Forest Plan Record of Decision, not any controlling language or interpretation from an enabling statute.

This Decision amends the Northwest Forest Plan to make clear the following: The Agencies' direction requires pre-disturbance surveys only for management activities in a planning phase that do not have a signed NEPA decision or decision document, as described below and in the attached standards and guidelines. The application of this Decision to projects with signed NEPA decisions or decision documents is also discussed below.

For Management Activities in the Planning Phase with No Signed NEPA Decision or Decision Document as of the Effective Date of This Decision:

All standards and guidelines attached to this Decision apply to these types of management activities, as described within the standards and guidelines.

For management activities with signed NEPA decisions or decision documents before the effective date of this Decision:

a. For activities under an awarded contract or signed permit, or if actual habitat-disturbance has already commenced using agency crews, then:

No Survey and Manage requirements in this Decision are applicable to these actions, unless the activity is an awarded timber sale identified under the Stipulation to Dismiss in ONRC Action as needing red tree vole surveys. For those sales, red tree vole surveys should be completed. The Agencies will conduct these surveys according to the protocol in effect at the time when the surveys are initiated, and will manage resultant sites in accordance with the Management Recommendations in effect at the time the surveys are conducted, modifying the awarded timber sale and contract as necessary.

b. If activities are not under an awarded contract or signed permit, or actual habitat-disturbance by agency crews has not begun, no Survey and Manage requirements in this Decision are applicable to these activities except:

1) If the NEPA decision or decision document was signed after September 30, 1996, and red tree vole pre-disturbance surveys were not conducted, conduct red tree vole surveys in accordance with the protocol in effect at the time the surveys are initiated, and manage resultant sites according to the Management Recommendation in effect at the time surveys are concluded; and,

2) previously managed known sites of species removed from Survey and Manage or assigned to Category F by this Decision are released for other resource activities as described in the attached standards and guidelines; and,

3) sites of species requiring management of known sites under the attached standards and guidelines will be managed as described under *Application of Manage Known Sites Direction* under the Timing Requirements for Surveys section in the attached standards and guidelines.

3. Public Involvement

Introduction

Public involvement with issues surrounding the Northwest Forest Plan has been long and detailed. The Forest Service, for example, tried four times to develop a strategy for the northern spotted owl, efforts which culminated in more than 100,000 public comments and the Northwest Forest Plan addressing more than 1,100 late-successional forest associated species on a landscape scale. Additional efforts, including the 1991 report *Alternatives for Management of Late-Successional Forests of the Pacific Northwest*, and the 1993 Forest Service report of the Scientific Analysis Team *Viability Assessments and Management Considerations for Species Associated with Late-Successional and Old-Growth Forests of the Pacific Northwest* (from which the Protection Buffer standards and guidelines originated), as well as Northwest Forest Plan-related lawsuits, monitoring, and interagency cooperation have made the Agencies well acquainted with the issues and nuances surrounding the management of late-successional forests and their associated species.

To this knowledge base, and the experience with the Survey and Manage and related standards and guidelines beginning in 1994, the Agencies have added comments from scoping for the Final SEIS, scoping for a related Environmental Assessment done in 1998, public and internal comments received during a 90-day public comment period following release of the Draft SEIS in December 1999, and comments received after release of the Final SEIS in November 2000.

Scoping

Scoping is the term used to identify issues, concerns, and opportunities associated with the proposed action in an environmental impact statement. According to Council on Environmental Quality (CEQ) regulations, scoping is specifically not required for supplements to environmental impact statements (CEQ Regulations Implementing NEPA, 40 Code of Federal Regulations (CFR) 1502.9(c)(4)).

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The Agencies, however, did conduct scoping for the SEIS. A Notice of Intent to prepare the SEIS was published in the Federal Register (63 FR 65167) on November 25, 1998. The Notice of Intent provided preliminary information about the proposed action and invited public comment. In late December 1998, the Agencies distributed a letter to approximately 1,200 individuals and groups identified as potentially interested in the proposed action and analysis. The letter provided additional detail about the analysis and also invited public input. The Agencies received 66 letters in response to the Notice of Intent and the letter.

Scoping also borrowed from the scoping done for the 1994 Northwest Forest Plan SEIS (see pp. 1-3 and 1-4 in the 1993 Draft SEIS), the public comments on the Northwest Forest Plan Draft SEIS (see Appendix F in the 1994 Northwest Forest Plan SEIS), and the 80 public comments to the Agencies' October 7, 1998, environmental assessment proposing a 1-year delay in surveys prior to ground-disturbing activities for 32 Survey and Manage species. This scoping helped define the issues and, subsequently, the range of alternatives presented in Chapter 2 of the Final SEIS.

Public Comments on the Draft SEIS

The public comment period for the Draft Supplemental Environmental Impact Statement for Amendment to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines (Draft SEIS) began on December 4, 1999, and closed on March 3, 2000.

During the 90-day public comment period, approximately 3,900 comments were received in the form of letters, postcards, facsimiles, and e-mails (collectively referred to as letters). Letters were received from a variety of interests including: scientists, individuals, organizations, businesses, Advisory Committees, Federal and State Agencies, Tribal governments, and elected officials.

All of the letters received during the public comment period were processed and the substantive comments were compiled into "comment statements." Comment statements are summary statements that identify and describe specific issues or concerns identified in the letters. Unique concerns generated their own comment statement and similar concerns voiced in multiple letters were grouped into one comment statement. The comment statements, along with the one or more letter excerpts that led to each comment, were reviewed and the information was used in the preparation of the Final SEIS. An explanation of how each comment was used in, or relates to, the Final SEIS is included in the Final SEIS in Appendix I. Comment letters from other agencies, elected officials, and tribes are included in their entirety in Appendix H of the Final SEIS. Also included in Appendix H are letters from the Interagency Advisory Committee (IAC) and a number of Provincial Advisory Committees (PACs) established by the Northwest Forest Plan.

One hundred seventy-one letters were received after the close of the comment period. These letters were reviewed and any substantive information they contained was considered in the preparation of the Final SEIS.

Several areas of controversy were raised in comment letters. These areas of controversy with a brief explanation of how they were addressed in the Final SEIS are listed below. This is not a complete summary of all public comments received.

- *A “no old-growth harvest” alternative should be considered.* The Final SEIS did not include a “no old-growth harvest” alternative because such an alternative is not suggested by the “Needs” statements in the Final SEIS, and an alternative that did not harvest late-successional and old-growth forests was already considered in the 1994 Northwest Forest Plan Final SEIS. Such an alternative would be outside the scope of this analysis, and would not meet the balance in the “Purpose” statement adapted from the Northwest Forest Plan.
- *The annual Species Review Process is based too much on professional judgment and too little on well-defined, analytical criteria.* The Agencies have determined that the proposed, more qualitative criteria coupled with professional judgment will result in more appropriate management for the species because the sometimes limited data available about individual species must be weighed in the context of species distribution, habitat quality and distribution, levels of survey effort, and so forth.
- *Individual arthropod species are excluded from future inclusion in Survey and Manage.* The concern for arthropods that led to their inclusion in Survey and Manage in 1994 was for the role of certain functional groups in high fire frequency areas, and hence they were included only as functional groups in the 1994 Northwest Forest Plan. Overlap in function, rapid speciation, narrow geographic distributions of individual species, and other factors indicate that continuing this group approach is most appropriate.
- *At least one mollusk species may actually be multiple species not yet described in published taxonomic literature.* This point is well detailed in the effects section of the Final SEIS, and is discussed in detail in the “Reasons for the Decision” section of this Record of Decision.
- *The Agencies’ taxa specialists may not be sufficiently knowledgeable to describe effects to species in this SEIS.* The Agencies’ taxa specialists who contributed to the Final SEIS are highly qualified, experienced personnel who have drawn from all currently available information about these species. The fact that the public comment period resulted in very little new information about species is testament to the

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thoroughness of the taxa specialists in gathering and incorporating relevant information.

- *The costs of implementing the alternatives exceed current budget levels.* The Final SEIS contains specific assumptions about funding. We note the Agencies have opportunities to reduce those costs, particularly through vigorous pursuit of strategic surveys and designation of high-priority sites for Category C and D (uncommon) species. The standards and guidelines are structured so that species are protected regardless of funding levels. We are committed to also accomplishing the level of timber harvest, restoration, and other forest management activities that are an integral part of the Northwest Forest Plan and its underlying land and resource management plans. Finally, since much of the cost is included in the planning and implementation of specific projects, it would be difficult or impossible to set priorities here or discuss in more detail what may or may not happen at various funding levels. We expect to be able to implement this decision as described. The selected alternative is considerably more efficient and less costly than the No-Action Alternative, as indicated in the Final SEIS (Table 3&4-6, page 417).
- *Alternative 2 puts too many species at risk, and timelines are too restrictive.* Alternative 2 is not the selected alternative, in part because of these concerns.
- *Alternative 3 does not meet the balance of species protection and timber harvest described in the Northwest Forest Plan.* Alternative 3 is not the selected alternative, in part because the balance was not satisfactory.

Public Comments on the Final SEIS

The absence of an agency appeal period applicable to this Decision invokes a CEQ requirement, 40 CFR 1506.10 (b)(2), to delay signing this Record of Decision for at least 30 days following publication of the notice of availability of the Final SEIS in the Federal Register on November 24, 2000. During this 30 days, five letters were received by the Agencies and routed to the SEIS Team for evaluation and consideration by the decision makers.

All comments included in the five letters were reviewed and considered. The comments summarized and responded to here represent the major substantive ones that: (1) were not addressed in the Final SEIS as a comment received on the Draft SEIS, (2) addressed a change in the Final SEIS from the Draft SEIS, (3) addressed an issue that would benefit from the increased clarity that could be provided here in a response, and (4) were received by the SEIS Team by December 27, 2000. A more comprehensive discussion of all

comments received on the Final SEIS is available from the Final SEIS administrative record.

Comment: The “overall goal” of “stable, well-distributed” populations is not met, and the glossary definition of persistence objective says gaps in normal biological functions and species interactions are OK. These are not acceptable and are not consistent with the persistence objectives of 1994 Northwest Forest Plan.

Response: The persistence objectives are described in detail on pages 42 and 43 of the Final SEIS, and are described as “the same as those described in the Northwest Forest Plan ROD.” This detailed definition is included in the standards and guidelines attached to this decision, and the glossary included in the standards and guidelines has been edited to more clearly conform with that definition.

Comment: The Final SEIS proposes to remove the Canada lynx from Protection Buffer status and instead manage the species under provisions of the Lynx Conservation Assessment and Strategy. By doing this, the Agencies have removed requirements for surveys and site-specific management plans that would result in less protection for the species than exists under current management, thereby inappropriately substituting protection standards applicable to ESA as a means of meeting management requirements under NFMA. Further, the Agencies have narrowed the definition of suitable habitat to exclude the Oregon Cascades as part of the species’ range. The Agencies should convene a team of biologists to analyze and address these issues.

Response: The level of protection provided by the standard and guideline adopted through this decision results in actions not adversely affecting the Canada lynx, based on implementation of the existing Conservation Agreement between the Forest Service and Fish and Wildlife Service, and the lack of suitable lynx habitat on BLM lands in the planning area. The Lynx Conservation Assessment and Strategy provides the basis for effects determinations. The protection standards that apply in this decision fully meet the requirements of NFMA for providing for species viability, as well as meet standards for ESA compliance. The current definition of suitable habitat and the mapping criteria for suitable habitat of the species are adopted from standards developed by the Canada Lynx Science Team. The application of these mapping criteria has resulted in portions of the Cascades in both Oregon and Washington being included in the mapped species’ range. Therefore, an interagency team of species specialists, biologists and managers have already addressed and analyzed these issues.

Comment: The Agencies will not complete surveys to locate bats at roost sites, and justify this change to the standards and guidelines under the false premise that surveys are harmful to bats. Failure to do these surveys could result in the loss of bat roost sites since lack of

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presence/absence data prior to habitat disturbing activities in habitat used by bats could result in loss of presumed unoccupied sites. Further, additional habitats, including foraging habitat, must be protected.

Response: The standard and guideline that we adopt for bat roosts as part of this decision incorporates modifications made as a result of input from species experts and public comments. Changes proposed in the Draft SEIS and Final SEIS to pre-disturbance survey requirements to ensure that bats are not adversely affected by these surveys could result in some sites not being identified as occupied and, consequently, not being managed to protect bats that might occupy the site. Therefore, we have modified the bat standard and guideline from that proposed in the Final SEIS to include a provision that the applicable bat roost sites would be managed as occupied sites until surveys meeting protocol conditions can be conducted, and bat presence or absence documented. However, we have chosen to not provide additional categories of roost sites, or other habitats (e.g., foraging habitat) to the list of applicable structures, as these additional protection measures are not necessary at this time to meet the purpose and need of these mitigation measures, or to provide a reasonable assurance of persistence for bat species. This revised standard and guideline is presented in its entirety in the Standards and Guidelines attached to this proposed Record of Decision.

Comment: Exempting all “routine maintenance” from pre-disturbance surveys is not appropriate. These decisions should be made on a case-by-case basis considering the condition of the habitat and the species potentially present.

Response: The Agencies and their permittees have both legal and fiscal responsibilities for maintaining structures, roads, and other improvements. The periodic removal of vegetation encroaching onto earth-fill dams, for example, is critical to their structural integrity. Further, encroaching vegetation or debris is not late-successional forest habitat and can be removed with little risk to species considered dependent on late-successional forests. If a Survey and Manage species site happens to be present, it is likely incidental or otherwise not important for meeting overall species persistence objectives, or may indicate that the species is not associated with late-successional forest habitat. The standards and guidelines permit the identification of such unimportant habitats or conditions on a species-by-species basis. In this instance we are exempting routine maintenance in situations that indicate a low likelihood of the presence of important sites, the low risk of adversely impacting late-successional forest dependant species, and the existing need to conduct routine maintenance. The effects discussions in the Final SEIS were prepared with this exemption in mind.

Comment: The range of alternatives is inadequate. The Agencies should not just consider alternatives to “mitigation,” but should consider alternatives to the “actions” (e.g., logging) conducted under the Northwest Forest Plan.

Response: As identified in The Underlying Need for the Proposed Action section in Chapter 1 of this SEIS, the problems identified for the Survey and Manage and related standards and guidelines center around unclear, overlapping, or unnecessary (given species persistence objectives) direction. This is a very narrow need and, thus, the range of alternatives is appropriately focused. The Survey and Manage Standards and Guidelines have not been applied or monitored long enough to make any broader conclusion about their adequacy or effectiveness. Additional time is needed to give the current approach a chance to work. Broader consideration of the Survey and Manage Standards and Guidelines would require reconsideration of their role in the overall Northwest Forest Plan and potentially a reconsideration of other elements of that plan. Nothing so far in the Agencies’ experience with the Survey and Manage mitigation measure indicates that there is a need for reconsideration of other elements of the Northwest Forest Plan at this time.

Comment: It appears from Table F-1 that the Species Review Process - 2000 only looked at one action alternative. This is inconsistent with NEPA’s mandate to consider all reasonable alternatives.

Response: The Species Review Process did not design the alternatives or conduct the effects analysis. The Species Review Process reviewed existing information about species and applied the criteria that define the level of rarity, survey practicality, or current knowledge of the species’ status; these criteria are common to all of the action alternatives. Since Alternative 1 has a specific category for each of these three questions, the Panel expressed their determinations by assigning an Alternative 1 category to each species. The species information in Table F-1 and F-2 summarizes some of the key information the Panel used for their assignments.

As shown in Table S-1 on Page xi in the Final SEIS, and explained in more detail in the Introduction to the Action Alternatives, pages 32-37 in the Final SEIS, Alternatives 2 and 3 are built from Alternative 1 by directly combining categories, their associated criteria, and the species assigned to them. The alternatives differ by the management prescribed for each category, not by the criteria or species associated with the categories. Therefore, the work of the Species Review Panel and the resultant information in Tables F-1 and F-2 are not alternative-specific, even though the Alternative 1 categories are included in the tables.

Comment: Strategic surveys must be targeted to the habitat that is most at risk of destruction. This was the intent of the Category 3 surveys in the 1994 ROD.

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Response: The Category 3 standards and guidelines do not include a requirement to set priorities based on risk. Instead the language acknowledges that time and location-specific surveys are not practical, and that the nature of species included in Category 3 will mean that surveys will take several years to be completed. The standards and guidelines for strategic surveys attached to this decision, however, allow considerable latitude for the type and location of surveys to be tailored to management and conservation needs, including identified species concerns. Proposive surveys (see definition in Glossary) in particular are designed to quickly find more sites (if they exist) and lessen species concerns. Further, strategic surveys for Category 1B, where most of the Category 3 species have been assigned, have a deadline for completion which effectively minimizes potential site disturbances. Also, the selected alternative adds manage known site direction for an additional 92 species (mostly Northwest Forest Plan ROD Category 3 species) which the Agencies determined would improve management.

Comment: The Final SEIS shifts the balance or risks established by the Northwest Forest Plan by increasing PSQ while making species viability more uncertain. The Final SEIS admits to clarifying species objectives but relies on the original Northwest Forest Plan need to sell timber. History shows the 1993/4 economic “sky falling” has evaporated. As a result, the Agencies must reconsider the Northwest Forest Plan at a more fundamental scale.

Response: The balanced purpose of the Proposed Action and the species persistence objectives were the same as for the 1994 Northwest Forest Plan Final SEIS. This is visible in the Final SEIS in several ways: As indicated in the Purpose statement language of “...while continuing to meet the underlying needs of the Northwest Forest Plan identified in the 1994 Final SEIS, including providing for the viability of late-successional and old-growth associated vertebrate species, and providing for a similar standard for non-vertebrates to the extent practicable” (Final SEIS page 10); as explained on pages 42-43 of the Final SEIS, the species persistence objective for the November 24, 2000, SEIS is the same as for the 1994 Northwest Forest Plan Final SEIS; and, for Alternative 1, meet the needs statements “...while providing approximately the same level of species protection intended in the Northwest Forest Plan” (Final SEIS page 33.) Further, with the mitigation for 10 mollusks included in this decision, the selected alternative achieves the same or higher outcomes as the No-Action Alternative. The selected alternative meets the species persistence objective and also responds to other Needs statements by achieving an estimated 94 percent of the currently approved Northwest Forest Plan PSQ and similarly affecting restoration and other potentially habitat-disturbing activities.

Comment: Local identification of high-priority sites should not be permitted. High-priority sites cannot be identified until (at a minimum) the strategic surveys are done. High-priority sites must fit into a larger management strategy for the species.

Response: Twenty-four species, of the 346 remaining on Survey and Manage in the action alternatives, are sufficiently numerous to be placed in “uncommon” categories (as opposed to “rare”) where the standards and guidelines call for Management Recommendations to describe high-priority sites for management. Sites for these species are often heavily concentrated in localized areas, but remain on Survey and Manage because of uncertainty regarding representation in nearby reserves or because of more scattered sites in other parts of their range. These are species for which, by definition, there is no need to manage “all” known sites to achieve a reasonable assurance of persistence. For these 24 species only, and only until Management Recommendations are revised to address high-priority sites, local determination (and project NEPA documentation) of non-high priority sites may be made on a case-by-case basis with: (1) guidance from the Interagency Survey and Manage Program Manager; (2) local interagency concurrence (BLM, FS, and USF&WS); (3) documented consideration of the condition of the species on other administrative units as identified by the Program Manager - typically adjacent units as well as others in the species range within the province; and, (4) identification in ISMS. The Survey and Manage Program Manager will involve appropriate taxa specialists in this determination. This coordination, and the application of this provision only to uncommon species (those with a moderate level of concern), should continue to permit the standards and guidelines to achieve a reasonable assurance of persistence for the affected species.

Comment: The Final SEIS Biological Evaluation reports that 24,800 acres of forest habitat are removed from known site designations as a result of removing 72 species from survey and manage mitigations. The Biological Evaluation provides several reasons for why this change in site protection would result in “no effect” to the northern spotted owl and other species. Part of the justification for this determination is that 24,800 acres is insignificant when compared to the approximately 200,000 acres of Riparian Reserve that have been added based on new information developed in the 6 years of NFP implementation. These findings are flawed, since the FSEIS reports that the actual removal of forested habitat under the Preferred Alternative when compared to the No-Action Alternative is 402,000 acres. Therefore the Biological Evaluation must be rewritten.

Response: The approximately 24,800 acres of known sites that would be returned to the underlying land allocation as a result of removal of 72 species from Survey and Manage mitigation represents the actual number of acres known to be affected by the changes implemented through this decision. The approximately 200,000 acres allocated to Riparian Reserves during 6 years of implementing the NFP are a reasonable tally of acres known to lie within Riparian Reserves. These figures are reported in the Biological Evaluation and elsewhere in the Final SEIS as the Agencies’ best estimate of actual acres affected by this decision. In contrast, the 483,000 acres of forest that are estimated for Survey and Manage known sites under the No-Action Alternative, and the 81,000 acres estimated for Alternative 1 (net difference of 402,000 acres) are projections estimated for 25 years of

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implementation of the NFP, based on past surveys for species sites. As these are only projections, we report only on acres known to be affected by the action, rather than on projections of future events.

The known or projected acres to be managed as species sites during present and future implementation of these standards and guidelines may change. However, it is important to note that the primary reasons that listed and other species would not be affected by returning these acres to their underlying land allocations remain valid. These changes would not alter the environmental baseline for listed species or result in changes in impacts to listed species that were not anticipated in the analysis of the 1994 Northwest Forest Plan. No particular benefits were ascribed to listed species from management of known sites for Survey and Manage species for three primary reasons. First, since Survey and Manage species were considered to be relatively rare, and individual sites are small, the contribution of late-successional forest on these sites to other species, on the scale of the NFP, is considered insignificant.

Second, since species would be removed from Survey and Manage requirements in the future based solely on the merits of that particular species (i.e., independent of other species that may occur on the known sites of the Survey and Manage species being removed), no long term benefits were ascribed to other species from those managed known sites of the species being removed. Thus, known sites of Survey and Manage species were not assumed to provide habitat in perpetuity for other species because the target Survey and Manage species could be removed from the list of covered species and protection of known sites for that species eliminated, if circumstances warrant.

And third, since the actual number of sites of Survey and Manage species was not completely known, and the actual location of these sites was not predictable other than in a general sense, it was not possible to assume any particular level or juxtaposition of habitat protection for other species. This unpredictability of amount or location of these habitat areas precluded assigning any particular degree of short- or long-term benefit to non-target species (such as listed species). Based on these factors, the removal of 72 species in all or part of their ranges from Survey and Manage, and future changes to species categories, would not alter the environmental baseline for other species, including species listed under ESA, and would not result in adverse impacts not previously considered.

In addition, future activities including, but not limited to timber harvest, road construction, or application of prescribed fire, might be proposed on these "returned" sites, but would be evaluated individually or programmatically through the consultation process for their direct and indirect effects on listed species.

Comment: Under the Preferred Alternative, 186 species are reported in the Final SEIS effects analysis as Outcome 3 (habitat (including known sites) is insufficient to support stable populations of the species). Failure to provide sufficient habitat for these species would seem to be in conflict with Agency policy to avoid trends toward listing species under the Endangered Species Act. The agencies should avoid a decision that leads to greater risks of ESA listings.

Response: Of the approximately 400 species considered in the Final SEIS, many have so few known sites that their populations are considered to be inherently rare and potentially unstable by the taxa specialists who conducted the effects analysis. This instability is a function of the species rarity, rather than a result of actions that may be authorized under this and future planning processes. Most of the 186 species reported as unstable in the Final SEIS are known from less than 20 sites, and more than half of these species are known from five or fewer sites, despite surveys being conducted during six years of Northwest Forest Plan implementation. The management strategy implemented as a result of this decision should avoid trends toward listing these species through proactive efforts to find and manage known sites, including the preparation of Management Recommendations and Survey Protocols, and the implementation of strategic surveys and pre-disturbance surveys (where applicable). The outcomes for these 186 species is also the same across all alternatives, which means the Selected Alternative is consistent with the No-Action Alternative (and, hence, the Northwest Forest Plan Record of Decision).

Since this public concern applies primarily to fungi (164 of the 186 species with Outcome 3), the FSEIS discussion related to this issue (page 242) for this group is repeated here (although similar logic is applied where pertinent to other species groups):

There continues to be a high degree of uncertainty regarding the expected future condition of many of the fungal species due to their rarity within the Northwest Forest Plan area. Some species, such as Cortinarius speciosissimus (shown in the Northwest Forest Plan ROD as C. rainierensis), have not been collected in the Northwest Forest Plan area for more than 40 years despite concerted efforts to locate them (Ammirati et al. 1994) and may be extirpated within the Northwest Forest Plan area. Twelve other species of fungi included under the Survey and Manage Standards and Guidelines have not been observed in the last 30 years. All 13 of these species are probably extirpated in the Northwest Forest Plan area. Others are known from so few sites that they are highly vulnerable to random disturbance events such as catastrophic wildfire. Ninety-six species are known from five or fewer sites within the last 30 years and there is considerable uncertainty if any alternative would meet species persistence objectives. Sixty-one species of fungi are known from between 6 and 20 sites within the past 30 years and there are similar concerns for stability. These concerns for stability

cross all alternatives and are based primarily on the rarity of the species and not on management prescribed or denied by the alternatives. While there is some uncertainty due to incomplete understanding of species abundances and distributions, it does not seem possible to design an alternative consistent with the purpose and need for this SEIS that could eliminate much or all risk to the abundance and distribution of these species.

Under Alternative 1, 196 species of fungi would receive similar management or slightly greater protection compared to the No-Action Alternative.

Comment: The Final SEIS fails on NEPA grounds by deferring strategic surveys (and their determination of which populations are important, how to maintain connectivity between them, how much logging is too much) to an uncertain future time. Strategic surveys are important to determine how to manage Survey and Manage species, and there is no guarantee of adequate funding.

Response: The effects discussions in the Final SEIS include consideration of the strategic survey schedules in the standards and guidelines as well as the ongoing habitat-disturbance rates. The completion date requirement for Category 1B/2B covers fully two-thirds of the species remaining on Survey and Manage. Strategic survey start dates listed in the Draft SEIS for certain categories were removed because current Agency strategic surveys in progress make start dates moot. The effects of activities conducted before strategic surveys are completed (information is already coming from strategic surveys) is well considered. Also, the amended standards and guidelines offer substantially more protection for species than the 1994 extensive surveys and general regional survey requirement by adding known site management for 92 species, and the new categories clarify the objectives of strategic surveys in ways that permit the Agencies to efficiently and vigorously respond to those needs. This focus, and recent Agency experience, gives the Agencies considerably more confidence strategic surveys will be funded and accomplished efficiently than the previous extensive and general regional surveys.

4. Other Alternatives Considered in Detail, and Reasons They Were Not Selected

The No-Action Alternative

The No-Action Alternative includes Survey and Manage, with its four “categories” defined by the type of work needed: manage known sites, surveys prior to ground-disturbing activities, extensive surveys, and general regional surveys. Nearly 400 species are assigned to one or more categories, but the reasons for such assignments are varied and not

necessarily apparent. There is a provision calling for changing assignments and removing species “whose status is determined to be more secure than originally projected,” but the absence of a process or criteria makes such changes difficult or unworkable. Thus the Agencies are incurring much higher costs than necessary continuing to manage species for which the Survey and Manage provisions are no longer needed. The No-Action Alternative also includes two other similar provisions called Protect from Grazing and Protection Buffers, with about half of the Protection Buffer species also being on Survey and Manage. Most of the Protection Buffers also create small, single-species Late-Successional Reserves or Managed Late-Successional Areas, whose general management directions sometimes conflict with the species-specific direction in the Protection Buffer Standards and Guidelines. This duplication, overlap, and conflict results in confusion and additional costs. Because of the overlap and similarities, the Agencies have generally been managing the species in these three provisions together, not unlike the way they are combined in the action alternatives.

A comparison of the basic elements of management direction and their application to species on Survey and Manage for the No-Action and the action alternatives is displayed in Table ROD-1.

Although the No-Action Alternative would be included in the Final SEIS for comparison purposes even if it were not selectable, some respondents suggested that the No-Action Alternative should be retained. Reasons varied; several respondents preferred the amount of late-successional forest projected to be managed as known sites for species and even some of the species effects discussions in the Final SEIS note a benefit based on this acreage. However, retaining additional late-successional areas not specifically needed to meet persistence objectives for Survey and Manage species does not meet the Purpose and Need of the Proposed Action.

Other respondents believed the basic standards and guidelines of the No-Action Alternative were adequate, and the Agencies simply needed to be more proactive about changing category assignments and removing species in response to new information. These same respondents also argued that characterizing the No-Action Alternative in the Final SEIS as unchanging over time cast an unnecessarily rigid cloak over the No-Action Alternative which was clearly not the intent of the standards and guidelines. While we basically agree with these last two comments, we believe they support our Decision rather than detract from it.

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Table ROD-1. Number of Species in Each Element of Management Direction, by Alternative. Number of species to which manage known sites, pre-disturbance surveys, and strategic surveys applies for each alternative analyzed in detail in the Final SEIS, including the No-Action Alternative. This table is similar to Table 2-3 in the Final SEIS, but is updated to reflect the additional mitigation provided 10 mollusks.

Management Direction	Alternative			
	No-Action	Alt. 1 as modified	Alternative 2	Alternative 3
Manage Known Sites	272	327 ¹	301 ²	346
Pre-Disturbance Surveys	87	75 ³	57	322 ⁴
Strategic Surveys	338 ⁵	346	346	346
Remove From Survey and Manage	--	63 (and 9 in part of their range)	63 (and 9 in part of their range)	63 (and 9 in part of their range)

¹ Includes 2 species with mitigation to manage sites known as of 9/30/99.
² Locks known sites at 9/30/99 level for additional 45 species.
³ Includes eight species with mitigation of equivalent-effort surveys.
⁴ Includes "equivalent-effort" surveys, which are similar in conduct. Excludes three species with surveys not necessary.
⁵ Extensive and regional surveys combined in No-Action Alternative.

In the first situation, Alternative 1 as modified in this Decision represents very limited changes to the No-Action Alternative. It also accomplishes reassignments of species, an action clearly intended in the original standards and guidelines but for which no process or criteria were prescribed. In other words, keeping the No-Action Alternatives and changing species assignments would have effects very similar to Alternative 1. Alternative 1 is better, however, because it retains almost all of the elements of Survey and Manage and related mitigation measures, while clearly defining the process of changing species assignments.

In the second situation, the characterization in the Final SEIS of the No-Action Alternative is an accurate description of what it has become, rather than what we had intended it to be. Further, to attribute flexibility to the No-Action Alternative at this point would create a moving target against which comparisons between the alternatives would be impossible. We are rejecting the No-Action Alternative not because it fails to adequately protect species, but because Alternative 1 better meets the Purpose and Need by doing it more efficiently and with more clearly described implementation processes such as those for adaptive management.

Alternative 2 - Remove or Reassign Uncommon Species Within 5 Years

Alternative 2 is identical to Alternative 1 except the 45 "uncommon" species are combined into one category for which: Management of known species sites applies only to sites known as of September 30, 1999, pre-disturbance surveys are not required, and strategic

surveys are required to be completed within 5 years. At the end of 5 years, these species will be removed from Survey and Manage and those for which levels of concern meet the criteria for assignment to the Agencies' special status species programs will be added to those programs. A comparison of the basic elements of management direction and their application to species on Survey and Manage for Alternative 2 and the other alternatives is displayed in Table ROD-1. The relationship between the categories of Alternative 2 and the selected alternative is displayed in Table ROD-2.

Alternative 2 is not selected because of projected effects to three vertebrates. For Siskiyou Mountains and Del Norte salamanders, effects are projected as: "habitat of sufficient quality, abundance, and distribution to allow species to stabilize in a pattern altered from reference distribution with some limitations on biological functions and species interactions." Also, red tree voles are not projected to stabilize under this alternative. There is also a question whether these outcomes would meet policy goals or regulatory requirements of protecting the long-term health and sustainability of all of the Federal forests within the Northwest Forest Plan area and the species that inhabit them, in accordance with direction and authority provided in the Multiple-Use Sustained-Yield Act, the Federal Land Policy and Management Act, the Oregon and California Lands Act, the National Forest Management Act, and the Endangered Species Act.

The gain in annual harvest levels between Alternative 1 and Alternative 2 is less than 2 percent, or 15 million board feet per year. Annual costs of pre-disturbance surveys would be substantially reduced under Alternative 2 when compared to Alternative 1, by the removal of pre-disturbance survey requirements for 10 species. It is the elimination of these surveys for two of the vertebrates at risk, Siskiyou Mountains salamander and red tree vole, however, that makes up much of this savings. Existing information does not support stopping pre-disturbance surveys for these two vertebrates at this time. Also, the requirement to complete strategic surveys for the 45 "uncommon" species within 5 years, although consistent with the current intent of the Agencies, could be hampered if funding is limited and efforts are focused on the higher priority Category B species.

Alternative 3 - Add Equivalent-Effort Surveys and 250-Meter Rare Species Site Buffers

Alternative 3, the environmentally preferred alternative, is basically identical to Alternative 1 except: The known sites for the 301 "rare" species are managed with a 250-meter buffer, equivalent-effort pre-disturbance surveys are required for 258 species for which regular pre-disturbance surveys are considered not practical in Alternative 1, and known sites for 21 uncommon, status undetermined species would be managed. A comparison of the elements of management direction and their application to species on Survey and Manage for Alternative 3 and the other alternatives is displayed in Table ROD-1. The relationship

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between the categories of Alternative 3 and the selected alternative is displayed in Table ROD-2.

Alternative 3 is not selected because the standardized outcome statements show no difference between Alternative 3 and Alternative 1 as modified (although some species discussions note a small but generally inestimable increase). The effect of the 250 meter buffers on species persistence is estimated to be small when compared to Alternative 1, partly because Management Recommendations under Alternative 1 require known sites to be managed large enough to provide “a reasonable likelihood of persistence of the taxon at that site.” As noted in the timber harvest section, these larger buffers are estimated to account for much of the 285 million board feet (38 percent of approved PSQ) reduction of harvest levels when compared to Alternative 1. The effect of the “equivalent-effort” surveys is to more than double the cost of application of the Survey and Manage mitigation measure from an estimated \$28 million to \$60 million, per year. While these surveys would probably find some more sites, and there are therefore some marginal effects reflected in some of the species effects discussions in the Final SEIS, the estimated gain in species persistence is generally not enough to change the species outcomes between alternatives. (For a description of species “outcomes,” see discussion of outcomes under Reasons for the Decision, or the glossary of the standards and guidelines attachment to this Decision). The tradeoffs to achieve the marginal species effects, in terms of costs and effects on other forest management activities, are substantial. We note that some species sites expected to be found with equivalent-effort surveys would probably be found anyway through strategic surveys and during “practical” surveys for related species conducted in proposed activity areas.

Other Alternatives Considered in Detail

Table ROD-2. Comparison of categories for Alternatives 1, 2, and 3. Categories are based on relative rarity, practicality of pre-disturbance surveys, and status.¹

Alternative 1 as modified - Redefine Categories Based on Species Characteristics			
Relative Rarity	Pre-Disturbance Surveys Practical	Pre-Disturbance Surveys Not Practical	Status Undetermined
Rare	Category 1A - 57 Species - Manage All Known Sites - Pre-disturbance Surveys - Strategic Surveys	Category 1B - 222 Species ² - Manage All Known Sites - N/A - Strategic Surveys	Category 1E - 22 Species ³ - Manage All Known Sites - N/A - Strategic Surveys
Uncommon	Category 1C - 10 Species - Manage High-Priority Sites - Pre-disturbance Surveys - Strategic Surveys	Category 1D - 14 Species ⁴ - Manage High-Priority Sites - N/A - Strategic Surveys	Category 1F - 21 Species ⁵ - N/A - N/A - Strategic Surveys
Alternative 2 - Remove or Reassign Uncommon Species Within 5 Years			
Relative Rarity	Pre-Disturbance Surveys Practical	Pre-Disturbance Surveys Not Practical	Status Undetermined
Rare	Category 2A - 57 Species - Manage All Known Sites - Pre-disturbance Surveys - Strategic Surveys	Category 2B - 222 Species - Manage All Known Sites - N/A - Strategic Surveys	Category 2C - 22 Species - Manage All Known Sites - N/A - Strategic Surveys
Uncommon	Category 2D - 45 Species - Manage All Sites Known as of 9/30/99-----> - N/A-----> - Strategic Surveys Completed in 5 Years----->		
Alternative 3 - Add Equivalent-Effort Surveys and 250-Meter Rare Site Buffers			
Relative Rarity	Pre-Disturbance Surveys Practical	Pre-Disturbance Surveys Not Practical	Status Undetermined
Rare	Category 3A - 301 Species - Manage All Known Sites with 250-Meter Buffers-----> - Pre-disturbance Surveys----> Equivalent-Effort Surveys-----> - Strategic Surveys----->		
Uncommon	Category 3B - 24 Species ⁴ - Manage High-Priority Sites-----> - Pre-disturbance Surveys---->Equivalent-Effort Surveys-> - Strategic Surveys----->		Category 3C - 21 Species - Manage All Known Sites - N/A - Strategic Surveys
<p>¹ The number of species in each category is per date of this Decision, and will change over time as described in the standards and guidelines for Adaptive Management.</p> <p>² Includes seven species with additional mitigation of equivalent-effort pre-disturbance surveys.</p> <p>³ Includes one species with additional mitigation of equivalent-effort pre-disturbance surveys.</p> <p>⁴ Includes three species with surveys practical but not necessary because enough sites have been identified to provide a reasonable assurance of persistence. Management Recommendations need to be written to define high-priority sites.</p> <p>⁵ Includes two species with additional mitigation to manage sites known as of 9/30/99.</p>			

5. Reasons for the Decision

Alternative 1, as modified by this Decision, is the selected alternative. Alternative 1 was the Proposed Action and was identified as the Preferred Alternative in the Draft SEIS and in the Final SEIS. The alternative was modified between Draft and Final in response to public comment, as discussed above.

Response to the Four Issues Identified in the Final SEIS

We are selecting Alternative 1, as modified by this Decision, because it best meets the Purpose and Need of the Proposed Action and provides the most balanced response to the issues, as discussed below. Of the issues presented below, Issues 1 and 4, meeting species management objectives and meeting resource output objectives respectively, specifically address the balanced Purpose of the Northwest Forest Plan reflected in the Purpose statement in the Final SEIS. Issues 2 and 3 relate to the specific Needs statements that led to development of the Final SEIS. The Final SEIS was initiated not because of significant concerns for species, but primarily to revise the standards and guidelines to better identify priorities and needs, eliminate confusing and conflicting language, better define the adaptive management process, and reduce costs and impacts to other forest management activities to the extent possible while continuing to meet species persistence objectives. A discussion of each issue follows:

1. Will alternatives, in concert with other elements of the Northwest Forest Plan, meet species management objectives of the Northwest Forest Plan?

Yes. The effects discussions for each species presented in Chapter 3&4 of the Final SEIS include projections about long-term outcomes for each species under each alternative, similar to the outcomes originally used by the 1993 Forest Ecosystem Management Assessment Team's expert species panels and used, in part, to initially assign species to Survey and Manage. These outcomes, and the basis for them, are discussed in detail in Chapter 3&4 of the Final SEIS, summarized and compared in Chapter 2, particularly Table 2-13, and listed individually on Table 2-12. With the additional mitigation for 10 mollusks, our Decision results in outcomes equal to or greater than outcomes in all other alternatives including No-Action, for all species.

For the 22 species proposed for removal because they are not closely associated with late-successional forests, available information is being analyzed and these species will be added to the Agencies' special status species programs or otherwise receive active protection measures, if needed. For some of these species, the effects discussions in the Final SEIS project stable, well-distributed populations (Outcome 1). Species for which no

concern for persistence exists likely will not qualify for these programs and known sites will be released for other resource management activities.

For the other 50 species being removed from these standards and guidelines in all or part of their range, 38 have Outcome 1 (habitat of sufficient quality, abundance, and distribution to allow species to stabilize in a pattern similar to their reference [natural] distribution), and four have Outcome 2 (habitat of sufficient quality, abundance, and distribution to allow species to stabilize in a pattern altered from reference distribution with some limitations on biological functions and species interactions). Both of these outcomes project stable populations in the long term, and all of these outcomes are considered to have low or moderate uncertainty. Two have Outcome 4 (information is insufficient to determine an outcome) because of high uncertainty about species occurrence in the Northwest Forest Plan area, and six have Outcome “not applicable,” being removed because they were synonyms of other species or are known not to exist in the planning area.

The 353 species outcomes for species remaining on Survey and Manage (some species have more than one outcome because portions of their ranges are discussed separately) are summarized on Table 2-13 in the Final SEIS. Those effects, adjusted to reflect the mitigation assigned to 10 mollusk species, are: For 86 species, the Final SEIS projects Outcome 1, and an additional 45 are projected as Outcome 2. To the extent we can be confident in these projections, (many acknowledge substantial uncertainty), these are secure outcomes. We expect the Northwest Forest Plan, including Survey and Manage as specified, to provide for the long-term stability of these species.

For 176 species (164 fungi and 12 lichens) current information indicates there is insufficient habitat to support stable populations of the species, an effect that applies to all four alternatives and is similar to results predicted in the 1994 Northwest Forest Plan Final SEIS. As discussed above, no alternative within the scope of the Final SEIS, and for most of these species no alternative at all, would change this outcome. There are an additional 46 species for which information is insufficient to determine an outcome. Some of these species are reported from one or two sites and have not been seen in 30 years. In fact, over 100 species considered here are known from five or fewer sites. Certainty of protection is not possible. Alternative 1, as modified by our Decision, provides species outcomes equal to or better than the No-Action Alternative, could not be designed to achieve any higher level of outcomes because of their rarity and the difficulty in locating them during any reasonable survey effort, adds needed protection for all included species to the extent practicable within the scope of this mitigation measure, and meets applicable regulations as described below.

To help ensure that the Agencies continue to meet species management objectives after conducting the annual Species Review Process, we are adding language to the standards

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and guidelines requiring the Species Review Panel's recommendations to be disseminated to lead and cooperating agency taxa experts in draft form for at least 30 days to identify errors, conflicting information, or other evidence that should be included with the information presented by the panel to the Regional Interagency Executive Committee. Also, prior to the annual application of results, the Agencies will examine whether the magnitude and nature of changes indicate a need for additional environmental analysis (e.g., an Environmental Assessment). The results of this examination will be documented in a Findings of Administrative Review document and summarized in the Annual Status Report.

Our Decision particularly considers the adequacy of the standards and guidelines for the 222 Category B species, those that are rare and for which pre-disturbance surveys are not practical. The selected alternative will continue to meet species persistence objectives for several reasons. First, strategic surveys will be completed within 5 years for the 33 non-fungi species, and within 10 years for the 189 fungi species, or activities in old-growth will cease or proceed only after completion of equivalent-effort surveys. Second, sites of these species will also continue to be found, as they are now, during required pre-disturbance surveys for other species within their taxa.

Third, requiring Alternative 3's equivalent-effort surveys for these species is not the most efficient use of agency resources (funding and personnel) because we expect very low probabilities of locating occupied sites through such efforts, and they would drain needed resources from strategic survey efforts which have a much higher probability of obtaining useful information on the species. Last, Survey and Manage is a mitigation measure, and even practical pre-disturbance surveys are not anticipated to find every site. Eighty-six percent of the late-successional forest in the planning area is within reserves, and other standards and guidelines protect additional areas in Matrix. The reserves serve as the primary conservation element for most of the Survey and Manage species. Survey and Manage is a mitigation measure designed to increase confidence in the overall Northwest Forest Plan, and predictions of success of this measure must be viewed in that context.

2. Will alternatives focus implementation budgets and personnel to those species, habitats, and proposed activities where management is needed to meet species objectives?

Yes. The 72 species being removed from Survey and Manage in all or part of their range currently account for 65 percent of the currently known site acreage for all species currently on Survey and Manage. Removing these species because they no longer meet the Survey and Manage basic criteria frees up personnel and other agency resources spent conducting surveys and recording additional locations, managing these sites during activities, and continuing to track them in record systems. Additionally, our Decision applies pre-disturbance surveys only to species for which such surveys are practical,

removing the current and apparently unintended requirement in the No-Action Alternative to conduct multiple-year, multiple-visit pre-disturbance surveys. Strategic surveys will more efficiently find sites and gain information about these species and aid future management. These two items in particular, the removal of 72 species no longer needing Survey and Manage and applying the pre-disturbance survey requirement only to species for which such surveys are practical, as well as the other efficiencies gained by annually assigning species to categories based on need and new information, will permit agency resources of funding, and more particularly the time and expertise of the Agencies' experts, to be best focused on species where there remains a concern for persistence.

Our selected alternative removes the pre-disturbance survey requirement for seven species of fungi for which such surveys are not practical because they do not display themselves annually or predictably, and instead places more emphasis on strategic surveys for these species. This allows the Agencies to conduct surveys for these species when and where the conditions are more likely to discover their presence rather than requiring them to conduct surveys whenever and wherever a project is being planned. Conversely, the selected alternative adds pre-disturbance surveys for nine species of lichens, eight of them rare, for which such surveys have been determined to be practical. Like the other action alternatives, the selected alternative adds a strategic survey requirement for every species.

Alternative 2 is arguably more responsive to this issue, reducing pre-disturbance surveys even more and emphasizing the completion of strategic surveys for the 45 "uncommon" species. These species currently make up 75 percent of the known site acreage of the 346 species remaining in Survey and Manage with this Decision. However, Alternative 2 is not selected because it does not adequately meet Issue #1 for three vertebrates, and because it would add management of existing sites for 21 uncommon species that do not require such management under our Decision.

3. Will the alternatives clarify confusing and conflicting standards and guidelines?

Yes. Several Agency memos providing implementation guidance have been incorporated into the standards and guidelines adopted with this decision. In at least two cases, courts have previously found such Agency interpretations had no basis in the original standards and guidelines, and the new standards and guidelines correct this problem. Our Decision adds known site management for 92 mostly rare species for which the No-Action Alternative only requires extensive or general regional surveys. This corrects an apparent oversight in the No-Action Alternative; administrative units have been managing most known sites for these species and the standards and guidelines clarify that intent. Categorizing species based on practicality of pre-disturbance surveys is a major improvement of the selected alternative, requiring surveys where a reasonable effort can be expected to find sites if present, and allocating agency expertise and resources to strategic

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surveys for species more difficult to find. This clarifies Northwest Forest Plan language indicating species for which such surveys were “difficult” had not been intentionally placed in Category 2, the requirement for pre-disturbance surveys.

Our Decision integrates Protect Sites from Grazing and most Protection Buffer species into Survey and Manage, eliminating duplicate and sometimes conflicting direction. The selected alternative also removes the automatic designation of Protection Buffer sites as Late-Successional Reserves (LSRs) or Managed Late-Successional Areas (MLSAs). These small, single-species sites do little to contribute to the overall LSR and MLSA network but significantly complicate management by applying standards and guidelines sometimes at odds with direction for the target species, and unnecessarily adding to the green-tree retention requirements.

Perhaps most importantly, our Decision to select Alternative 1, as modified by this Decision, adds an adaptive management process with criteria for evaluating new information to add, remove, and change species between categories to best meet persistence objectives. This process, described in the attached standards and guidelines, finally provides the details and criteria for application of the Northwest Forest Plan’s direction for “moving a species from one survey strategy to another, or dropping this mitigation requirement for any species whose status is determined to be more secure than originally projected.” Efficiencies will be realized as species are assigned to categories, removed, or added to Survey and Manage commensurate with the level of concern for their persistence.

All three of the action alternatives are nearly equal relative to this issue, but the selected alternative will be the easiest to implement because species persistence objectives and various elements of management direction are most similar to past management under the No-Action Alternative. For example, Alternative 2 would differ from current direction by setting a new, higher standard for inclusion in Survey and Manage and directing “uncommon” species toward other Agency programs. Alternative 3 would add new “equivalent-effort” surveys, requiring preparation of survey protocols based on level of effort rather than on the “likely to determine the presence” approach in current usage.

4. Will the level of effects on other resource outputs and activities be consistent with those intended when the standards and guidelines were adopted in the Northwest Forest Plan?

Yes. The levels of timber and other resource outputs, restoration, and other potentially habitat-disturbing activities are discussed in part in the Socioeconomic Effects section of Chapter 3&4 (minerals, grazing, special forest products, commercial and subsistence fisheries, recreation, and lumber and wood products employment) and in the Timber Harvest section of the same Chapter. For timber harvest, the 1994 Northwest Forest Plan

Final SEIS included PSQ estimates for each BLM District and National Forest that reflected a 6 million board foot (MMBF) reduction in annual sales for then known sites. Future effects were not estimated in part because the species were so little known, that there was little information upon which to estimate effects, and little reason to believe it would be large. Hence, the 1994 Northwest Forest Plan Final SEIS described Survey and Manage as “add[ing] uncertainty” to harvest projections. Now, with 2-plus years of implementation finding many more sites than anticipated for some species, we project that the No-Action Alternative would reduce Probable Sale Quantity by approximately 37 percent, or 300 MMBF, from the currently approved Northwest Forest Plan PSQ level of 811 MMBF. Our Decision, by removing 72 species no longer needing Survey and Manage protection and establishing a process for future changes, reduces that effect to approximately 6 percent, or 50 MMBF.

For other resource management, we expect our Decision to have a similar result. Survey and Manage applies to all land allocations so the various impacts to resource management activities other than timber harvest applies to more than just Matrix lands. Extrapolating from the acreage projections in the timber harvest section, we would expect occupied species sites of Survey and Manage species under the No-Action Alternative to affect, and thus encumber, other activities to some degree, up to 42 percent of late-successional forests in all land allocations. For the selected alternative, this effect drops to about 7 percent of late-successional forests.

Only Alternative 2 does slightly better than the selected alternative for this issue, with a 4 percent or 35 MMBF reduction in harvest levels (when compared to the currently approved 811 MMBF), and a 5 percent effect to late-successional forests for certain other resource management activities. Alternative 3 does not respond to this issue as well as the No-Action Alternative, since it reduces PSQ by 44 percent or 355 MMBF, and potentially affects 50 percent of late-successional forests. Thus Alternatives 1 and 2 both respond to this issue well, and the effects of Survey and Manage on timber harvest for these two alternatives are certainly much closer to the level of effects discussed in the 1994 Northwest Forest Plan Final SEIS.

Rationale for Managing Blue-gray Tail-dropper (Prophysaon coeruleum) as One Species

Various evidence exists that some Survey and Manage “species” may actually represent two or more species. This is not surprising, since most of the species included on Survey and Manage are ones about which little was known in 1994. The most visible example of possible multiple species is the terrestrial mollusk *Prophysaon coeruleum*, where DNA and other evidence, as well as expert opinion, indicates the Agencies’ several thousand recorded sites may represent more than one, as yet unpublished, species. This evidence, and the implications to persistence if it indeed represents multiple species, is discussed in

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detail in the Final SEIS. We acknowledge and are willing to accept the risk to the possible, yet unpublished species. If, in the future, additional species are described and published, and meet the three basic criteria for Survey and Manage, the Agencies will consider adding them to Survey and Manage at that time.

Key to our Decision is the adoption of a provision for adding species to Survey and Manage in the future, a process that the Final SEIS indicates was specifically designed with potential additional *Prophysaon* species in mind. The provisions for adding species are designed for adding species to Survey and Manage when information about a species indicates a concern for persistence. The process for additions to Survey and Manage, however, applies only to species published in appropriate peer-reviewed journals accepted by the scientific community. This is a key determination point designed to be repeatable and consistent. But more importantly, this requirement assures there is a basis for applying management requirements, a species description upon which to base survey protocol, and a basis to define survey records. Without this requirement, Agencies would be forced to spend resources to develop survey protocols and maintain site records for undescribed species, and then start over again if and when publication delineates speciation on different criteria than the Agencies used. We are unwilling to commit limited resources to what could be a never ending cycle. In addition, the *Prophysaon coeruleum* added to Survey and Manage in the 1994 Northwest Forest Plan was known from one or two type-locations in Washington State. If the several thousand records now known in Oregon are indeed different species, they are arguably not on Survey and Manage. We believe they more appropriately fall under the new provisions adopted in the this decision for adding species to the Survey and Manage standards and guidelines.

The Species Review Panel considered the evidence, including that submitted as public comment, that the taxon represents more than one species. While aware that taxa specialists at least are convinced there is more than one species represented here, the Panel also recognized several other factors in making the recommendation reflected in the Final SEIS. First, the evidence is inconclusive regarding number of species because the available data indicating multiple species represents only a portion of the kind of information normally considered when establishing new species. Second, the Panel recognized that retaining undescribed species on Survey and Manage would force the Agencies into taxonomic research and conservative protection measures well outside the scope of Survey and Manage. Without species descriptions, there would be no way to apply basic elements of Survey and Manage such as identifying site records or writing and applying survey protocols. Finally, the Panel is appropriately concerned that treating *Prophysaon coeruleum* as several species at this time, without published, accepted species descriptions, would set a precedent that could make dealing with future "possible" species in Survey and Manage untenable.

Our Decision adopts the Panel's recommendation to remove *Prophysaon coeruleum* from Survey and Manage in Oregon primarily because the large number of known sites indicates other standards and guidelines of the Northwest Forest Plan adequately provide for its persistence. We concur that there is no published literature that describe a species other than *Prophysaon coeruleum*. Without clear descriptions of species we are not willing to commit limited resources to surveying and managing sites for undescribed species. We also agree that resolving the taxonomy of a species is beyond the mission of the Agencies. The US Fish and Wildlife Service does not resolve the taxonomy of species when considering a species for listing under the Endangered Species Act. We again are unwilling to commit limited Agency resources to do work that is outside their mission. We agree that it is untenable for the Agencies to commit future resource to dealing with "possible" species.

We considered retaining the species under the Survey and Manage standards and guidelines until the taxonomy of the possible new species are published or more information is available to update the survey protocols. We are reluctant to retain this species on Survey and Manage pending publication since such publication does not appear to be on the foreseeable horizon. Even if such publication were close, existing agency site records do not contain data with which to classify or separate sites between such possible species definitions. Further, to retain the species and ask the Agencies to examine the speciation further, while perhaps not unheard of, falls beyond the "extent practicable" standard for this mitigation measure suggested in the Purpose statement in the Final SEIS. Finally, retaining this species begs the question "for how long". We are reluctant to write criteria to answer that question when reasonable criteria are already included in the attached standards and guidelines and were correctly applied by the Species Review Panel.

Our Decision concurs with the recommendation of the Species Review Panel, as reflected in the Final SEIS, and removes *Prophysaon coeruleum* from Survey and Manage. As one species, information supports its removal from Survey and Manage. If it is multiple species, then we believe waiting for publication of the taxonomy about the new species is necessary before the Agencies are asked to commit limited resources. The occurrence of several thousand sites found during a few years of limited pre-disturbance surveys suggests to us that no matter how the species are delineated, at least one does not, and perhaps none would, need Survey and Manage in the future. But in any event, that decision rightfully needs to be made following publication of new taxonomic entities and not be based on the current limited indicators. The confusion that would result from retaining the species now, and the precedent it would set for similar situations in the future, could make it very difficult to make future decisions without supporting taxonomic data.

6. Findings

Except as otherwise discussed below, this Decision builds on the findings of compliance with applicable laws found in the April 13, 1994, Record of Decision for the Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl, which this Decision amends.

Response to Court Decision and Settlement Agreement

On August 2, 1999, the U.S. District Court of the Western District of Washington, in Oregon Natural Res. Council Action v. United States Forest Service, 59 F. Supp. 2d 1085 (W.D. Wash. 1999), ruled that the Agencies' application of the Survey and Manage Standards and Guidelines was deficient in two ways. The Court found that the Agencies' memo defining "project implementation" as the date of the NEPA decision or decision document, and the Agencies' decision to exempt some habitat conditions from red tree vole surveys, were not consistent with requirements in the Northwest Forest Plan Record of Decision. In the first instance, the Court ruled that the existing Northwest Forest Plan Standards and Guidelines language of "prior to ground-disturbing activities that will be implemented" could not reasonably be construed to refer to the date the activity was authorized by the NEPA decision or decision document as the Agencies claimed, but instead applied to the date of actual ground disturbance.

We have considered the potential effects to species as well as the implementation feasibility of each interpretation. We believe the Agencies' previous interpretation is the most workable, and the standards and guidelines being adopted with this Decision better reflect our intent on this issue. Required surveys should be completed and the results included in project NEPA documents whenever practicable. This would have the added advantage that results would be available during the public review and comment process. Project schedules could be severely disrupted if the requirement for additional pre-disturbance surveys were imposed after the decision is made and final design, field layout, or contract preparation have begun. Therefore, the date of the NEPA decision or decision document is the cut-off date for the requirement to conduct "surveys prior to habitat-disturbing activities." The effects to species described in Chapter 3&4 of the Final SEIS were prepared in conformance with this interpretation.

In the second instance, in response to the Agencies' memorandum limiting red tree vole surveys to areas where connectivity may be an issue, the Court found no authority in the 1994 Record of Decision for the Northwest Forest Plan on page C-5 to limit the surveying for red tree voles to only those areas which were of concern for the species. The standards and guidelines adopted with this Decision will now permit the Agencies to be responsive to the known issues and concerns for each species. These standards and guidelines specify

that Survey Protocols "...should also identify habitat conditions or locations, or criteria for identifying such conditions locally, where surveys are not needed for a reasonable assurance of persistence, and thus surveys are not needed. Such habitat may include, but not be limited to, seral stages, stand age, stand complexity, or stand origin, where occupied sites, if present, are likely incidental, non-viable, or otherwise not important for meeting overall species persistence objectives."

Since the Court's decision rested solely on interpretation of Plan language which has now been altered by this Decision, that decision would be moot. The Court's decision on the conditional stipulation for dismissal recognized that the Plan could be changed in a manner which would supercede the interpretations by the Court.

Settlement Agreement Pursuant to the Above Decision

On December 17, 1999, the court approved a stipulation dismissing ONRC Action v. Forest Service action referenced in the preceding section. The Stipulation provides that it will expire and that the parties will petition the court to relinquish jurisdiction over the case without opportunity for reinstatement once a set of Survey and Manage amendments adopted pursuant to the Final SEIS are in effect, unless a court enjoins the decision.

National Environmental Policy Act (NEPA)

The NEPA requires that Federal agencies prepare detailed statements on proposed actions that significantly affect the quality of the human environment. The BLM and Forest Service have both integrated NEPA reviews with their land management planning regulations. For each agency, an environmental impact statement (EIS) accompanies its land management plans. The BLM and Forest Service will tier to the Final SEIS in NEPA documents on specific activities.

The Act's requirement to prepare an environmental impact statement is designed to serve two major functions: to provide decision makers with a detailed accounting of the likely environmental effects of a proposed action prior to its adoption; and to inform the public of, and allow it to comment on, such effects. The process leading up to this Decision has fulfilled both functions. First, the Final SEIS and referenced documents do a comprehensive job of compiling and considering all new relevant information. These data build upon information already compiled and displayed in the 1994 Northwest Forest Plan Final SEIS, including Appendix J-2. An indicator of the success of this effort is how few public comments were received questioning the compilation of data or its use. No more than five or six comments presented new information about species the SEIS Team did not already have. Thus, we have at our disposal the available information about these species,

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as well as a thorough analysis of the potential environmental effects associated with each of the alternatives, and thus the differences between them.

Second, there has been extensive opportunity for public involvement in the process. Scoping letters were sent to 1,200 individuals. The Draft SEIS was sent out to more than 4,000 persons, elected officials, agencies, and groups. The mailing list included those responding to the Notice of Intent published in the Federal Register or the scoping letter, those responding to an agency Environmental Analysis on Survey and Manage in 1998, and names from mailing lists from the various affected administrative units. A 90-day comment period was provided to comment on the Draft SEIS, and more than 4,000 comments were received. The Agencies used these comments to improve the Final SEIS analysis, and they have responded to each of the major substantive points, as well as others, raised in these comments. These responses are included in Appendix I of the Final SEIS

Moreover, we find that the process also complied with each of the major elements of the requirements set forth in the regulations that the Council on Environmental Quality has promulgated to implement NEPA. First, the Final SEIS considered reasonable alternatives. The Needs statements for the Final SEIS primarily indicate a need to clarify existing standards and guidelines.

Although the Purpose statement, adapted from the Purpose statement in the 1994 Northwest Forest Plan Final SEIS, is very broad, the Needs statements in the Final SEIS indicate that a focused range of alternatives was appropriate. The Agencies' experience with the overall effectiveness of Survey and Manage as a mitigation measure has been too short for us to have considered a broader range of alternatives at this time.

Second, the Final SEIS reflects consideration of cumulative effects of the proposed action and all other past, present, and reasonably foreseeable future actions within the planning area. Indeed, effects on species have been estimated out to 100 years and more. Moreover, although non-Federal lands are outside the scope of the Final SEIS, effects from their management have been considered in the Final SEIS to a degree appropriate for a programmatic NEPA document and the nature of the species involved.

Third, there is a substantial lack of information regarding many of these species. For 46 species, there was not sufficient information to project an outcome, even with a caveat of high uncertainty. It is this lack of information, however, that brings many of these species into Survey and Manage and to which the elements of Survey and Manage were specifically designed to respond. Also, it is important to note that it was generally not species concerns that triggered this SEIS, but the lack of standards and guidelines clarity, duplication, and unnecessary costs being incurred for unneeded protections. There was a need to change species protection levels, e.g. remove species from Survey and Manage or

add known site protection for 92 species only receiving extensive surveys, but even the No-Action Alternative anticipated such adjustments and the chief action in this Decision is to formalize and display the criteria for such changes, not the making of them. For these reasons, the focused range of alternatives is appropriate to respond to the Purpose and Need. As noted in the Incomplete or Unavailable Information section of the Final SEIS, relationships between the alternatives, and the levels of risk and the relative benefits of each of the alternatives, is clear. For these reasons, we conclude there is sufficient information in the Final SEIS to make a reasoned choice from among the alternatives.

New information came to light following release of the Draft SEIS, particularly from the compilation of the results of the Agencies' 1999 field surveys, and consequently, various changes were made to species assignments and provisions of the alternatives in response to comments and new data analysis. These changes are summarized on the cover pages for each of the major chapters in the Final SEIS. Probably the most substantive change between Draft and Final is the category reassignment of nearly 80 species based on conducting the Species Review Process in January-March, 2000. These changes, (the potential for which was identified in the Draft SEIS), were made following the process and criteria described in the Draft, and were made in response to an additional year of surveys and other information gathering. Approximately 17 of the changes were simply to move "status uncertain" species into better defined categories, 37 increased the level of species management, and 24 decreased the level of species management. Although the public did not have an opportunity to comment on these specific changes, the fact that changes would occur, and the criteria and process that would direct such changes, were clearly displayed in the Draft SEIS. Although some of these changes resulted from "fine tuning" the process (and those did not decrease the level of protection afforded to the affected species), the rest of these changes were the same as those expected during any given year's Species Review Process, a process described in the standards and guidelines of both the Draft and Final SEIS in detail, and for which the Agencies do not necessarily plan to conduct additional annual NEPA analysis. We have fully considered these and the other changes described on the cover page of each chapter in the Final SEIS. They have not altered the effects analysis from the Draft SEIS in any significant manner. Thus, we find no significant change and conclude that there is no need to prepare another Draft SEIS or to provide for additional public comment. New information will be considered, and supplements will be prepared and amendments adopted as the need arises.

This Decision does not authorize timber sales or any other specific activity on Federally managed lands. There is a requirement for additional public involvement and NEPA, ESA and other environmental law compliance before decisions are made to offer timber sales or conduct other land management activities. There are also opportunities for administrative appeals of site-specific decisions. This Record of Decision complies with 40 CFR 1505.2(b) & (c).

National Forest Management Act (NFMA)

The NFMA is an amendment to the Forest and Rangeland Renewable Resources Planning Act. In NFMA, Congress established a comprehensive notice and comment process for adopting, amending and revising Land and Resource Management Plans ("forest plans") for units of the National Forest System. Planning Regulations under the Act were promulgated in 1982 (36 CFR 219), and the Final SEIS upon which this Decision is based, and our findings as described below, are consistent with those regulations. Although new Planning Regulations became effective November 9, 2000, Section 219.35 of the new regulations permit land management plan amendments already initiated to be completed under the 1982 regulations.

Under 1982 Forest Service Planning Regulations, National Forest planning and decision making occurs at four levels: nationwide, regionwide, forest plan, and project. Our Decision covers lands administered pursuant to 2 regional guides and 19 forest plans, and involves two key elements of the (NFMA) and related regulations, as follows:

Diversity and Viability Provision of Fish and Wildlife Resource Regulation

The (NFMA) requires the Secretary of Agriculture to promulgate regulations to guide Forest Service planning. One of the statutory requirements is "specifying guidelines for land management plans developed to achieve the goals of the Program which provide for diversity of plant and animal communities based on the suitability and capability of the specific land area in order to meet overall multiple-use objectives." 16 U.S.C. 1604(g)(3)(B). In accord with this diversity provision, the Secretary promulgated a regulation in 1982, applied here, that provides in part: "Fish and wildlife habitat shall be managed to maintain viable populations of existing native and desired non-native vertebrate species in the planning area." 36 C.F.R. 219.19 (1982).

Because of the enormous complexity and dynamic nature of the ecosystems managed under the NFMA, there is no specific or precise standard or technique for satisfying these requirements, as recognized by the scientific community and many courts. The Committee of Scientists (May 4, 1979) that provided scientific advice to the Forest Service on the crafting of the initial NFMA regulations stated that "it is impossible to write specific regulations to 'provide for' diversity" and "there remains a great deal of room for honest debate on the translation of policy into management planning requirements and into management programs" (44 Fed. Reg. 26,600-01 & 26,608).

Numerous courts have also recognized that NFMA does not create any concrete standard for diversity. In fact, the court in Seattle Audubon Society v. Moseley, 798 F.Supp 1484 (W.D. Wash. 1992), stated that the Forest Service must use common sense and apply its

fish and wildlife expertise in implementing these requirements. The court also stated that, “The Forest Service argues that it should not be required to conduct a viability analysis as to every species. There is no such requirement. As in any administrative field, common sense and agency expertise must be applied” Id. at 1490. In its affirmation of the decision to adopt the Northwest Forest Plan, the U.S. District Court again made it clear that providing for species diversity on the forests was to be done in the context of the overall multiple-use objectives of NFMA. See SAS v. Lyons, 871 F.Supp 291, at 1315-1316 (D. W. Wash. 1994). On appeal, the Ninth Circuit described NFMA as inherently flexible on this point, and based on the fact that the defendants had not overlooked any relevant factors or made any clear errors held that the application by the Agencies of the viability regulation in the Northwest Forest Plan was reasonable. See SAS v. Mosely, 80 F.3d 1401, at 1404-1405 (9th Cir. 1996).

Relevant factors include the life history of species, the current amount and distribution of habitat, the amount and distribution of species' ranges within the planning area, and other reasonably foreseeable protective measures. The effects discussions in the Final SEIS address each of the more than 400 species covered by these provisions, and project, to the extent available information will allow, likely outcomes for those species over the next 100 years. Certainty is not possible and in fact the Final SEIS includes an estimate of the uncertainty associated with each persistence outcome. There is no way to avoid all risk to the continued persistence of species. Even absent any human-induced effects, the likelihood that habitat will continue to support species' persistence can vary among species. For example, the continued persistence of local rare endemic species whose entire range may comprise only a few acres is intrinsically insecure. Thus, compliance with the regulation is not subject to precise numerical interpretation and cannot be fixed at any one single threshold. The fact that the continued persistence of some species is insecure does not mean that the Agencies have failed to comply with any law or regulation.

By its own terms, the regulation applies only to vertebrate species. Nevertheless, consistent with the statutory goals of providing for diversity of plant and animal communities and the long-term health of Federally managed forests, as well as the Agencies' conservation policies, our Decision satisfies a similar standard with respect to non-vertebrate species to the extent practicable.

Although NFMA regulations apply to lands administered by the Forest Service, the fish and wildlife resource regulation was used as a criterion in the development of the alternative we selected, which includes direction for management of BLM administered lands. Use of the regulation's goals in developing alternatives applicable to BLM administered lands served the important policy goal of protecting the long-term health and sustainability of all of the Federally managed forests within the Northwest Forest Plan area and the species that inhabit them. This is in accordance with direction and authority

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provided in the Multiple-Use Sustained-Yield Act, the Federal Land Policy and Management Act, the Oregon and California Lands Act, and the Endangered Species Act.

In making a determination of compliance with the NFMA fish and wildlife resource regulation, we are considering the selected alternative and other reasonably foreseeable conservation measures. No one strategy or decision can for all time provide for the habitat needs of all species that exist in the planning area. Measures that may be considered include analyses and activities undertaken pursuant to internal policy directives (e.g., the Agencies' special status species programs) and steps taken at differing layers of planning. Regardless of the measures in place, actual on-the-ground conditions also should be considered to the extent practicable given available data. All activities remain subject to continuing site-specific compliance with Federal environmental law such as the Endangered Species Act, National Environmental Policy Act, Clean Water Act, Clean Air Act and others.

The fish and wildlife resource regulation does not require species-specific assessments. Rather, in accord with the theme of ecosystem management, a decision maker may place reasonable reliance upon assessments of (1) species with habitat needs that are roughly the same; (2) a group of species generally thought to perform the same or similar ecosystem functions; and/or (3) the continued integrity and function of ecosystem(s) in which a species is found. Flexibility in selecting methodology is especially appropriate in this context, given the expertise and knowledge of local forest officials concerning the lands they manage, the variety of complex issues involved, and the often limited resources available. In this situation, although the best information prohibits our making species-specific projections of "stable" outcomes for more than 200 species, those projections are entirely limited by species rarity, actual or perceived, and no alternative within the scope of the Final SEIS could improve on those projections. These species remain included on Survey and Manage because, together with other elements of the Northwest Forest Plan, all practicable measures are thus provided.

Survey and Manage is designed to address rare and endemic species. Over a hundred of these species are known from five or fewer sites. Standard species population descriptors such as "well distributed" must be interpreted within the context of the life history of these species. Persistence goals need to recognize natural rarity and gaps. For purposes of the analysis in the Final SEIS, then, "well-distributed" was defined as "distributed sufficient to permit normal biological function and species interactions, considering life history characteristics of the species and the habitat for which it is specifically adapted." The Final SEIS analysis considers four different, but natural, distribution patterns and relates species findings to the best approximation of the pattern natural for that species. Thus, a species with a very restricted range is normally considered to be "well distributed" for purposes of

the analysis if its current distribution approximates its known or inferred historic distribution.

The Final SEIS analysis indicates that for all vertebrates, except for a small area recently discovered to be within the range of the red tree vole and for which existing information is not adequate to make a projection, analysis displayed in the Final SEIS indicates Alternative 1 as modified by this Decision would provide habitat of sufficient quality, abundance, and distribution to allow species to stabilize in a pattern similar to their reference distribution. For the small area described as “uncertainty,” we note the three elements (manage known sites, pre-disturbance surveys, and strategic surveys) apply, and thus Survey and Manage is providing the maximum protection available within any of the alternatives. The uncertainty seems related only to limited information, and overall we find the red tree vole to be appropriately protected.

Based on the statute, regulation, case law, and examination of the record, we find that this Decision satisfies the requirements of the statute and its implementing regulations because it will provide an amount and distribution of habitat adequate to support the continued persistence of vertebrate species in the planning area. For all of the above reasons, we have determined that this Decision, as described by the attached Standards and Guidelines, fully meets our statutory and regulatory requirements regarding fish and wildlife resources. We also find, based on the Biological Evaluation and earlier findings to which this Decision tiers, that our adoption of these standards and guidelines will not jeopardize the continued existence of any species listed under the Endangered Species Act.

On November 9, 2000, the Forest Service published a revised set of National Forest Management Act planning regulations. In general, the revised regulations have placed requirements for species within the broader context of ecological sustainability in a newly formulated version of 36 C.F.R. Section 219.20. In particular, section 219.20(b)(2) of that regulation sets forth a standard for plan decisions with respect to species diversity. It is our intent to ensure, and we fully expect, that this Decision will be fully consistent with the standard for species diversity in the revised version of section 219.20(b)(2) once the revised regulations come into effect within the planning area. In making this statement, we are not implying that either the methodologies used to assess species persistence for this action or the substantive standards achieved by this Decision should be viewed as normative or establishing a minimal threshold or precedent that must be attained in other planning contexts. As with the previous regulation, the revised version likewise provides a great deal of flexibility and discretion to enable the Forest Service to exercise its professional expertise in a manner appropriate to the circumstances in satisfying the regulatory standard. Our objective in addressing this issue in the Record of Decision is to make clear our expectation that, on the basis of the present record in any event, minimal changes to this decision would be necessary to bring it into compliance with the revised

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NFMA planning regulations insofar as diversity of species associated with late-successional and old-growth forests is concerned.

Regional Guide and Forest Plan Amendments

Regional guide and forest plan amendments are used to keep the management direction for National Forests up to date. The amendment process includes programmatic compliance with NEPA and other environmental laws. If an amendment to a Forest Plan results in "a significant change in the plan," the NFMA and its 1982 implementing regulations under which this Decision is made, require that the amendment process follow the procedures used in the initial development of the plan. If the proposed change in the plan is not significant, public notification and completion of the NEPA procedures are still required (16 USC 1604 (f)(4) and 36 CFR 219.10(f)), as was completed for this Decision.

"Significant" change in the plan is determined by different criteria than those used in evaluating significance in the NEPA process. For the NFMA requirement, the Forest Service Manual (FSM 1922.51 and .52) provides specific direction. As discussed in more detail in the Final SEIS, changes to the forest plan that are not significant can result from: (1) Actions that do not significantly alter the multiple-use goals and objectives for the long-term land and resource management; (2) adjustments of management area boundaries or management prescriptions resulting from further on-site analysis when the adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management; (3) minor changes in standards and guidelines; and, (4) opportunities for additional management practices that will contribute to achievement of the management prescription. On the other hand, examples of changes that are indicative of circumstances that may cause a significant change to a forest plan include: (1) Changes that would significantly alter the long-term relationship between levels of multiple-use goods and services originally projected (36 CFR 219.10(e)); and, (2) changes that may have an important effect on the entire forest plan or affect land and resources throughout a large portion of the planning area during the planning period.

The changes resulting from this Decision are not significant because: the changes generally add details to actions already envisioned (but poorly described) in the Land and Resource Management Plans; they are specifically designed to more effectively achieve the intent of a mitigation measure and would not significantly change any key elements of the underlying strategy or standards and guidelines; they will help achieve (and not significantly alter) the relationship between the levels of multiple-use goods and services originally projected; and, the species intended to be protected by the Survey and Manage mitigation measure will continue to receive protection at levels intended in the Land and Resource Management Plans.

Some have opined that effects to PSQ are significant, particularly from the perspective of PSQ effects displayed in the 1994 Northwest Forest Plan Final SEIS. However: (1) the changes would substantially decrease reductions already being experienced from the existing standards and guidelines, reducing PSQ effects from 37 percent to 6 percent of the currently approved PSQ; and, (2) the effects of Survey and Manage on PSQ were described in the 1994 Northwest Forest Plan Final SEIS as “adding uncertainty,” and no absolute effect was quantified. The Preferred Alternative would result in a 6 percent departure from levels currently identified, decidedly within the range of “adding uncertainty.” Because this is the first Final SEIS to display a combined PSQ for all the administrative units in the Northwest Forest Plan area since the 1994 Northwest Forest Plan Final SEIS, some respondents to the Draft SEIS attributed all of the difference between the 1994 PSQ of 958 MMBF (million board feet) (both BLM and Forest Service), and the Preferred Alternative’s PSQ of 760 MMBF, to Survey and Manage. This is incorrect; effects for Survey and Manage must be compared to the currently approved Northwest Forest Plan PSQ of 811 MMBF per year.

We conclude that the changes effected by this Decision are not significant in the context of the 1982 Forest Service Planning Regulations, and that the requirements for amending Forest Service Regional Guides and National Forest Land and Resource Management Plans have been met. Regarding the Regional Guides, we recognize the November 9, 2000, Forest Service planning regulations specify the Regional Guides will be withdrawn within a year. This withdrawal will have no effect on the application of these standards and guidelines because we are also amending the existing Land and Resource Management Plans of the affected administrative units.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act (ESA) requires that Federal agencies consult with the U.S. Fish and Wildlife Service and National Marine Fisheries Service, as appropriate, to ensure that their actions do not jeopardize the continued existence of species listed as threatened or endangered under ESA, or destroy or adversely modify their critical habitat. A Biological Evaluation was completed by the Agencies and is included as Appendix G of the Final SEIS. This evaluation (and the biological assessment derived from it) concludes that all of the alternatives examined in detail in the Final SEIS, including the Preferred Alternative (Alternative 1), result in a determination of “may affect, not likely to adversely affect” for the California red-legged frog and the Canada lynx, and a determination of “no effect” for all other species listed or proposed for listing as threatened or endangered. The Agencies conducted informal consultation pursuant to Section 7 of ESA for the California red-legged frog and the Canada lynx. The U.S. Fish and Wildlife Service, on January 2, 2001, concurred with the Agencies’ determination that

Survey and Manage and other Mitigation Measures

the Preferred Alternative, as described in the Final SEIS, may affect, but is not likely to adversely affect these species.

The additional mitigation for 10 mollusk species and other minor changes made by this Decision are not included in the description of the proposed action in the completed consultation. However, these changes have been reviewed for their potential effects to listed species. Based on this review, we have determined that there are no effects to species listed as threatened or endangered under ESA not previously considered in the biological assessment and informal consultation; there is no need to reinitiate consultation on this action based on these changes.

Section 7(a)(1) of ESA directs all federal agencies to use their existing authorities to conserve threatened and endangered species. While the standards and guidelines implemented through this Decision are not specifically directed to the management of habitat or populations of species listed under ESA, some of these species may incur indirect short-term conservation benefits as a result of management activities conducted under the authority of this Record of Decision.

Federal Land Policy and Management Act (FLPMA)

The land use planning directions are in 43 U.S.C. Sec. 1712, and are promulgated through regulations in 43 CFR Subpart 1610. The most pertinent section to the present Decision is the regulation 43 CFR 1610.5-3 concerning amendments to BLM Resource Management Plans (RMPs), which may be initiated by the need to consider new evaluation findings or new data, among other reasons. In the event a decision is made to prepare an environmental impact statement, which is the case here, the amending process follows the same procedure required for the preparation and approval of the resource management plans, but consideration shall be limited to only the portion of the plans being amended. With the exception of the administrative appeal provisions, these procedures have all been followed in preparing this Decision to amend the existing Resource Management Plans of the BLM. This decision is not subject to administrative appeal under BLM regulations because it is a Secretary's decision. The Final SEIS Governor's Consistency Review for Oregon and California (no Washington BLM lands are included in this decision) was initiated November 20, 2000.

The principles of multiple use and sustained yield have been applied in the development of this Decision. The opportunity for utilization of resources from the lands within species sites managed under the standards and guidelines of this Decision is in accordance with the principles of multiple use and sustained yield (see 43 U.S.C. 1712(c)(1)). The lands included in the known sites of species requiring the management of known sites are subject to management recommendations that "describe the habitat parameters (environmental

conditions) that will provide for a reasonable likelihood of persistence of the taxon at that site,” and therefore constrain, but do not necessarily exclude, timber use. Thinning or other silvicultural treatments that retain the appropriate habitat parameters remain permitted, and no change in land allocation is assumed. Further, such managed species sites can be considered transitional, and management direction changes when the sites become unoccupied, are no longer considered necessary for the persistence of the species, or when the species is removed from Survey and Manage. Because timber use is not totally eliminated, this management Decision will not be subject to the reporting requirement in 43 U.S.C. 1712(e)(2).

Oregon and California Lands Act (O&C Act)

Conformance with the O&C Act is discussed in the 1994 Record of Decision for the Northwest Forest Plan upon which these findings build. In addition to identification of the appropriateness of the system of reserves and other elements of the Northwest Forest Plan that, among other things, preclude the need for many species to be included in Survey and Manage, specific portions of the 1994 Record of Decision discussion that continue to apply to Survey and Manage species include:

“Section 5(a) of the [Endangered Species] Act also directs: ‘the Secretary.... shall establish and implement a program to conserve fish, wildlife, and plants, including [but not limited to] those which are listed as endangered species or threatened species pursuant to Section 4 of this Act.’ 16 U.S.C. 1534(a)” and,

“One of the purposes of the Endangered Species Act is the preservation of ecosystems upon which endangered and threatened species depend. A forward-looking land management policy would require that federal lands be managed in a way to minimize the need to list species under the ESA. Additional species listings could have the effect of further limiting the O&C Lands Act’s goal of achieving and maintaining permanent forest production. This would contribute to the economic instability of local communities and industries, in contravention of a primary objective of Congress in enacting the O&C Lands Act. That Act does not limit the Secretary’s ability to take steps now that would avoid future listings and additional disruptions.”

The Ninth Circuit Court found that the Northwest Forest Plan was consistent with the Oregon and California Lands Act. This Decision does not significantly alter that Plan. In fact, this Decision will make it possible to come closer to achieving the timber production envisioned in that Plan that would be without the change. Therefore, we find this Decision consistent with the Oregon and California Lands Act.

Protection of Tribal Treaty Rights and Trust Resources

This Decision will directly affect the Coquille Indian Tribe because the enabling legislation that created the Coquille Tribal Forest directed the lands to be managed in a manner consistent with the standards and guidelines of Federal forest plans on adjacent lands. The Coquille Indian Tribe currently manages approximately 5,400 acres of forest lands (Coquille Tribal Forest) under the same standards and guidelines as the Coos Bay District of the BLM, which is the adjacent Federal land management agency. This places them in a unique position as the only tribe in the Northwest Forest Plan area that must comply with the Survey and Manage Standards and Guidelines. The Coquille Indian Tribe, in a letter submitted to the SEIS Team during the public comment period for the Draft SEIS, recommended adopting Alternative 1.

This Decision could affect American Indian trust and treaty resources on public lands, but does not impair or restrict the treaties or rights of tribes. It is conceivable, however, that subsequent implementation of standards and guidelines could directly affect American Indian practices and activities -- for example, a prohibition against the collection of certain species included in Survey and Manage, or collection of plant material or trees in known sites of Survey and Manage species, that are subject to tribal treaty off-reservation rights. Under such circumstances, the exercise of these tribal treaty rights will not be restricted unless the Regional Ecosystem Office determines that the restriction is (1) reasonable and necessary for preservation of the species at issue, (2) the conservation purpose of the restriction cannot be achieved solely by regulation of non-Indian activities, (3) the restriction is the least restrictive alternative available to achieve the required conservation purpose, (4) the restriction does not discriminate against Indian activities either as stated or as applied, and (5) voluntary tribal conservation measures are not adequate to achieve the necessary conservation purpose.

Species included in Survey and Manage are relatively rare (at least based on current knowledge) or endemic, and in general, protections afforded by Survey and Manage should benefit potential users or collectors of those species in the long run by helping maintain their persistence. In any event, and as described in the 1994 Record of Decision for the Northwest Forest Plan, conflicts will be resolved collaboratively with affected tribes involved in the planning process, consistent with the Federal government's trust responsibilities. Included in this trust function are responsibilities with all federally recognized tribes to facilitate occupancy and use of federal lands and resources traditionally used for cultural and spiritual purposes consistent with existing laws and regulations.

Review by the Regional Interagency Executive Committee (RIEC)

The Northwest Forest Plan Record of Decision at page E-18 requires the preparation of amendments to the Northwest Forest Plan to be coordinated with, and reviewed by the RIEC. The purpose of the review is to “assure consistency with the objectives of these [Northwest Forest Plan] standards and guidelines.” The record shows the RIEC has been involved, and concurred with the Notice of Intent, the Preferred Alternative in both the Draft and Final SEIS, and some agencies also provided specific comments. On January 3, 2001, a subcommittee of Agency executives authorized by the RIEC reviewed the alternative, as modified and selected in this Record of Decision.

Valid Existing Rights

This Decision does not repeal valid existing rights on public lands. Valid existing rights are those rights or claims to rights that take precedence over the actions contained in this plan. Valid existing rights may be held by other Federal, State or local government agencies or by private individuals or companies. Valid existing rights may pertain to mining claims, mineral or energy easements, rights-of-way, reciprocal rights-of-way, leases, agreements, permits, and water rights.

7. Identification of the Environmentally Preferable Alternative

CEQ’s regulations require that the Record of Decision specify “the alternative or alternatives which were considered to be environmentally preferable” (40 CFR 1505.2(b)). CEQ’s “Forty Questions” document (46 Federal Register, 18026, March 23, 1981) clarifies that “The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA’s Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative that best protects, preserves, and enhances historic, cultural, and natural resources.”

Based on the analysis in the Final SEIS, Alternative 3 would allow for the smallest amount of directly human-induced effects on the physical environment. Alternative 3 would result in the largest area being managed as known sites for Survey and Manage species, and therefore would restrict activities on the largest area. It would exclude most management activities from approximately 50 percent of the late-successional forests currently available under the Northwest Forest Plan for regularly scheduled timber harvest (harvest as part of Probable Sale Quantity). Alternative 3 would preclude habitat-disturbing management activities for 250 meters around sites occupied by “rare” species, a minimum of 48.5 acres. It would also find the most species sites, by requiring “equivalent-effort” surveys for nearly

all species. Alternative 3 does have a down side of placing greater restrictions on certain restoration activities and certain prescribed fire when compared with other alternatives, which would have a long-term detrimental environmental effect. However, based on a balance of all of these factors, we conclude that Alternative 3 is the “environmentally preferable alternative.”

8. Administrative Review or Appeal

A decision by the Secretary of Agriculture is not subject to administrative appeal under the Forest Service regulations. A decision by the Secretary of the Interior is not subject to administrative appeal under BLM regulations. Therefore, this Decision is the final agency action for the amendment of these standards and guidelines into the applicable planning documents.

This Decision does not constitute the final agency action for any project or activity. Before a decision document for a project or activity, such as a timber sale or restoration project, is authorized, applicable procedures must be complied with, including applicable project-level NEPA analysis and administrative appeal procedures.

9. Authority to Amend or Modify this Decision

As with other parts of the Northwest Forest Plan, amendments of forest and district plans that would modify the standards and guidelines established by this Record of Decision will be coordinated through the Regional Interagency Executive Committee (RIEC) and the Regional Ecosystem Office (REO) as described in the original Northwest Forest Plan Record of Decision. In reiterating this direction, we note our expectation that the Agencies’ practice of making minimal modifications or conducting plan maintenance with inconsequential effects on the purposes and objectives of the Northwest Forest Plan will continue without the needs for such formal consultation, subject to refinement by the REO and RIEC in the future as appropriate.

10. Effective Date

This Decision shall take effect 30 days after the date of signature on this Record of Decision. Where standards and guidelines prescribe actions for species that are the same as actions prescribed for those species under the existing standards and guidelines (the No-Action Alternative), there will be no break or phase-in period between this action and the

past. Application of new standards and guidelines to new activities, as well as applicable "grace periods" for newly included species, are described in the standards and guidelines, Attachment 1, subject to the language in this Decision under "Application of this Decision to management activities in the planning phase..."

11. Contact Person

Interagency Survey and Manage Program Manager
c/o Regional Ecosystem Office
P.O. Box 3623
Portland OR 97208-3623

12. Signatures and Dates

By signing this Record of Decision together, we exercise our respective authorities over only those portions relevant to our authority.



Dan Glickman, Secretary
U.S. Department of Agriculture

Dated: JAN 12 2001



Bruce Babbitt, Secretary
U.S. Department of Interior

Dated: JAN 11 2001

Enclosure: Attachment 1, Standards and Guidelines

II-B-1-x
Amendment 24

Decision Notice
and
Finding of No Significant Impact
for
Designation of the Wire Meadow Special Interest Area

Amendment to the Deschutes Land and Resource Management Plan

Deschutes National Forest
Bend/Fort Rock Ranger District
Deschutes County, Oregon

INTRODUCTION

The Cascade Lakes Restoration Environmental Assessment (EA) project area encompassed approximately 47,000 acres on the Bend/Ft. Rock Ranger District of the Deschutes National Forest. As an important recreation area within the Cascade Lakes area, its many lakes, streams, and rivers situated in an alpine and forested environment have attracted users for over a century.

The project area extends from Quinn Meadows to Crane Prairie Reservoir and from the Three Sisters Wilderness to the crest of the Mt. Bachelor volcanic chain (see Map 1, page 2). The Cascade Lakes area is known for its outstanding scenic features and diverse recreational opportunities which attract many visitors to its lakes, streams, and trailheads each year. The area also contains late-successional forests that provide habitat for late-successional and old-growth related wildlife species, and general forest stands that provide commercial timber and fiber for the forest products industry.








The environmental analysis conducted for this restoration presented comprehensive and detailed information on the resources, current and historic conditions, and future trends for potential risks to the resources. Recommendations and opportunities for restoration, protection, and enhancement were identified in this EA.

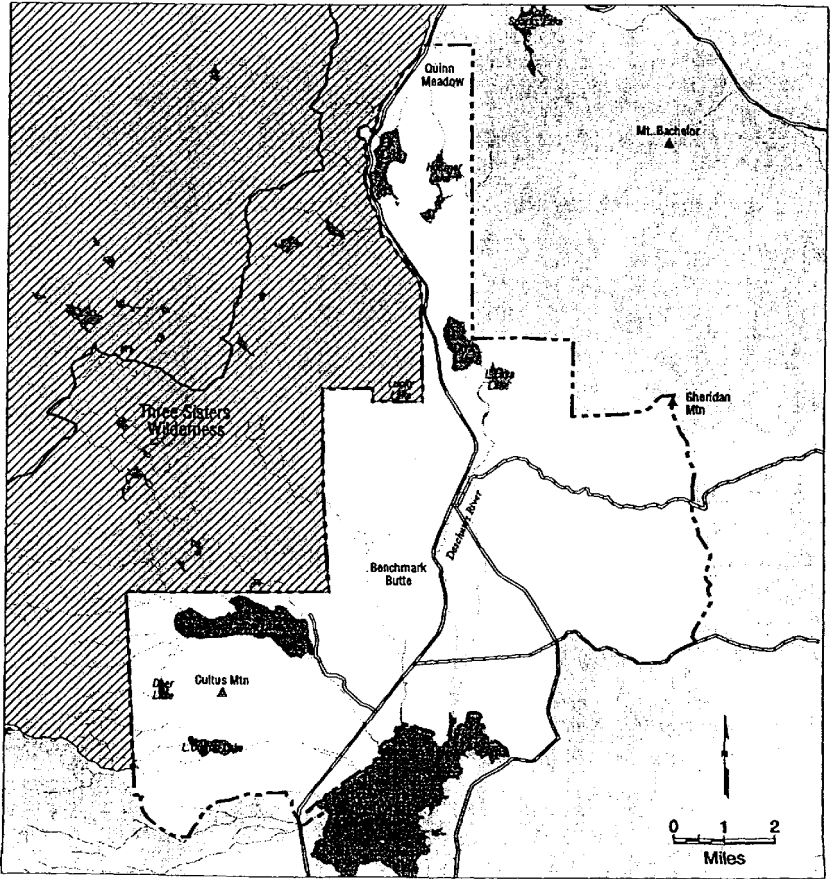
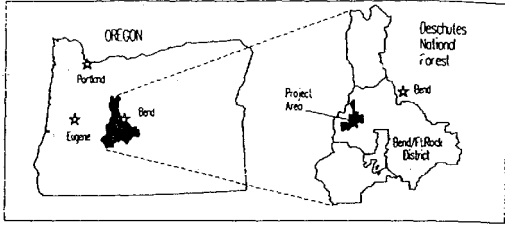
Wire Meadow and its associated ecosystem is a wet meadow system located adjacent to Highway 46 west of the southern end of Lava Lake in Deschutes National Forest (see Map 2, page 3). With its abundant and diverse flora, it is recognized as a relatively pristine example of the wet meadow plant association type. The elevation at Wire Meadow ranges from 4760-4800 feet. The legal description is T.19 S, R.8 E, south half of Section 21. The area lies within Elk Lake 7.5 minute USES topographic quadrangle map.

DECISION

I have reviewed the Cascade Lake Restoration EA (revised 6/20/97), the June 25, 1997 Decision Notice and the Forest recommendation to designate a 46.7 acre Wire Meadow as a Special Interest Area (SIA). I concur with forest recommendation in the selected Alternative C (modified) and designate Wire Meadow as a SIA [reference January 1999 certified Boundary







MAP 1 - CASCADE LAKES RESTORATION PROJECT

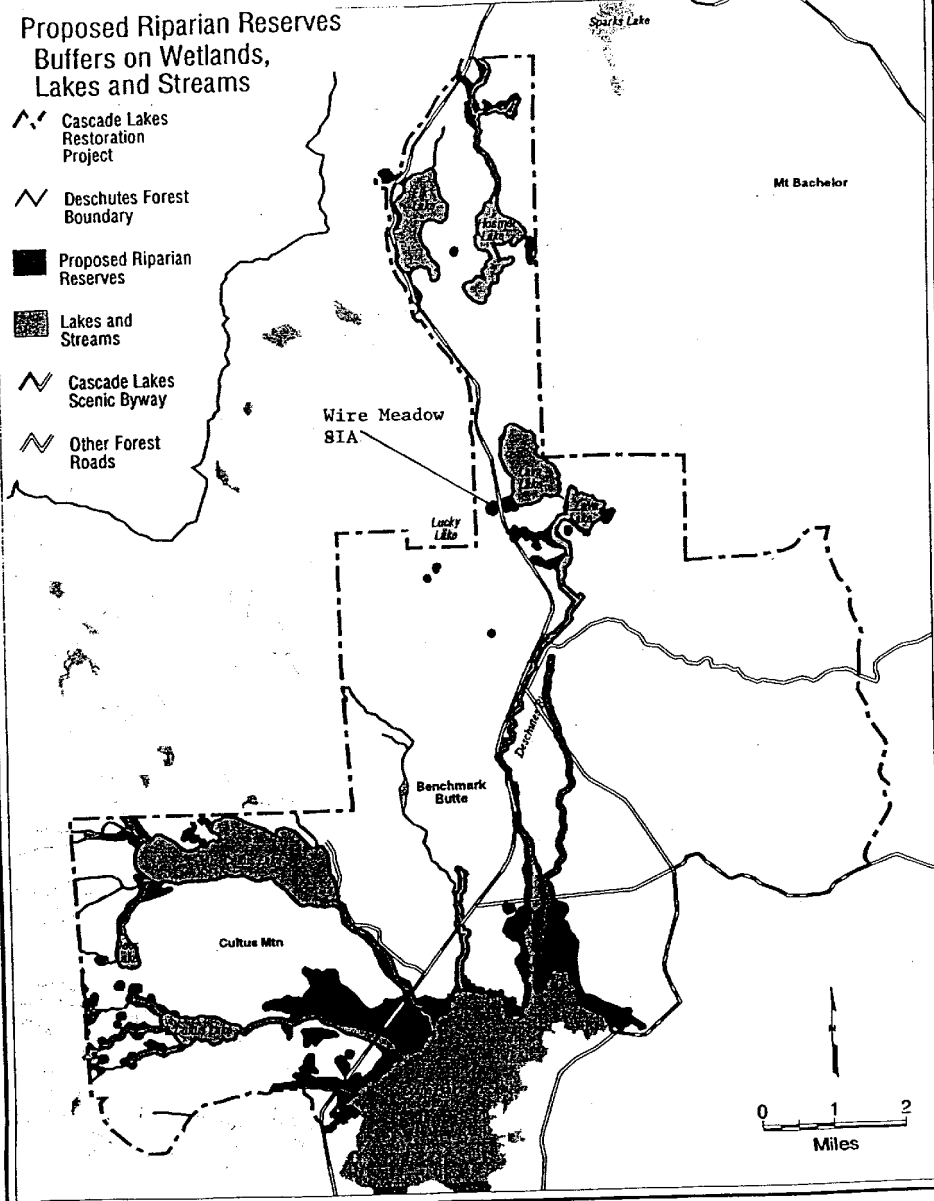
-  Cascade Lakes Restoration Project
-  Three Sisters Wilderness
-  Lakes & Streams
-  Deschutes Forest Boundary
-  Cascade Lakes Scenic Byway
-  Forest Road 40 and 4525
-  Forest Road 4270 and 4635



MAP 2 - CASCADE LAKES RESTORATION PROJECT

Proposed Riparian Reserves Buffers on Wetlands, Lakes and Streams

-  Cascade Lakes Restoration Project
-  Deschutes Forest Boundary
-  Proposed Riparian Reserves
-  Lakes and Streams
-  Cascade Lakes Scenic Byway
-  Other Forest Roads



Survey Map in the project records]. This designation would apply the Standards and Guidelines for Management Area 1 (Special Interest Areas) of the Deschutes National Forest Land and Resource Management Plan as Amended by the Northwest Forest Plan (Forest Plan) to Wire Meadow. This designation will maintain existing levels of protection because it protects (consistent with existing uses, right of ways, and easements) unique riparian habitat, and will facilitate the protection of the unique combination of vegetative species found at this location (EA, pages 5, 19, 36, 40, 116, 138). Area is administratively withdrawn thus has no impact on projected outputs as a result of this decision. Based on the size of the project and no projected effects on outputs this is a non-significant Forest Plan Amendment.

Alternatives

All action alternatives in the Cascade Lakes Restoration EA included this recommendation to establish the Wire Meadow as a SIA and thus provide a better mix of benefits and protection than Alternative A (No Action). The No Action alternative has the Wire Meadow located in Management Area 9 (Scenic Views) and Management Area 11 (Intensive Recreation).

Public Input

Public input was solicited both before and after development of the proposed action. The 30 day notice and comment period for the preferred alternative ended on May 23, 1997. One organization and five private individuals provided comments. The Forest response to their comments is located in the appendix of the Cascade Lakes Restoration EA. There were no comments concerning the recommendation that Wire Meadow be designated a SIA.

Finding of No Significant Impact

Based on the site-specific analysis documented in the Cascade Lakes Restoration EA, I have determined that this decision to establish the Wire Meadow as a SIA does not constitute a major Federal action, individually or cumulatively, that would significantly affect the quality of the human environment; therefore, an environmental impact statement will not be necessary.

Beneficial and adverse direct, indirect, and cumulative environmental impacts discussed in the Cascade Lakes Restoration EA have been disclosed within the appropriate context and intensity. No significant effects to the human environment have been identified. This determination is based on the mitigation measures designed into the selected alternative and the following factors:

- *Both beneficial and adverse effects have been fully disclosed [EA, pages 40-41].
- *No significant adverse effects to public health or safety have been identified.
- *There will be no significant adverse impacts to unique characteristics of the geographic

area. No significant effects are anticipated to any other environmentally sensitive or critical areas [EA, page 40].

*The degree to which the effects on the quality of the human environment upon implementation of this decision are not likely to be highly controversial.

*Based on previous similar actions in the area the probable effects of this decision on the human environment, as described in the EA, are well known and do not involve unique or unknown risks.

*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.

*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 significant cumulative effect.

*The Forest Archeologist applied criteria of effect and adverse effect as found in 36 CFR 800.9, and determined that implementation of this decision would have no adverse effect on historic properties. This finding is based upon the implementation of a treatment plan to mitigate the effects of the selected alternative under consultation from the Oregon State Historic Preservation Office [EA, page 180].

*The Biological Evaluation for the area indicates that the proposed project will have no significant adverse impacts on any Proposed, Endangered, Sensitive or Threatened plant or animal species [EA, pages 134 and 148].

*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 will meet or exceed state water and air quality standards.

Implementation

Implementation of this decision will not occur until seven days after publication of the legal notice of this decision in The Oregonian.

Appeal Rights

This decision is subject to appeal pursuant to 36 CFR 217. A copy of the Notice of Appeal must be in written and submitted to


Chief, USDA - Forest Service
ATTN.: NFS Appeals
14th and Independence Avenue, S.W.
Washington, D.C. 20090-6090

The Notice of Appeal must be prepared pursuant to 36 CFR 217.9 and be submitted within 45 days from the date of legal notice on this decision. Legal notice of this decision will appear in The Oregonian.

The Forest Supervisor of the Deschutes National Forest will notify the public of this decision and mail a copy of the Decision Notice to all persons interested in or affected by the decision.

Contact For Further Information

For further information regarding the Wire Meadow SIA contact Robin Lee, Bend/Fort Rock Ranger District, 1230 NE 3rd. Street, Suite A-262, Bend, Oregon 97701, phone 541-383-4786.

for 
NANCY GRAYBEAL
Acting Regional Forester
Pacific Northwest Region

12-9-99
Date

II-B-14 002
Amendment #25

HIGHWAY 20 INTEGRATED VEGETATION MANAGEMENT PROJECT

DECISION NOTICE

**Deschutes National Forest
Sisters Ranger District**

Written and NEPA Review by:



Cascade Environmental Consulting
Bend, Oregon

DECISION NOTICE

INTRODUCTION

The Sisters Ranger District of the Deschutes National Forest proposes to restore the ponderosa pine dominated ecosystem within the Highway 20 analysis area by thinning trees less than 8 inches dbh (diameter at breast height), mowing, and prescribed burning. The treatments would occur over the majority of the analysis area over a time-frame of 10 years. No commercial timber harvest is proposed, although some of the thinnings may provide a commercial product in posts, poles, or firewood.

Three alternatives, including the Proposed Action, were fully developed to analyze the effects of the proposed vegetation management project. Alternative 1 is the No Action Alternative, required by the National Environmental Policy Act (NEPA) (40 CFR 1502.14 (d)). Alternative 2 is the Proposed Action as described above and in detail on pages 23 and 28 and includes an amendment to the Forest Plan. Alternative 3 was developed to meet the issues as much as possible without requiring an amendment to the Forest Plan.

DECISION

The purpose and need for this project as stated on page 4 of the environmental assessment (EA) is:

1. Begin to restore ponderosa pine forest ecosystems in the project area to more natural and healthy stand densities; promoting the development of open, park-like stands of large trees, and restoring the role of low intensity fire.
2. Reduce the risk of high intensity wildfires which have the potential to result in catastrophic loss of life, property, and highly treasured old growth ponderosa pine forests.
3. Improve firefighter safety during attack of low to moderate intensity wildfires by creating defensible space in strategic locations.
4. Maintain and enhance the scenic views and big tree character along the Highway 20 travel corridor.
5. Maintain or improve deer habitat within the project area.

After careful consideration of the project objectives, issues, public comments and concerns, and findings of the environmental analysis, I have selected Alternative 2 with some minor modifications for implementation. This Decision Notice documents my selection of this alternative and describes my rationale for the decision.

Alternative 2 (the Proposed Action) is described in detail in the EA on pages 23 and 28. In summary, the actions under Alternative 2 include thinning trees less than 8 inches dbh (diameter at breast height), mowing, and prescribed burning. The treatments would occur over the majority of the analysis area over a time-frame of 10 years. No commercial timber harvest is proposed, although some of the thinnings may provide a commercial product in posts, poles, or firewood.

MODIFICATIONS TO ALTERNATIVE 2

I have decided to implement Alternative 2 with all the Management Requirements except number 9 on page 33 of the EA. This particular requirement is a proposed recommendation from a draft Deschutes National Forest Integrated Fuels Management Strategy. The IFMS is now final (May, 1998), but the recommendations therein have not yet been incorporated in scheduled project planning. Management Requirements listed in the EA that are tiered to the Deschutes Integrated Fuels Management Strategy may be considered for

implementation under Alternative 2 as specific guidelines in the Strategy are evaluated, refined, and adopted over the next year or two.

I have also decided to implement all monitoring presented on page 38 of the EA for the Highway 20 Integrated Vegetation Management Project. Our goal is to work closely with Oregon Department of Fish and Wildlife (ODFW) on a yearly basis for monitoring of effects of treatments especially on forage conditions for deer in the Deer Habitat allocations and throughout the entire project area. This will help us write an appropriate Implementation Plan for each successive year of the 10-year life of the project, based on monitoring results.

I have also decided that a non-significant amendment to the Forest Plan, specific to this project, is needed to allow the actions under Alternative 2 to occur.

RATIONALE FOR DECISION

INTRODUCTION

Highway 20 is Oregon's busiest route over the Cascade Mountains. Thousands of travelers drive between Santiam Pass and Sisters each day, enjoying mountain views and the trademark ponderosa pine forests. The route was designated as a National Scenic Byway because of its natural beauty and important role as the gateway to Central Oregon's favorite public and private recreational areas.

Private land developments such as Black Butte Ranch, Indian Ford, Tollgate, and Cascade Meadows Ranch are accessed from the Highway 20 corridor. These subdivisions contain thousands of homes and are adjacent to and often surrounded by expanses of national forest.

Before 1900, fires shaped this landscape. Frequent, low intensity ground fires created open park-like stands of trees with sparse understories. With European settlement, fire suppression and selective logging changed the forests. Today the forest contains fewer big trees, more small trees than it can sustain, and more flammable materials or fuels which will support hotter, more intense wildfires.

Suppressing wildfires in this landscape is an increasingly difficult task, complicated further by the forest/urban interface and declining budgets for fire suppression. Wildland and structural fire fighters are being placed in increasingly dangerous situations with fewer resources and greater risk of high intensity, destructive wildfires which threaten life, property, and these highly treasured forests.

Healthy, open, park-like stands of 'yellow' ponderosa pine are the trademark of Central Oregon. The activities in Alternative 2 will enhance, maintain, and take steps to begin to protect the identified values of open park-like ponderosa pine forests, diverse wildlife habitats, unprecedented scenic views, and the wildland/urban interface where people have chosen to make their homes and spend their vacations.

SPECIFIC RATIONALE FOR DECISION

The vegetation management treatments (thinning, mowing, burning) in Alternative 2 will reduce the current situation of dense understory trees and shrubs, reduce the threat of hazardous wildfire and ensuing threats to public and firefighter safety, and damage to personal property and wildlife habitats, increase scenic views into the forest which may improve the ability of people to see more deer which may help them avoid collisions between deer and motorists, and increase the palatability and amount of available forage for deer and other desired wildlife species in the long-term.

Reducing stand densities is a first step to restoring the pine ecosystem. The vegetation treatments in Alternative 2 will reduce competition for light and nutrients, allowing trees to grow in more healthy conditions enabling them to reach their full maturity over the long-term as open, park-like stands of big, 'yellow' pines reminiscent of historic conditions. Reducing stand densities will reduce the risk of a hazardous wildfire through the reduction and elimination in some areas of ladder fuels which are not natural in this historically fire-dependent ecosystem.

Alternative 2 represents the best scenario for accomplishing fuel reduction objectives at the least cost per treatment. Alternative 3 would be too costly to implement as more expensive treatments, such as hand piling,

would be used to meet retention, and more miles of fireline would be constructed during prescribed burns since burns would be limited in sizes and locations to meet current Forest Plan guidelines.

Alternative 2 is more aggressive at providing the much needed defensible space around the private properties and highway corridor to protect public and firefighter safety, personal property, and wildlife habitats from high intensity wildfires. Alternative 3 would not treat enough acres soon enough to effectively reduce the threat of hazardous wildfire.

There is a downward trend in dollars available on the Sisters Ranger District for firefighting needs. Alternative 2 is more aggressive at reducing the risk of hazardous wildfire than the other. This is very important since I believe that firefighter and public safety is a higher consideration than the short-term effects to Deer Habitat (possible displacement, and temporary reductions in cover and forage) and scenery expected under Alternative 2. Alternative 1 would increase the risks to firefighters and the public during future wildfires in and around the Highway 20 project area and safety would become a major concern at all times while Alternative 3 does not go far enough to reduce the risks. Under Alternative 2, the reduction in available fuels will reduce spread rates and intensities of future wildfires, making it easier and safer for firefighters to control and contain a fire from destroying surrounding private property and endangering lives.

Another public safety issue is the increasing occurrence of deer and vehicle collisions. As more and more people visit Central Oregon each year, traffic will continue to increase in the Highway 20 corridor. Alternative 2 will reduce the dense nature of most of the 'doghair' stands in the project area faster than Alternative 3 would, thereby allowing travelers more viewing space into the surrounding forest where deer are waiting to cross the road. As people are able to see more deer along the road, the collision rate is more likely to decrease, whereas under Alternative 1, deer mortality and collisions would most likely increase.

Scenery will be improved the most in the long-term under Alternative 2. Alternative 1 would continue to limit scenic views and would actually increase the 'wall' effect along the Highway 20 corridor of thick stands of small trees. Although there may be short-term effects from Alternative 2 on scenery (EA, page 42) from thinning slash and blackened trunks from prescribed fire, overall scenery would be improved the most of all the alternatives after about 2 years following the initial treatments. Alternative 2 provides the best approach to our attempt to restore the landscape to a natural state and enhance the scenic views and big tree character along the Highway 20 travel corridor.

The vegetation treatments of thinning, mowing, and prescribed burning in Alternative 2 will remove much of the decadent brush and forage, allowing for the resprouting of more palatable forage and grass species that occurred here historically, thereby benefiting not only deer but many other wildlife species and their habitats in the long-term. Alternative 1 would not accomplish these objectives.

The fuel reduction activities under Alternative 2 may result in some short-term reductions in deer winter range forage, but over the long-term should provide suitable quality and quantity of forage. I find the possible reduction in short-term supply to be a reasonable tradeoff in terms of better meeting the other objectives for the project. Alternative 1 does not take any action to reduce the fuels in the project area or revitalize the forage supply over the long run. Alternative 3, while perhaps taking a reasonable approach to balancing short- and long-term supplies of deer winter range forage, does not go far or fast enough to address my concerns about the high levels of fuels in the project area.

NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE

I find that the analysis of the Highway 20 Integrated Vegetation Management Project complies with Forest Service environmental policies and procedures under FSM 1950 and FSH 1909.15 through adequate consideration given to the scope of the Proposed Action, Alternatives to the Proposed Action, and site specific environmental effects.

SUMMARY OF DECISION

I have selected Alternative 2 because it best meets the purpose and need of the Highway 20 Integrated Vegetation Management Project. The three identified treatment methods (precommercial thinning, mowing, prescribed burning) will be used each year in various combinations according to that year's Implementation Plan, to begin to restore the ponderosa pine forest ecosystem to more natural conditions. Alternative 2 balances firefighter and public safety (fuel reductions and defensible spaces) with forest health and habitat conditions (improved forage quality and scenery components) to provide a long-term answer to a long-occurring imbalance resulting from past forestry practices and the exclusion of low-intensity fire.

Although implementing Alternative 2 will concentrate treatments over the first five years, there will be an ongoing maintenance program using the three treatment methods over the second five years as well. In addition, scenery will be improved greatly over the long-term, especially after the first two years of treatment; and forage and habitat for deer and other wildlife will be improved over the long-term through disturbance-induced resprouting of more palatable species and the development of more diverse age classes of shrubs.

The Forest Plan will be amended, specific to this project, as part of my decision to select Alternative 2. Along with the Management Requirements I am adopting, and monitoring, we can ensure that amending the Forest Plan to allow larger treatment areas and more acres to be treated at one time will not significantly produce adverse effects to the environment. This is a great opportunity as we will be working toward a new concept of forest management, one that involves improving and maintaining the entire ecosystem for the sole purpose of ecosystem health for the continued enjoyment of generations to come.

NATIONAL FOREST MANAGEMENT ACT (NFMA) & FOREST PLAN CONSISTENCY

Federal Regulations (36 CFR 219.10 (e)) require me to ensure that permits, contracts, cooperative agreements, and other activities carried out on the Deschutes National Forest are consistent with the Forest Plan. Accordingly, I have reviewed my decisions against Forest Plan direction, and I have determined that an amendment to the Forest Plan, specific to this project, is needed. The reason for this non-significant amendment is to allow the three methods of treatments (thinning, mowing, prescribed burning) to occur as described in the EA, in the Metolius Black Butte Scenic (MA-21), Metolius Old Growth (MA-27), Scenic Views (MA-9), and Deer Habitat (MA-7) Forest Plan allocations. The amendment will allow the following management emphasis to occur in each allocation:

METOLIUS BLACK BUTTE SCENIC (MA-21)

Landscapes will be managed to protect and perpetuate the unique and widely recognized appearance of Black Butte (Forest Plan, page 4-173). The treatments under Alternative 2 may not meet the Visual Quality Objective (VQO) of Retention in MA-21-10 and clean-up activities may take more than one year in MA-21-20.

METOLIUS OLD GROWTH (MA-27)

This allocation will be managed for single canopy, old growth trees (Forest Plan, page 4-197). Because this allocation has a VQO of Retention also, the effects of some of the treatments will be noticeable to the casual forest user for a few years in MA-27-16.

SCENIC VIEWS (MA-9)

The goal for this allocation is to provide visitors with high quality scenery that represents the natural character of Central Oregon (Forest Plan, page 4-121). Landscapes are seen from Highway 20 and Forest Road 2050. Although the activities under Alternative 2 will be implemented to meet most of the standards and guidelines of the Forest Plan for the allocation, the following exceptions need to be made:

- ♦ Prescribed fire treatments may be larger than 5-acre blocks (MA-9-90).
- ♦ Treatments may not meet VQO of Retention (MA-9-4).
- ♦ Treatment clean-up will not likely occur within one year (MA-9-8).

DEER HABITAT (MA-7)

The Forest Plan Goal is to manage vegetation to provide optimum habitat conditions on deer winter and transition ranges while providing some domestic livestock forage, wood products, visual quality and recreation opportunities. In order to reduce the existing fuel hazard and provide for firefighter and public safety in the wildland/urban interface, specific exceptions need to be made.

More than 2-2.5% of MA-7 in an implementation unit will be burned or mowed annually (M-7-26). The two subwatersheds (Trout and Indian Creek) in the project area contain 8,442 acres of MA-7. Treating (mowing or burning) approximately 470 acres per year in the project area amounts to about 5.5% of the MA-7 allocation in the implementation unit treated annually.

AMENDMENT PROCESS

The process for amending the Forest Plan is specified in 36 CFR 219.10 (f). Management Area descriptions, emphases, desired conditions, and standards and guidelines can be found in the Forest Plan, Chapter 4. I have determined that this amendment is not significant, as defined in 36 CFR 219.10 (f), and that appropriate public notification and environmental analysis for the amendment has been accomplished through development of the Highway 20 Integrated Vegetation Management Project EA. I have also considered the four factors (timing, location and site; Goals, Objectives, and Outputs; and Management Prescriptions) in Forest Service Land and Resource Management Planning Handbook (FSH 1909.12, 5.32) in determining whether these actions constitute a non-significant versus a significant Forest Plan amendment.

I find that based on the analysis documented in the Highway 20 Integrated Vegetation Management Project EA, all other actions in Alternative 2 (except as noted above) are consistent with the Deschutes Forest Plan, and that Forest-wide Standards and Guidelines, and Management Area Standards and Guidelines were used to develop alternatives. Following are my reasons for the finding:

1. The actions of the project (except as noted above) are consistent with the Forest-wide Standards and Guidelines, described in the Deschutes Forest Plan, Chapter 4.
2. The actions in Alternative 2 (except as noted above) are consistent with Management Area Standards and Guidelines, described in the Deschutes Forest Plan, Chapter 4. The Management Areas in the project area are described in the EA, pages 5-7.

My decision (except as noted above) meets the following Forest Plan goals:

- ◆ The project will "provide forest visitors with high quality scenery that represents the natural character of Central Oregon." (Forest Plan, page 4-121).
- ◆ The project will "provide optimum habitat conditions on deer winter and transition ranges." (Forest Plan, page 4-113).
- ◆ The project will "convert unmanaged stands to managed stands... to have stands in a variety of age classes with all stands utilizing the site growth potential." (Forest Plan, page 4-117).
- ◆ The project will "perpetuate the unique scenic quality of Black Butte." (Forest Plan, page 4-173).
- ◆ The project will "provide naturally evolved old growth forest ecosystems for (1) habitat for plant and animal species associated with old growth forest ecosystems, (2) representations of landscape ecology, and (3) public enjoyment of large old-tree environments." (Forest Plan, page 4-197).
- ◆ The project meets requirements under 36 CFR 219.27.

DEER HABITAT (MA-7)

The Forest Plan Goal is to manage vegetation to provide optimum habitat conditions on deer winter and transition ranges while providing some domestic livestock forage, wood products, visual quality and recreation opportunities. In order to reduce the existing fuel hazard and provide for firefighter and public safety in the wildland/urban interface, specific exceptions need to be made.

More than 2-2.5% of MA-7 in an implementation unit will be burned or mowed annually (M-7-26). The two subwatersheds (Trout and Indian Creek) in the project area contain 8,442 acres of MA-7. Treating (mowing or burning) approximately 470 acres per year in the project area amounts to about 5.5% of the MA-7 allocation in the implementation unit treated annually.

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I find that based on the analysis documented in the Highway 20 Integrated Vegetation Management Project EA, all other actions in Alternative 2 (except as noted above) are consistent with the Deschutes Forest Plan, and that Forest-wide Standards and Guidelines, and Management Area Standards and Guidelines were used to determine the following are the reasons for the finding:

FINDING OF NO SIGNIFICANT IMPACT

I find no significant impact on the quality of the human environment, therefore, an environmental impact statement is not needed. I base my findings on the following evidence from analysis conducted on the Highway 20 Integrated Vegetation Management project:

1. I find no significant adverse effect on old growth, sensitive soils, or water quality, within the Highway 20 Integrated Vegetation Management project area, or adjacent lands from implementing Alternative 2.
2. I find no significant impact on public health or safety within the Highway 20 Integrated Vegetation Management project area and surrounding communities from implementing Alternative 2.
3. I find no significant impact on cultural resources, ecologically critical areas (scablands), wetlands, or floodplains within the Highway 20 Integrated Vegetation Management project area.
4. I find no evidence which suggests that potential effects on the quality of the human environment from implementing Alternative 2 in the project area are likely to be highly controversial.
5. I find no evidence which suggests that potential effects from implementing Alternative 2 on the human environment within the project area, Deschutes National Forest, and surrounding communities and adjacent lands are highly speculative or involve unique or unknown risks.
6. I find no evidence which suggests that Alternative 2 establishes a precedent for future actions which may have a significant effect on the environment, nor does it represent a decision in principle about a future consideration.
7. I find no significant cumulative impacts on the environment within the Highway 20 Integrated Vegetation Management project area, adjacent lands, or surrounding local communities from implementing Alternative 2.
8. I find no impact to districts, sites, highways, structures, or objects in or near the Highway 20 Integrated Vegetation Management project area listed in or eligible for listing in the National Register of Historic Places (NRHP). There will be no loss or destruction of significant scientific, cultural, or historic resources.
9. I find no adverse impact to any proposed, threatened, endangered, or sensitive plant or animal species or its habitat within the Highway 20 Integrated Vegetation Management project area.
10. I find that implementing Alternative 2 does not threaten a violation of Federal, State or local laws or requirements imposed for the protection of the environment.


RIGHT TO ADMINISTRATIVE REVIEW OR APPEAL

My decision is subject to administrative review or appeal pursuant to 36 CFR 215. Any written appeal of my decision must be fully consistent with 36 CFR 215 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 of publication of the legal notice in *THE BULLETIN* (Bend, Oregon). File Notice of Appeal with:

Robert W. Williams
Regional Forester/USDA Forest Service
PO Box 3623
Portland, Oregon 97208-3623
ATTN: 1570 Appeals

In accordance with 36 CFR 215.14, appellants are responsible for providing sufficient narrative evidence and rationale in the Notice of Appeal to show why my decision should be changed or revised.

RESPONSIBLE OFFICIAL:


SALLY COLLINS
Forest Supervisor
Deschutes National Forest
1645 Highway 20 East
Bend, OR 97701
541-388-2715

5/21/98
DATE

IMPLEMENTATION DATE

Implementation of my decision, subject to appeal pursuant to 36 CFR 215, may occur 5 days from the close of the appeal period. The appeal period closes 45 days after publication of legal notice of this decision in *THE BULLETIN* (Bend, Oregon).

CONTACT PERSON

For additional information regarding the Proposed Action, environmental assessment, or this decision for the Highway 20 Integrated Vegetation Management Project, please contact Project Manager Richard Dustin, Sisters Ranger District, PO Box 249, Sisters, Oregon 97759; or call 541-549-2111.

USDA FOREST SERVICE
DESCHUTES NATIONAL FOREST
BEND-Ft. ROCK RANGER DISTRICT

DECISION NOTICE

And

FINNDING OF NO SIGNIFICANT IMPACT

For

7TH MOUNTAIN ROCK PIT EXPANSION

An Environmental Assessment (EA) that discusses the proposed expansion of the 7th Mountain Rock Pit on the Bend-Ft. Rock Ranger District of the Deschutes National Forest has been completed. The EA is available in the District Ranger's office in Bend.

The 7th Mountain Gravel Pit is located in Township 18 S, Range 11 E, NW ¼ of the NE ¼ and NE ¼ of the NW ¼ Section 28, Deschutes County, Oregon.

DECISION

Based upon the content of the 7th Mountain Rock Pit Expansion Environmental Assessment (EA), it is my decision to approve Alternative 2, the Proposed Action.

The 7th Mountain Rock Pit (#1059 in the Deschutes Land and Resource Management Plan) will be expanded by approximately 7 acres. All of the vegetation will be removed from the site, except for some trees and vegetation that will be left along portions of the perimeter to serve as visual screening. Trees will be disposed of through a timber sale.

Screening for visual objectives will be accomplished by leaving existing trees and shrubs between the pit and the road adjacent to the pit, because the existing vegetation is of an acceptable height to provide screening from Forest Road 41. Creation of berms and planting trees will only be implemented if deemed necessary after excavation begins.

I have determined that Alternative 2 will meet the purpose and need for the project by providing a source of sand, gravel, and aggregate materials to the Deschutes National Forest that is local, economically feasible, and of the required quality. This will contribute to the short and long-term needs of the Forest for road maintenance and reconstruction.

This decision also includes a non-significant Forest Plan amendment.

8. This project area has been inventoried for cultural resources. The project does not affect any known cultural sites or objects listed or eligible for the National Register of Historic Places (EA, p. 7).

9. No activity will occur that adversely impacts threatened, endangered, or sensitive species or habitat that has been determined critical for the protection of these species (EA, p. 8).

10. This action does not threaten a violation of any federal, state, or local environmental protection law.

OTHER FINDINGS

While I believe Alternative 2 to be consistent with long-term management objectives as discussed in the Deschutes National Forest Plan, as amended, there are two aspects of Alternative 2 that are inconsistent with existing standards and guidelines. See the following section on Forest Plan amendments. In all other respects, I find this decision to be consistent with the Deschutes National Forest Plan, as amended, and with the requirements of the National Forest Management Act implementing regulations.

FOREST PLAN AMENDMENT

The Forest Plan as amended does not allow removal of trees equal or greater than 21" at 4.5 feet (dbh) in areas outside of Late- and Old-Structured Stands (LOS) when the amount of LOS within the watershed is below the Historic Range of Variability (HRV). Also, standards and guidelines require retention of snags and down woody debris. The purpose of the non-significant amendment is to allow for activities that are not consistent with current Forest Plan direction.

I have determined that the proposed activities are not consistent with the Eastside Screens (RF Amendment No. 2) amendment because the existing amount of LOS within the Kiwa Watershed for the affected PAG is below HRV. Under Scenario A of the Interim Wildlife Standard, timber sale activities may occur in areas outside of LOS, as long as particular standards are met. As proposed in the 7th Mountain Pit project, harvest activities will be directed towards removing all vegetation over the surface of the extraction area and will not meet the standards. In order to allow removal of trees equal or greater than 21" dbh and all snags, green tree replacements, and down logs, I have decided to amend the Forest Plan standards for this specific project.

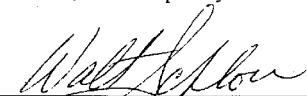
The Interim Wildlife Standard 6.d(2)(a), which prohibits cutting of trees equal or greater than 21" dbh within stands proposed for harvest activities, would not be applied to the project area. Interim Wildlife Standard 6.d(4)(a), which provides minimum standards for snag, green tree replacements, and down logs would not be met in the project area. All vegetation, including trees equal or greater than 21" dbh, snags, and down logs would be removed from the site for the specific purpose of accessing the underlying gravel source.

I have determined that this amendment is not a significant amendment. Pursuant to 16 U.S.C. 1604(f)(4), 36 CFR 219.10(f), Forest Service Manual 1922.5, and Forest Service

CONTACT

For further information on this project, contact Chris Mickle, Environmental Coordinator, at 541-383-4721 or Beth Peer, Interdisciplinary Team Leader, at 541-433-3239.

Responsible Official:



11/7/00

WALTER C. SCHLOER JR.
District Ranger
Bend-Ft. Rock Ranger District
Deschutes National Forest
1230 NE 3rd St., Suite A-262
Bend, OR 97701

Date

Legal Notice published in The Bend Bulletin on November 8, 2000.