USDI, Bureau of Land Management
Three Rivers Resource Area, Burns District
Hines, Oregon 97738

FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD
FOR
DRY LAKE ALLOTMENT ECOLOGICAL RESTORATION PROJECT

ENVIRONMENTAL ASSESSMENT
OR-06-025-013

INTRODUCTION:

The Dry Lake Allotment Ecological Restoration Project Area is located in Harney County north of Hwy 20, on the west side of Silver Creek, south of Nicoll Creek, and east of Bulger Creek (T. 22 S., R. 24 E., Sections 10, 13-15, 23-26, and 36, and T. 22 S., R. 25 E., Sections 1, 2, 8-34, and T. 23 S., R. 25 E., Sections 3-6). Elevation ranges from approximately 4,340 feet on the south end of the project area to 5,300 feet on the northwest end. The project area lies approximately 35 miles west of Burns, Oregon.

The dominant plant communities proposed for treatment are mountain big sagebrush-bunchgrasses and low/stiff sagebrush-bunchgrasses. There are approximately 5,100 acres classified as mountain big sagebrush-bunchgrass communities and 15,200 acres classified as low/stiff sagebrush-bunchgrass communities in the project area. Ponderosa pine-bunchgrass communities are a minor component of the area proposed for treatment. There are approximately 600 acres classified as ponderosa pine-bunchgrass communities in the project area. However, another 1,120 acres within the project area currently support ponderosa pine trees or are capable of supporting pine trees. Other important plant communities proposed for treatment include quaking aspen, mountain mahogany, and bitterbrush.

Due to past livestock grazing practices, fire exclusion, and the absence of other management practices; conifers (western juniper and ponderosa pine) have encroached upon upland and riparian plant communities and are out of balance from their historical compositions. In this document, western juniper will be addressed separately from all other conifers. Western juniper is encroaching upon all plant communities in the project area to various degrees. As juniper increases in site dominance, there is a resulting decline in shrubs and herbaceous vegetation. The increase in juniper density and distribution has resulted in negative impacts to soil resources, plant community structure and composition, water and nutrient cycles, and wildlife habitat.

The density, patch size, and health and vigor of mountain big sagebrush-bunchgrass and low/stiff sagebrush-bunchgrass communities are declining as a result of encroaching juniper, and in some cases, pine trees. Much of the historical and existing mountain big sagebrush-bunchgrass communities are in a mid to late transitional phase to a closed western juniper woodland. Ponderosa pine has also encroached upon this plant community to a limited

degree. Most of the low/stiff sagebrush plant communities within the project area are in relatively good condition and are not receiving any real threat from juniper encroachment. However, there are some areas within these communities where juniper encroachment has begun to be detrimental to the habitat function and overall health of these communities. The low/stiff sagebrush-bunchgrass communities that are being encroached upon by juniper are generally in an early to mid-transitional stage toward juniper woodlands.

The density, patch size, and health and vigor of aspen, mountain mahogany, and bitterbrush plant communities are also declining as a result of encroaching juniper and pine trees. Aspen, mountain mahogany, and bitterbrush plant communities are sporadically located throughout the northern half of the project area. Many of these sites are in a latter transitional stage toward fully-developed juniper woodlands. Ponderosa pine have also encroached upon these plant communities and in some cases are dominating them.

The sites that are considered true forested sites are overstocked,[1] which has resulted in a reduction of grasses, forbs, and shrubs. These sites make up approximately 3 to 5 percent of the project area. Ponderosa pine stands have become overstocked with small diameter and young trees. These stands have also been encroached upon by western juniper. These overstocked stands are susceptible to mountain pine beetle and western pine beetle infestations. Heavily overstocked and diseased stands of ponderosa pine are vulnerable to major crown fires[2] that can threaten human life and property, as well as cause extreme forms of resource damage.

The plant communities associated with the project area are fire-dependent or fire-tolerant, and are generally well beyond their historical fire return intervals. The project area has high wildlife habitat values due to the habitat diversity created by the juxtaposition of the different plant communities. Greater sage-grouse are present in the project area. The project area is classified as mule deer and elk winter range. The proposal is to implement rangeland management and forest activities to preserve, enhance, and lessen the effect of wildfire on these plant communities.

SUMMARY OF PROPOSED ACTION:

The proposal is to utilize a combination of prescribed fire and juniper removal, as well as some conifer (ponderosa pine and Douglas-fir) thinning, and aspen treatments. The proposal is an effort to: 1) move the species composition and structure of mountain big sagebrush-bunchgrass communities, low/stiff sagebrush communities, and ponderosa pine stands toward historic conditions; 2) improve big game, sage-grouse, and other locally important species habitat within the project area; 3) reduce hazardous fuels within the project area to increase human safety, reduce the risk of fire entering adjacent private land, and protect and enhance areas of high resource value; and 4) improve watershed health and function and decrease erosion levels. The project area and proposal are grouped into four dominant vegetative community treatments: low/stiff sagebrush flats, mountain big sagebrush-bunchgrasses communities, ponderosa pine-bunchgrass communities, and aspen stands. Mountain mahogany and bitterbrush

[1] ***Overstocked:*** Having a tree density in excess of the range of historic variability.
[2] ***Crown fire*****:** A fire that advances by moving among the crowns or canopies of trees and shrubs.

communities are lumped in as inclusions with the mountain big sagebrush and ponderosa pine plant communities.

Low/Stiff Sagebrush Flats Treatment

The proposal is to treat 70 to 90 percent of the low and stiff sagebrush flats that have been encroached upon by juniper. Plant communities that are not being affected by juniper encroachment would not be targeted for treatment. The proposal in these plant communities is to remove the competitive influence of encroaching juniper. Encroaching juniper trees would be cut and left. Downed juniper may or may not be jackpot burned[3] after the vegetation has cured. This determination would be based upon whether or not downed juniper would create enough fuel buildup to create a potential wildfire hazard. Single-tree burning[4] may occur on a limited basis as an alternative method to cutting.

Broadcast burning[5] may occasionally be utilized within low sagebrush communities, as low sagebrush inclusions are sometimes intermingled with surrounding stands of mountain big sagebrush within the planning area. Larger tracts of low sagebrush-bunchgrass plant communities would not be targeted by a broadcast burning activity. The smaller tracts of low and stiff sagebrush sites that are included within broadcast burn units would not be targeted. However, the prescribed fire may or may not run through these communities. Pretreatment of these areas may be performed to further protect these sites from the broadcast fire. The recommendation to pretreat and the type of pretreatment would be identified by an interdisciplinary team before and during onsite project layout.

Mountain Big Sagebrush-Bunchgrass Communities Treatment

Scattered ponderosa pine woodlands, mountain mahogany stands, and bitterbrush stands are intermixed within some of the mountain big sagebrush-bunchgrasses plant communities. The proposal in all of these plant communities is to remove the encroaching juniper and pine trees.

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[3] ***Jackpot Burning*****:** Prescribed burning of concentrations of woody fuels during the late fall, winter or spring, preferably when the ground is partially frozen or wet. This method would burn the fine fuels, limit the ability of the fire to spread and prevent soil sterilization from excessive heat. It is conducive to maintaining the herbaceous plant species growing under the downed junipers. (For more detail see Appendix A - Activity Descriptions)

[4] ***Single-tree Burning*****:** Prescribed burning of individual trees during the late fall, winter or spring, preferably when the ground is partially wet or frozen. This method would burn the fine fuels, limit the ability of the fire to spread and prevent soil sterilization from excessive heat. It is conducive to maintaining the herbaceous plant species growing under the junipers. (For more detail see Appendix A - Activity Descriptions)

[5] ***Broadcast Burning*****:** Prescribed burning at a time when the fire would carry through the unit, burning most of the available fuels. This would be applied in the late summer or fall when the fire would be controlled by preestablished control lines with ignition patterns in concert with the terrain features and wind direction as well as using natural barriers, and or diurnal temperatures and humidity changes. (For more detail see Appendix A - Activity Descriptions)

The management objective is to treat between 70 and 90 percent of the mountain big sagebrush-bunchgrass communities that are being encroached upon by juniper and/or ponderosa pine. The proposal in these plant communities consists of an array of management actions in order to reduce the influence of encroaching juniper and pine. The two principal treatments used to treat the majority of these communities would be 1) cutting encroaching juniper followed by jackpot burning after juniper has cured or 2) prescribed broadcast burning. In areas targeted for a broadcast burn, the objective is to burn 40 to 60 percent of the mountain big sagebrush-bunchgrass communities in early or mid-transition toward a juniper woodland and 90 to 100 percent of mountain big sagebrush plant communities in late transition toward a juniper woodland. Any remaining encroached juniper may be cut and jackpot burned within treated areas and within the areas which are left unburned by the broadcast prescribed burn.

Lesser amounts of juniper and pine cutting, piling and burning, girdling or cutting and leaving may be employed to decrease the risk of fire effects on desired vegetation. The cutting and leaving activity would only be used in sparse fuels where it is determined that it would not be a hazard. In areas where pine has expanded outside its historical niche, understory thinning and piling of pine, ranging from complete removal to a 22-foot spacing, may occur. These areas would be identified during onsite project layout. Where piling does occur, the construction of piles would move slash away from desired vegetation to the extent practical. Piling would be done by hand or mechanized equipment other than a dozer (excavator, feller buncher, etc.). All piles would be burned after the vegetation cured, but before the rest of the unit is broadcast burned.

Mountain mahogany and bitterbrush plant communities that are greater than an acre in size may receive some form of pretreatment prior to any broadcast burning. Pretreatment would primarily consist of cutting and jackpot burning, blacklining or cutting and pullback, or piling via hand or mechanized equipment, prior to the broadcast burn. The recommendation to perform pretreatment and what type of pretreatment would be determined by resource advisors during onsite project layout.

Forested Areas Treatment

The proposal is to thin the understory of overstocked pine stands and remove the encroaching juniper. Several untreated islands would be left to provide quality thermal and hiding cover for wildlife. These islands would be determined during onsite project layout. Approximately 70 to 90 percent or 420 to 540 acres of these communities would be treated. All juniper trees except those displaying old growth characteristics or obvious wildlife occupation would be cut and piled. Understory pine trees would be thinned using a variable tree spacing creating basal areas ranging from 50 to 150 feet^2/acre. All slash would be piled either by hand or machine depending on feasibility and resource concerns. All piles would be burned after the vegetation cured.

A prescribed underburn on forested units may be completed 5 to 7 years after mechanical treatment. A 5 to 7-year period would allow adequate time for the residual trees to respond to the thinning treatments, thus they should be in good condition by the time we would utilize prescribed fire. The recommendation to underburn would be made by resource professionals based on monitoring data gathered after mechanical treatments. Raking of deep duff around old

growth ponderosa pine trees, large snags, and large downed woody debris may occur prior to burning if necessary.

Aspen Treatment

There are a few aspen stands found within the project area. The proposal in these treatment areas is to remove the encroaching vegetation. Mechanical cutting would be the primary tactic used in these communities. Broadcast burning may be utilized in addition to mechanical treatments or as a substitute for mechanical treatments in an effort to cut down on juniper and pine seedling establishment. Ponderosa pine trees less than 10 inches Diameter Breast Height (DBH) would be cut, limbed, and piled. Ponderosa pine trees in the 11 to 19-inch DBH size range may be cut and limbed. Only the limbs would be piled on these trees, leaving the bole to serve as downed woody debris. Ponderosa pine trees in the 20 to 26-inch DBH size range would either be girdled to provide snag habitat or left onsite. The few pine trees larger than 26 inches DBH would be left onsite. All junipers except those showing old growth characteristics or obvious wildlife occupation would be cut and piled. All piling in aspens stands would be done by hand. Piles and downed juniper would be burned after the cut vegetation has cured and during a time of year that would protect the soil resource and minimize fire spread. Aspen stands could be fenced to protect aspen suckers from browsing animals. This would be determined through monitoring. If a fence is determined to be needed, it would be removed after new suckers attain a height where the apical bud is 7 feet or higher or above the reach of most grazing animals as determined by rangeland monitoring.

Project Design Elements

- Protect cultural resource values throughout the life of the project. Archaeological sites would be avoided within the mechanical treatment units, and activity generated fuels would not be piled within site boundaries. Sites with combustible constituents would be protected during deployment of prescribed fire by blacklining resources and use of appropriate ignition techniques. The District Forestry/Fuels Archaeologist would review burn plans and make recommendations prior to project implementation.

- Protect Special Status plant species throughout the life of the project. Special Status plants would be avoided within mechanical treatment units if necessary. Fire intolerant sensitive plants would be protected during deployment of prescribed fire by blacklining resources and use of appropriate ignition techniques. The District Forestry/Fuels Botanist would review burn plans and make recommendations prior to project implementation. Experimental plots may be established in limited portions of some of the Special Status plant populations to provide an increased understanding of plant response to various treatments.

- Protect Special Status wildlife species (terrestrial, avian, and aquatic) and their habitat throughout the life of the project. Structures or areas with Special Status Species (SSS) habitat value identified during wildlife surveys would be protected or avoided during project implementation. The District Forestry/Fuels Wildlife Biologist would review burn plans and make recommendations prior to project implementation.

- Maintain suitable big game hiding and thermal cover within forested and mountain mahogany enhancement treatment units.

- Avoid mechanical cutting of juniper or ponderosa pine with old growth characteristics or obvious wildlife occupation (cavities or nests). Consider protection of such trees during all prescribed fire operations.

- Existing snags and large downed woody debris in the forested areas would be retained to the extent practical. Snags and downed woody debris would be created if necessary in the mechanical treatment units. A minimum of one snag per acre would remain in the mechanical units following treatment. Snags would be created by girdling medium to large diameter ponderosa pine or Douglas-fir trees. Large downed wood may be protected by foaming, blacklining, or constructing handline around specific areas.

- Prior to treatment of prescribed fire and mechanical treatment units, noxious weed populations in the area would be inventoried. Weed populations identified in or adjacent to the project area would be treated using the most appropriate methods in accordance with the Noxious Weed Management Program Environmental Assessment/Decision Record (EA/DR) OR-020-98-05.

- The risk of noxious weed introduction would be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) is cleaned prior to entry to the site, minimizing disturbance activities, and completing follow-up monitoring, for at least 3 years, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments would be performed in conformance with the aforementioned Weed Program Management EA/DR.

- Piles and cut juniper would be jackpot burned when soil moisture is high or under frozen soil conditions to reduce the threat of soil sterilization and to maintain the existing shrub and herbaceous plant communities to the extent practical.

- Livestock grazing would not occur for two growing seasons (May 1 to June 30) in pastures treated with prescribed broadcast fire. An additional year of rest from grazing prior to burning is necessary to allow for the development of a fine fuel ignition source.

- Livestock grazing may not occur for a period of up to two growing seasons (May 1 to June 30) in pastures that have been treated with prescribed jackpot burning.

- Sites that lack sufficient understory species, such as fully-developed juniper woodlands, or areas that have burned at a high severity may require seeding following a prescribed fire treatment to attain the desired post-fire response. Mixtures of native and nonnative grass, forb, and shrub seed may be applied to designated areas with aerial or ground-based methods. Candidate sites for seeding would be determined on a case-by-case basis as monitoring data is gathered.

- Following accomplishment of the mountain big sagebrush community treatment objectives, treated mountain big sagebrush communities must attain 12 to 15 percent cover before any additional broadcast burning treatments of mountain big sagebrush dominated ecological sites can be considered in the project area.

- Prescribed burning would follow the Oregon State Smoke Management Plan in order to protect air quality and reduce health and visibility impacts on designated areas.

- Dispersed campsites identified within the project area would not be intentionally burned during broadcast burn operations. Protection would be considered for leave islands of sufficient size around identified campsites to protect cultural and recreation values.

SUMMARY OF NO ACTION ALTERNATIVE:

Under this alternative no landscape level treatments described in the proposed action would be implemented. Management under the no action alternative would continue under the current Three Rivers Resource Management Plan (RMP) and all other relevant policy direction.

FINDING OF NO SIGNIFICANT IMPACT:

This proposal is in conformance with objectives and land use plan allocations in the 1992 Three Rivers RMP. Based on the analysis of potential environmental impacts contained in the EA and all other information, I have determined that the proposed action and alternatives analyzed do not constitute a major Federal action that would significantly impact the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) is not necessary and will not be prepared.

Rationale:

This determination is based on the following: The following critical elements of the human environment have been analyzed in the Three Rivers RMP/Final EIS, and are not known to be present in the project area or affected by enacting either alternative: Wilderness, Wilderness Study Areas, Areas of Critical Environmental Concern, Wild and Scenic Rivers, Flood Plains, Paleontology, Prime or Unique Farmlands, and Hazardous Materials. Environmental Justice is a critical element that is not discussed in the Three Rivers RMP/Final EIS, but is either not known to be present in the project area or is not known to be affected by enacting either alternative.

All potentially impacted resources were analyzed in the EA specific to the proposed action. The following critical elements were analyzed in the EA: air quality, water quality, wetlands and riparian zones, migratory birds, SSS flora and fauna, noxious weeds, American Indian Traditional Practices, and cultural heritage. Noncritical elements which are present and analyzed in the EA are soils, biological soil crusts, vegetation, wildlife, fisheries, grazing management, recreation/Off-Highway Vehicles, visual resources, social and economic values, forestry/woodlands, fire management, and transportation/roads. Impacts to these resources are considered nonsignificant (based on the definition of significance in 40 CFR 1508.27) for the following reasons:

Air Quality:

The air quality currently meets or exceeds air quality standards outlined by the Oregon Department of Environmental Quality (ODEQ). Impacts on air quality from the proposal could range from reduced visibility to pneumonic irritation, and smoke odor affecting people in proximity to the project area when such treatments are underway. These impacts are short lived, the greatest impact occurring during the actual ignition phase, lasting from one to a few days depending on the size or number of actual burn units or number of piles to be ignited.

Water Quality:

The project area includes portions of Silver Creek and South Fork of the Crooked River subbasins. Streams in the project area have been evaluated for water quality impairment as directed by the ODEQ. Nicoll Creek and Silver Creek are on the ODEQ 303(d) list for water quality impairment for exceeding the 68 ºF water temperature standard for salmonid rearing. No other pollutants were documented in the streams within the project area.

Under the proposed action current water quality conditions would be maintained or improved. Reducing competition from juniper in the uplands and riparian zones should improve watershed stability and function by reducing bare soil and sediment inputs, increasing infiltration, and maintaining or restoring proper storage and release of groundwater important for late season flows and temperatures. Watershed function and overall water quality would improve where erosion is minimized, sediment inputs are minimized, and infiltration rates increase.

Wetlands and Riparian:

Nicoll Creek, Silver Creek, and Bulger Creek have the only riparian zones in the proposed project area. Under the proposed action current riparian conditions would be maintained and enhanced. The proposed action would reduce the chances of a stand replacement fire thus limiting the threat of fire damage to the riparian vegetation. The proposed action would also facilitate the recovery of riparian hardwood communities to a more historic level.

Migratory Birds:

Direct impacts to migratory birds would be minimized by limiting burning operations and mechanical treatments to the fall and winter seasons where necessary and through project design elements. In the long term, migratory bird species diversity and richness would increase as grasses, forbs, sagebrush, and other shrubs are regenerated by the reintroduction of fire in rangeland ecosystems and the mosaic of habitat types it creates. Enhancing stands of aspen and other hardwood habitats would also benefit populations of migratory birds. In forested areas migratory birds such as cavity nesters that prefer large trees would have improved habitat quality at the stands get healthier producing larger trees in the long term. There would be a reduction in habitat quality for birds that prefer dense understories and those that forage and nest in the small age class conifer trees. However, the overall net effect of the proposed action would likely be an increase in habitat diversity and an increase in avian species diversity.

Special Status Species - Flora:

Deschutes milkvetch (*Astragalus tegetarioides*) occurs in the project area. This species is recognized Federally as a species of concern and is a candidate for State listing. The Bureau of Land Management (BLM) recognizes the species as sensitive, and the Oregon Natural Heritage Plan list it as an L1 species. An L1 species refers to taxa that are threatened with extinction or presumed to be extinct throughout their range. There are approximately 114 acres of known populations of *A. tegetarioides* within the project area. This species has evolved with fire and is known to be tolerant to disturbance regimes. The proposed action is predicted to either benefit or have no effect on *Astragalus tegetarioides*. Populations may be avoided during implementation as a mitigating measure to further protect this species.

Special Status Species - Fauna:

The bald eagle (*Haliaeetus leucocephalus*), a Federally listed threatened species, occurs in the proposed project area. The Silver Creek communal winter roost area is in the bottom of Silver Creek Canyon, which lies on the northwestern boundary of the project area. Columbia spotted frogs (*Rana luteiventris*), a Federal Candidate for listing as Threatened or Endangered, occur in the vicinity of the project area on Nicoll Creek. There have been no known sightings of Columbia spotted frogs on BLM-administered lands within the project area. However, potential habitat for Columbia spotted frogs does exist on public lands within the project area. The proposed action would maintain or enhance habitat or potential habitat value for both bald eagles and Columbia spotted frogs.

Greater sage-grouse (*Centrocercus urophasianus*), a special status species, and their habitat are known to occur within the project area. The proposed action is in conformance with the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon. The proposed action would have long-term positive effects on sage-grouse, as sagebrush communities are restored to functioning habitats.

Special Status Fauna - Fish:

Nicoll and Silver Creeks are the only known fish bearing streams within the project area. These creeks provide habitat for Great Basin redband trout (*Oncorhynchus mykiss ssp*.) - a Bureau tracking species in Oregon and Malheur mottled sculpin (*Cottus bairdi*) - a Bureau sensitive species in Oregon. Generally, fish species present in the planning area are not expected to be adversely affected by disturbances to habitat resulting from the proposed action's prescribed burning and mechanical treatments. Species such as redband trout appear to be well adapted to temporary disturbances such as those created by fire. Reestablishing more natural patterns and processes in the uplands would likely lead to long-term riparian restoration and more productive aquatic habitats.

Noxious Weeds:

There would most likely be no increase in populations of noxious weeds, or establishment of new populations, provided that appropriate project design elements are observed and the

treatments are monitored as described in the project monitoring plan. Follow-up treatment on noxious weeds identified during project monitoring would be performed as described in the Burns District Noxious Weed Program Management EA OR-020-98-05.

American Indian Traditional Practices:

Implementation of the proposed action may increase the distribution and density of riparian vegetation stands important for the practice of Burns Paiute Tribal traditions. The proposed action would have no effect on culturally important root crops in the project area. The Burns Paiute Tribe was consulted regarding the proposed action and no concerns were identified.

Cultural Heritage:

Cultural surveys will be completed prior to any implementation of the proposed action. The proposed action would have no known impacts on cultural heritage as cultural sites will be protected throughout the life of the project, either through project design features or total avoidance.

Soils:

Minor increases in soil erosion could occur the first couple of years after the project is implemented. Increases in surface erosion would be short-lived and would likely decrease thereafter as understory vegetation regenerates.

Biological Soil Crusts:

Common genera of biological soil crusts that could occur in the project area include: *Bryum, Cladonia, Collema, Didymodon, Lecanora, Megaspora, Peltigera, Psora,* and *Tortula*. Biological soil crusts in the project area may benefit from increased light and moisture as a result of decreased interception from juniper. Prescribed burning in the form of broadcast, jackpot or individual tree burning could have an initial effect on biological soil crusts. The overall seral stage representation of biological soil crusts should be a mosaic that mirrors to some extent the mosaic of vascular plant community seral stages.

Eventually, the total biological soil crust cover may increase in the project area as treated areas with proper site-specific soil chemistry are restored to pre-juniper expansion conditions.

Vegetation:

Under the proposed action existing vegetation would likely be enhanced. Overall species diversity would increase. Application of prescribed fire to juniper woodlands developed on historic sagebrush-bunchgrass communities would make more resources (sunlight, water, nitrogen) available to understory shrubs, grasses, and forbs. Following a lag period of approximately 5 years, a rapid increase in understory cover and density can be expected. Removing a western juniper overstory can result in an understory species density that is 10 to 20 times greater than that of untreated areas within 5 years. Forest health and vigor of

ponderosa pine stands would be enhanced. Understory forbs, grasses, shrubs, and riparian vegetation would likely reestablish and increase to a more historic level. Mountain mahogany and aspen communities would be maintained and enhanced as a result of the proposed action also.

Wildlife:

Overall, there is likely to be an increase in wildlife species diversity as a result of implementing the proposed action. Species utilizing more open habitats would be favored as a result of the proposed action. Species favoring juniper woodlands and dense conifer understories would be negatively impacted by the proposed action. Foraging opportunities for big game and other herbivores would increase as understory grasses, forbs, and shrubs reestablish. The proposed action will likely increase the health, vigor, and palatability of winter forage for both deer and elk. The plant communities that wildlife rely upon would likely persist in the event of a wildfire. Thermal and hiding cover would decrease as a result of the proposed action, but there would still be more than sufficient thermal and hiding cover in the project area.

Fisheries:

Impacts of the proposed action on fisheries would be the same as those impacts of the proposed action on Special Status fish species mentioned above.

Grazing Management:

The proposed action may alter grazing rotations, require rest of certain pastures, and could require the permittees to find offsite forage such as BLM-managed rangeland seedings or their own private land for a couple of years while the proposal is being implemented. However, increased forage production and palatability would result from the proposed treatments.

Recreation/Off-Highway Vehicles:

Primary recreation activities in the project area are associated with hunting big game, driving for pleasure, hiking, and wildlife viewing. Under the proposed action there may be brief minimal impacts to recreational activities in the vicinity of the project area. Smoke and noise generated during project implementation could disrupt recreational activities in the spring or fall seasons. In the long term, recreational activities related to driving for pleasure, big game hunting, and wildlife viewing would be enhanced as habitat function and overall community diversity improves over time.

Economic and Social Values:

The proposed action would utilize stewardship or service contracts to reduce biomass in the project area. The purchase of supplies and equipment necessary for implementation of the proposed action from community merchants would constitute an additional economic effect. Increased rangeland health would increase forage production for livestock and wildlife thereby increasing economic opportunities and fostering more desirable recreation opportunities.

Visual Resources:

The project area is remote and is not visible from any highway. Ninety-five percent of the project area is classified as a Visual Resource Management (VRM) Class III. The remaining 5 percent of the project area is classified as a VRM Class IV. The proposed action meets management direction outlined in the Three Rivers RMP for VRM Classes III and IV. Visual resources would be temporarily affected with short-term impacts while treatments are taking place. Upon completion of the project long-term benefits to visual resources should be enhanced as the plant community health and overall diversity in the project area increases.

Forestry/Woodlands:

Under the proposed action forest health would be enhanced. Growth and vigor of the retained trees would be enhanced. The risk of disease and insect infestations entering and/or spreading through the stand would decrease as growth, vigor, and overall health of the stand increases. The risk of a stand replacement wildfire occurring in the stands would be greatly reduced.

Fire Management:

All treatments included in the proposed action would reduce fuel loading and help lessen the negative effects of wildfire. The proposed action would move the Fire Regime Condition Class of many plant communities (mountain big sagebrush, ponderosa pine, mountain mahogany, and aspen communities) in the project area from a Condition Class 3 (high risk of losing key ecosystem components from fire) to a Condition Class 2 or 1 (a moderate to low risk of losing key ecosystem components from fire). The proposed action would lower the risk of stand replacement fire in the project area. Overall, following treatment the ponderosa pine stands within the project area should survive any wildfire event.

Transportation/Roads:

After completion of all project activities within a specific area, roads damaged by project vehicles would be maintained and brought back to their previous conditions.

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Joan M. Suther Date
Three Rivers Resource Area Field Manager

DECISION RECORD:

Decision: Having considered a range of alternatives and associated impacts within the analysis of the Dry Lake Allotment Ecological Restoration Project EA, it is my decision to implement the Proposed Action. The Proposed Action establishes criteria and objectives to:

- Reduce the influence of western juniper and other conifer expansion upon ecological communities in the planning area.
- Reduce overstocked conifer stands to improve forest health by increasing the growth and vigor of retained trees.
- Increase human safety, and reduce the risk of fire entering adjacent private land.
- Reduce hazardous fuels and the risk of stand replacement fires.
- Protect areas of high resource value from stand replacing wildfires, insects, and disease.
- Improve the quality of wildlife habitat within the planning area. Big game and sage-grouse habitat values that have been degraded by juniper and pine encroachment within the planning area would be enhanced under the Proposed Action.
- Maintain or enhance important habitats such as aspen, mountain mahogany, mountain big sagebrush/bunchgrasses, and bitterbrush plant communties.
- Improve the quality and quantity of forage available to livestock within the planning area.
- Begin reintroducing fire into the area to restore and maintain fire-dependent plant communities.
- Increase the cover and density of sagebrush, grass, forbs, and riparian vegetation.
- Enhance and protect the integrity of watershed functions, improve watershed stability and decrease soil erosion.

Rationale: I have selected the Proposed Action for the reasons stated above and the following:

The Proposed Action reduces ladder and surface fuel loading, which will reduce fire behavior and intensity, thus increasing human safety and reducing the risk of stand replacing fires. It also reduces the risk of fire entering adjacent private land. This action provides conditions which would exist under a more historical fire regime, which allowed these unique stands to adapt to periodic wildfire.

The Proposed Action would interrupt the transition of sagebrush-bunchgrass plant communities to juniper woodlands within the planning area. Fire would be restored as a key disturbance process within the planning area to an extent feasible under the constraints of human safety, private property values, and resource values.

The Proposed Action removes encroaching vegetation, thus protecting and enhancing important plant communities. It also thins overstocked timber stands, which improves forest health by increasing growth and vigor of retained trees, helps protect the stands from insects and diseases, and stimulates growth of grasses, forbs, and shrubs.

The Proposed Action would enhance big game winter range and sage-grouse habitat within the planning area.

The Proposed Action improves landscape diversity.

Public involvement consisted of face-to-face meetings with Oregon Department of Fish and Wildlife and Mark and Susan Doverspike, the permittees on the allotment. The Proposed Action was directly mailed to the Burns Paiute Tribal council for review, and notices were placed in the local newspaper and on the Burns District Web site.

It is in conformance with Section 7(a)1 of the Endangered Species Act.

It is in compliance with the Three Rivers RMP (1992).

It is in compliance with Federal laws that mandate the management of public land resources (Federal Land Policy and Management Act of 1976).

The decision does not result in any undue or unnecessary environmental degradation.

I have also considered alternatives to the Proposed Action including:

Alternative 1 - No Action: This alternative proposed that no restoration treatments would take place. Under this alternative no treatments described in the Proposed Action would be implemented. Management under the no action alternative would continue under the current Three Rivers RMP and all other relevant policy direction. I did not select this alternative because it was not responsive to improving the conditions of the Dry Lake Allotment Ecological Restoration planning area that are identified in the purpose and need of the EA.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice must be filed in the Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738 by May 15, 2007. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition, pursuant to regulation 43 CFR 4.21, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.

2. The likelihood of the appellant's success on the merits.

3. The likelihood of immediate and irreparable harm if the stay is not granted.

4. Whether or not the public interest favors granting the stay.

/signature on file/
Joan M. Suther
Three Rivers Resource Area Field Manager

April 16, 2007
Date