

Decision Notice
& Finding of No Significant Impact

HUCKLEBERRY FLATS OHV TRAIL EXPANSION ENVIRONMENTAL ASSESSMENT FOREST PLAN AMENDMENT #48

**USDA Forest Service
Willamette National Forest
Middle Ranger District
43675 Highway 58
Westfir, OR 97492**

Decision and Reasons for the Decision

Background

The Willamette National Forest proposes to increase the existing Huckleberry Flats OHV (Off-Highway Vehicle) Trail system by approximately 30 miles to a total of approximately 63 miles. The project area is located in T19S, R4E Sections 31-34; T20S, R3E Sections 1, 12, 25; T20S, R4E Sections 4-10, 15-21, 30, Willamette Meridian, surveyed, within the Middle Fork Ranger District, Willamette National Forest, Oregon. The area, about eight miles northwest of Oakridge, is accessible via Forest Service Road 1928.

The Huckleberry Flats OHV Trail was designated in 1989 as a motorized use trail system to meet the needs of an emerging recreational use. This proposed action is needed in order to provide an enhanced motorized recreational opportunity to a growing segment of recreationists within and adjacent to the currently managed, maintained and monitored Huckleberry Flats OHV Trail area.

Use of this area has increased considerably since its designation and continues to incrementally increase as ownership of off-highway vehicles (OHVs) increases and other popular, traditional riding areas (both public and private) are closed. The upward trend in OHV user demand in the last decade, coupled with a reduction in access to traditional riding areas significantly increases the potential for illicit OHV use on public lands. A national effort to better manage OHV use through a system of designated routes is expected to increase the need for designated OHV trail systems on the National Forests.

The purposes of this project are to provide an enhanced motorized recreation experience, reduce tread wear and better provide for the increased use this area has seen. This action by the Forest Service is intended to meet the purpose and need stated as direction in the 1990 Record of Decision and Final Environmental Impact Statement for the Land and Resource Management Plan for the Willamette National Forest (Forest Plan), as amended, to provide a “diversity of off-road vehicle recreational opportunities across the Forest where consistent with the criteria specified in FSM 2355.12.” by focusing and consolidating use in an area where facilities can and do sustain use.

The Huckleberry Flats OHV Trail Expansion is intended to meet the purpose and need to provide an enhanced motorized recreation experience. The EA documents the analysis of one action alternative to meet these needs, along with a no-action alternative. I have reviewed the EA,

related documents, and public input. My decision is based upon that review, and I have found the analysis to be in full compliance with direction contained in the above documents. Documents in the Project Record are available for review at the Middle Fork Ranger District Office, 46375 Highway 58, Westfir, OR 97492, phone (541) 782-2283.

Decision and Rationale

I have decided to implement Alternative 1, the Proposed Action. This alternative will expand the Huckleberry Flats OHV Trail system by approximately 30 miles. When implemented, Huckleberry Flats OHV Trail will provide a total of (approximately) 63 miles of trail. This proposal includes a trail segment that will provide an alternative route to a mixed-use road (the north end of FSR 1928.700 that accesses a gravel pit) where higher vehicle speeds may occur. New trail segments that provide connectivity between trails are also proposed to facilitate the predominating one-way traffic flow and provide for a range of skill levels. When fully implemented, the majority of the proposed roads designated as trails, as earmarked in the District Roads Analysis for potential OHV use, would not allow use by other than Class I (two-wheeled vehicles) and Class III (three or four-wheeled vehicles, 50" or less in width, less than 800 lbs.)

This proposal would increase the area covered by the trail system from 2,800 acres to 4,300 acres. There would be no new development south of the existing trail system toward private property.

The majority of the trail will be maintained for Class I and Class III vehicles. Approximately three miles of single track trail, a tread width suitable for motorcycles but not three or four-wheeled ATVs, will be designated for Class III-only use.

The existing system utilized old railroad grades, haul and skid road surfaces resulting from harvest activities that occurred 1920-1940's and again in the 1960's and 1980's. The Proposed Action would designate about 15 miles of low-standard roads within the planning area to be used as OHV trails. Roads proposed for conversion to trail (EA, Table 1, pages 8-9) would be closed to Class II vehicles by mechanically narrowing tread, installing berms, boulders, bollards, or by other methods of traffic exclusion. An additional 12 (approximate) miles of tread would be built on existing skid roads and skid trails impacted by previous timber harvest activities. About three non-contiguous miles of trail construction on previously undisturbed ground, in seven locations, would be necessary to connect trails together to provide desirable loop opportunities. These additions would be integrated into the existing designated OHV trail system. In order to control capacity the Proposed Action does not include additional trailheads other associated facilities.

A Nonsignificant Forest Plan Amendment is included in the Proposed Action. The Forest Plan Amendment would: 1) change the designation of the Huckleberry BGEA (Big Game Emphasis Area) from Medium Emphasis to Low Emphasis and 2) change the designation of the adjoining South Christy BGEA from Medium Emphasis to High Emphasis to increase the quality of habitat management there to compensate for the reduction in habitat quality within the Huckleberry BGEA.

This alternative meets the objectives of the purpose and need stated in Chapter 1 because it:

- Provides enhanced motorized recreation experience by expanding the available mileage to provide a range of riding options of varying lengths and skill levels.

- Promotes a family oriented riding destination by continuing the one-way-trail configuration, on-site safety and educational materials, comprehensive signing and regular compliance monitoring.
- Reduces the adverse environmental effects of tread wear by managing (through temporary closures) and distributing use to more suitable areas.
- Provides and manages for increased demand for motorized recreation facilities.
- Realigns the area to the Forest Plan Standards and Guidelines for big game habitat effectiveness by changing the Huckleberry Big Game Emphasis Area (BGEA) from a “moderate” to “low” and the Christy South BGEA from “moderate” to “high”, to better reflect the potential of the habitat.
- Captures the opportunity to convert existing roads to OHV trails. Approximately 15 miles (50% of the total proposed increase) will be on existing roadbeds.
- Consolidates the use for motorized trails at an existing site and meets the demand for a site in proximity to a population center.
- Compatible with established land management and resource objectives. The proposal responds to the Forest Plan standards and guideline FW-24 that states a diversity of off-highway vehicle recreation should be provided where the use is compatible with resource objectives.

I have determined that the selected alternative is consistent with the Willamette National Forest Land and Resource Plan, as amended by the Northwest Forest Plan. This finding is based on environmental analysis prepared in accordance to Forest Plan Management Areas and Standards and Guidelines, cited throughout the EA and documents in the Analysis File. This EA provides a listing of how these proposals respond to the direction contained in the Forest Plan.

Pre-disturbance surveys and management of known sites required by protocol standards that comply with the 2001 Record of Decision for the and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines as amended by the 2001 and 2003 Annual Species Reviews were completed (EA pages 46-53).

This project is consistent with the Aquatic Conservation Strategy because it is designed to contribute to maintaining or restoring the project area and watershed condition over the long term, with only minor short-term negative effects. By implementing associated mitigating measures, Best Management Practices, and Forest Plan Standards and Guidelines, the proposal will insure protection of water quality and beneficial uses, EA page 59-68. The project level impacts disclosed in the EA are also consistent at the watershed scale based on the analysis of the ACS objectives in the North Fork of the Middle Fork Willamette River Watershed Analysis. The Proposed Action is consistent with all Riparian Reserve standards and guidelines in the Forest Plan. Appendix C of the EA contains more information on how the project addresses the ACS objectives, including how the project will impact each of the nine ACS objectives at the project level.

My decision is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. The discussion on big game habitat effectiveness (page 34-40, EA) is an example of where a current model used to evaluate Forest Plan standards and guidelines has been supplemented with an additional sources of information or disclosed about deficiencies in model results (i.e., Wisdom habitat effectiveness).

Nonsignificant Forest Plan Amendment

A Nonsignificant Forest Plan Amendment affecting two Big Game Habitat Emphasis (BGEA) areas is included in this proposal. The Nonsignificant Forest Plan Amendment would change the BGEA (within the boundaries of which the trail expansion is proposed to occur) from a “Moderate” emphasis to a “Low” emphasis. An adjacent BGEA, not affected by the proposed expansion, would be changed from a “Moderate” to a “High” emphasis. The proposed action, while enhancing recreation, may impact natural resource and wildlife values.

The change of management emphases in the Huckleberry and Christy South BGEAs is not considered a significant amendment to the Willamette Forest Plan for the following reasons (FSM 1926.51):

- Changing Huckleberry from Moderate to Low and Christy South from Moderate to High emphasis for big game does not significantly alter the multiple-use goals and objectives for long-term land and resource management either at the Forest or watershed level. Big game habitat goals and objectives at the watershed level will not change. (EA 36-45)
- The adjustment of the big game management emphases (prescriptions) in Huckleberry and Christy South are a result of specific on-site analysis of habitat conditions and opportunities and do not cause significant changes in overall multiple-use goals and objectives for long-term resource management as described in the Willamette Forest Plan. (EA 36-45)
- Adjusting the big game emphases in Huckleberry and Christy South provided opportunities for projects and activities that contribute to the achievement of the Forest Plan goals and objectives. The Huckleberry adjustment will provide for additional motorized recreation opportunities and the Christy South adjustment will provide opportunities to maintain and improve high quality big game habitat. (EA 36-45).

The following factors were considered when analyzing the significance of this proposed amendment. The proposal is a “trade” in management emphasis acres although there is a difference of about 2,000 acres (less in Christy South than Huckleberry) between the two BGEA’s.

The following evaluation puts in to context to the level of significance of this amendment.

- Timing - the later in the planning period, the less likely it is to be significant. This proposal is occurring approximately 17 years after signing of the Forest Plan so is far into the current planning cycle and is therefore not considered to be a significant change.
- Location and Size - the proposal is to shift emphasis for two BGEA’s. The total acreage involved if this change would occur is 16,148--less than 1% of the entire Willamette National Forest planning area (over 1.7 million acres). This is a very

small percentage and should not have any type of significant impact on assumptions made or continued implementation of S&G's in the Forest Plan.

- Goals, Objectives and Outputs - Shifting emphasis would have a minor impact on the ability to provide goods and services as originally projected in the Forest Plan. The difference centers around the Christy South BGEA as there may be some potential management shifts in designing projects to meet a higher HEi value for this area. This could mean emphasis on slight increases in closing roads to meet high emphasis S&G's and provide for big game security. In addition, there may be more emphasis in providing forage for big game to meet an increased S&G expectation as well as maintaining cover conditions for big game in the winter range portion of the area. It is not anticipated that this will be a noticeable or significant shift in output of goods and services or the abundance of elk within the North Fork watershed.

Mitigating Measures

This decision implements the following mitigating measures described in the EA (pages 39-45):

- The Proposed Action incorporates the implementation of Best Management Practices (BMP) to eliminate or minimize the potential effects of management actions on soil and water resources. Potential adverse impacts to water quality and stream channel condition are mitigated in part by designation of Riparian Reserves, erosion control requirements and road drainage improvements as they are for the existing trail system.
- This project would implement construction or trail improvement activities outside the nesting season for protection of the spotted owl. In those areas where a seasonal restriction is not imposed for disturbance to the spotted owl (3/1-7/15), avoid construction operations until OHV use starts to increase in the spring, anticipated to be approximately May 1 to protect other avian species.
- Trail construction techniques would utilize BMPs (i.e., construction/installation of drain structures and devices, tread armoring/hardening, bridges constructed in compliance with ODFW seasonal restrictions, maximum trail grades 30%, etc.) to minimize sedimentation of streamcourses.
- All new trail construction would be built between over-story trees to avoid removal of any significant portion of the vegetation providing shade to live streams.
- Cleaning of OHV vehicles prior to using the trail system could significantly reduce risk of weed spread and would be promoted through public education. Monitor any sites for noxious weed infestations for three years following treatment to ensure weeds are eradicated and do not spread from this site.
- Work areas would be revegetated with native species following disturbance. This could be California brome, California fescue and blue wildrye in openings and the forested understory; desired herbaceous species such as big deervetch (*Lotus crassifolius*) in openings; blue wildrye in culvert replacements, and in closed road beds. A supplement, or substitute for the native species mentioned above may be used. Approved non-native, non-invasive species such as annual ryegrass may be substituted.

Significant Issues

The following issues were identified as significant for the project area based on the scoping, public comments received and interdisciplinary team discussions. The significant issues are used to guide development of the alternatives and are tracked through the analysis process.

1. **User satisfaction has declined and trail wear has increased because available the trail mileage is less than a typical “day ride”.** Through ongoing public input processes motorized recreationists have expressed a need to have available to them trail systems that are of adequate length to provide a quality experience without repetitive use of the same trail. Fifty trail miles is considered a minimum “day ride” by the OHV community. Providing fewer miles within a trail system accelerates amount of wear by increasing the visits and maintenance to any given segment of trail. Conversely, an adequate number of miles equate to a more diverse recreational experience, reduced tread wear through better dispersion of use and greater flexibility to direct and manage use through temporary closures in order to better protect resources and reduce maintenance costs.

Although the draw of additional trails and new experiences will likely cause a modest increase in use, facility availability will become a management tool to contain and control levels of use. Although the parking lot may be reorganized to optimize available space, there is no significant parking lot expansion proposed, thus capacity, nor the associated trail use, would be expected to increase substantially. Dispersed parking/camp sites in the area (generally old log landings) are limited and not particularly desirable. All information and amenities would continue to be available at the single existing trailhead, where access to trail loops originate.

2. **Big game disturbance due to road and OHV trail density.** A substantial portion of the proposed project area is considered to be winter range for big game. Due to the current road density, the project area does not currently meet the Forest Standards and Guides (S&G) for management of a Moderate Big Game Emphasis Area (BGEA). Implementation of the Proposed Action would increase road density, lowering habitat effectiveness.
3. **Detrimental Soil Conditions – The Forest S&Gs stipulate that detrimental soil conditions—which include compaction and displacement—will not exceed 20% of the activity area.** Past management activities in the project area have resulted in varying degrees of detrimental soil disturbance. Soil disturbed during recreational use and the ensuing maintenance activities create the potential for erosion and compaction. Unmitigated erosion may result in sedimentation of nearby streams affecting water quality and fisheries. Soil productivity is compromised by compaction, potentially reducing site productivity. The Niner Thinning Project timber sales will mitigate some of the currently existing detrimental soil conditions through post-harvest restoration of compacted areas. There are a number of existing roads planned for inclusion into the OHV trail expansion that will be reduced to half-width and converted to trail after the timber harvest is completed, resulting in restoration of soil productivity on approximately one-half the road tread for the length of the trail.

Other Alternatives Considered

Alternative 2 - No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. Mitigating measures would continue to be taken to protect resources. Use would likely continue to grow and use patterns would remain unchanged.

Other Alternatives

A number of other alternatives were considered but because each of them had a theme (relocation, seasonal restrictions, extension southward toward private inholdings) that would not have met the purpose and need, they were not fully evaluated. See pages 25 and 26 of the EA for discussion of each alternative considered but not fully evaluated. A comparison of the two evaluated alternatives can be found in the EA on pages 29-30.

Public Involvement

In June 2004, a Forest Service interdisciplinary team of resource specialists and Middle Fork Ranger District management staff defined the proposed actions elements, identified preliminary issues and project opportunities, identified potentially interested and affected people, and assigned members to the interdisciplinary team. The results of the scoping meeting were used to guide the public involvement process, establish analysis criteria and explore possible alternatives and their probable effects.

A proposal to expand the OHV trail system from 33 to 63 miles was listed in the Willamette National Forest's Schedule of Proposed Actions (SOPA) beginning in the Fall Quarter 2004. The SOPA is mailed out to a Forest mailing list of people interested in the management activities of the Forest. The SOPA provides one of the means of keeping the public informed of the progress of individual projects. The SOPA is also made available on the Willamette Forest website.

The scoping record with the description of the proposed action and additional project area information was sent out on February 8th, 2005 to a list of 92 individuals, organizations, tribes and State agencies. Sixteen written responses supporting the project were received as a result of scoping letter. One written response emphasizing the need to address a variety of resource concerns in the analysis was also received. Copies of the written correspondence can be found in Public Involvement section of the Analysis File. The individuals and organizations that submitted comments and a brief summary of the comments topics raised specific to the Huckleberry Flats OHV Trail Expansion project can be found on pages 13-14 of the EA. The comments were reviewed and the concerns incorporated into the issues where applicable. Information related to these concerns was either addressed in the discussion of the issues and environmental consequences or can be found throughout the different sections of the EA, Analysis File or Decision Notice.

Using the comments from the public and other agencies the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included provision of motorized trail system of insufficient length to provide a full day recreational experience, long-term impacts of wear caused by overuse of a limited recreational resource and impacts to water quality and game stemming from erosion and road density. To address these concerns, the Forest Service created the alternatives described above.

The following state and federal agencies were contacted or consulted with during the course of this project: Oregon Department of Fish and Wildlife, (ODFW), US Fish and Wildlife Service (USFWS), and National Oceanic and Atmospheric Administration (NOAA) – Fisheries Division. As a result of these contacts or consultations:

- USFWS provided concurrence supporting a may affect, but not likely to adversely affect the existence of the spotted owl due to disturbance. (USFWS BO#1-7-05-I 666)
- NOAA Fisheries Division provided a letter of concurrence supporting a may affect but not likely to adversely affect spring Chinook salmon. (Located in Project Analysis File)
- ODFW provided a letter supporting the non-significant Forest Plan Amendment to change the Huckleberry Big Game Emphasis Area (BGEA) designation from moderate to low and to change the adjacent Christy South BGEA from moderate to high. As a result of this change Christy South, an area where there are no developed motorized recreation trails, an agency focus will be on projects that can be implemented to enhance forage and reduce road disturbance. (Located in Project Analysis File)

No comments were received from the Tribes.

On April 26, 2007, the Huckleberry Flats OHV Expansion EA was made available to the public and other agencies for a 30-day public review and comment period pursuant to 36 CFR 215, by legal notice in The Register Guard, Eugene, Oregon, the newspaper of record for the Willamette National Forest. A letter was also sent to people who have participated in the environmental analysis process notifying them of the 30-day public review and comment period. Nineteen comments were received as a result of the mailing and newspaper legal notice. Fifteen comments were in favor of the expansion and four were opposed to the expansion. My decision was made considering these comments.

Doug Heiken of Oregon Wild had concerns about the issues listed below.

- 1. The proposed routes include lots of ecological and safety problems due to steep inclines and proximity to streams.**
- 2. Soil damage, erosion and water pollution will certainly become big problems especially on steep slopes and near streams. Area soils have already been severely damaged by past practices.**

Response: Listed on pages 27 and 28 of the EA are mitigation measures applicable to new trail location and construction issues including a maximum grade limitation and erosion control measures. Bridges, puncheons, culverts, and tread hardening will mitigate sedimentation issues associated with water quality. Soil compaction issues are addressed on pages 53-59 of the EA, including the conclusion that the activity area will not exceed the Forest Plan Standards and Guidelines for soil compaction.

3. There are so many new trails on steep slopes and near streams (in any area with cumulative impact concerns) that ACS violations are virtually certain.

Response: The expansion activities would be implemented in accordance with the ACS objectives. Maintenance of the existing aquatic habitat would be insured because of the minimal impacts to the riparian habitat. Maintenance of newly designated and constructed trails would lead to a reduction in fine sediment delivered to fish habitat. Trail construction would include necessary cross drains and/or waterbars to establish disconnect of ditch flow from stream channels. This would allow ditch flow to filter out in vegetation on the hillslope, rather than travel along the trail and draining directly into the stream at intersections with stream crossings. Long term monitoring and maintenance would insure structure functionality. Riparian habitat and connectivity would be maintained because no trees are proposed to be cut with this proposal. Flow regime would remain largely unchanged given the present and estimated future ARP values for the Project area.

This project is consistent with the Aquatic Conservation Strategy because it is designed to contribute to maintaining or restoring the project area and watershed condition over the long term, with only minor short-term negative effects. Appendix C of the EA contains more information on how the project addresses the ACS objectives.

- 4. OHVs are inherently unsafe.**
- 5. OHVs are a superfluous use of fossil fuels.**

Response: These issues are outside the scope of this analysis.

- 6. OHVs disturb all kinds of wildlife (from elk to spotted owl). We object to the plan amendment to facilitate the degradation of big game habitat.**

Response: Wildlife disturbance issues, including references to and the concurrence by ODFW of the non-significant Forest Plan Amendment, are addressed on pages 34-52 in the EA.

- 7. OHVs ruin the enjoyment of many non-motorized recreationists.**

Response: Existing motorized recreation use at this site will continue. This area has held little appeal for non-motorized recreationists because it consists of managed second-growth forest stands, lack of scenic viewpoints and existing motorized use. There have been no documented reports of recreational user conflicts within the existing trail system network.

- 8. The EA lacks a thorough analysis of how the demand could be met elsewhere. OHVs can apparently afford to buy expensive toys so they should develop OHV facilities on private lands.**

Response: The Purpose and Need (pages 4-6) addresses the issue of lost OHV opportunity on public land and the rationale for expanding within an existing riding area. Exploring opportunities for development of OHV areas on private land is not within the scope of this analysis.

- 9. OHVs will introduce and spread weeds.**

Response: The effect of implementation on the introduction and spread of invasive plants is addressed on pages 77-79 of the EA.

10. OHVs introduce a significant fire risk in our forests.

Response: Spark arresting equipment for OHVs is required and monitored during fire season. Area closures prohibit off-road riding during periods of high fire danger. No OHV-related fires have been documented on the Willamette National Forest.

11. Significant impacts on public safety and global climate change, wildlife, soil, water quality, recreation require an EIS.

Response: The EA addresses impacts on wildlife, soil, water quality and recreation. Analysis of public safety and global climate change is outside the scope of this project.

12. OHVs will not follow rules. Having more OHVs means more violators and the Forest Service does not have the money or staff to enforce the rules.

Response: Quantification of the proportion of OHV users that do/do not “follow the rules” is not evaluated in this EA. Funding for all phases of OHV management, including education and enforcement, is available and has been regularly acquired through non-Forest Service sources (See page 3 of the EA).

Edward Culwell, a resident of High Prairie, expressed concerns about fire danger, litter, rude and aggressive driving, trespassing, theft, and noise. Himself a former motorcycle rider, he states that his “objections are just a matter of location”.

Response: Mr. Culwell’s concerns are based on subjective quantifications of current and potential of the average Huckleberry Flats OHV trail visitor. Trailhead monitoring data and professional observation conflict with Mr. Culwell’s perceptions on several key points. Of course Huckleberry Flats is open to all members of the public seeking a motorized recreation experience—including males in the 20-40 year old age group--but it is best known in the OHV community as a relatively safe place for families to ride together because of the predominately one-way trails, high level of maintenance and variety of difficulty levels.

Mr. Culwell’s property is about 1.5 miles south of the existing OHV trail system and does not abut High Prairie road. The nearest new trail designation is approximately two air-miles from his property, with no new trail designations south of the existing riding area.

Driving behavior of the public on the county road is not controlled by the Forest Service. As it is, the OHV area is not large enough to merit much more than a minimum of non-FS law enforcement.

As a very popular riding area, use of Huckleberry Flats will likely continue to incrementally increase even without the expansion. There is some potential, during future timber harvest activities that use may temporarily decline. The provision of an enhanced motorized opportunity

will enhance continued opportunities for funding for law enforcement from Forest Service and outside sources, and a high level of resource management. A discussion of expected of future growth in use can be found on pages 31-33 of the EA.

Edwin Weih, a resident of High Prairie, while claiming no philosophical opposition to OHVs using public land, expressed concerns about the effects of a potential traffic increase on High Prairie road and it's effect on residential safety and ambiance, as well as noting the increase in litter since trail use has increased during his tenure as an area resident.

Response:

As a long time resident of High Prairie there is no doubt that Mr. Weih has witnessed an increase in traffic generated by modestly increased residential development in the area and the notable increase in the use of Huckleberry Flats by OHV enthusiasts. While Mr. Weih owns a driveway that intersects the High Prairie road at a location (on a curve) where sight distance is poor, there is no data provided to substantiate near misses, excessive speed specific to OHV traffic, nor documentation of known incidents of collision between area residents leaving their driveways and OHV traffic on High Prairie road. In light of the increase in use experienced at Huckleberry Flats, and as an attempt to draw some of the use away from the rural residential area, the Forest Service coordinated interagency (State, County and FS) informational signing from State Highway 58 to the trailhead via Forest Road 19. In addition, for OHV traffic coming from the Willamette Valley (the vast majority), the trail map dropped the access directions from Westfir to the trailhead via High Prairie road. The public is in no way required to utilize the suggested route, so there is no basis for enforcement of ingress/egress to the trailhead. Mr. Weih's statement that it is rare for the off-road users to use this road more than once because it is paved and shorter is conjecture—Road 19 is also paved and is a scenic byway which also appeals to Huckleberry Flats OHV Trail visitors.

For many years, due to the proliferation of garbage dumping on FS land, it's proximity to the residential area, and very lean recreation funding, Huckleberry Flats OHV Trail did not offer garbage service and, to discourage household garbage dumping by area residents, operated on a "Pack It Out" basis. Acknowledging the rise in use, traffic and potential for associated litter, the Forest Service now provides garbage service at the trailhead/parking area and litter pickup as needed on Road 1928 within the FS boundary.

Mr. Weih's desire to see OHV use spread more evenly throughout the county, while avoiding access through rural residential areas is outside the scope of this project.

Bruce R. Moses, a resident of the High Prairie area expressed concerns of increased noise, fire danger, expansion of covert OHV traffic, dispersed camping in the area adjacent to his home, and threat of property theft.

Response:

In a telephone conversation with Mr. Moses, in response to the receipt of his comment stating he needed to know more about the expansion proposal, he divulged that he had not viewed the draft EA or the map of the proposed expansion. As indicated in his written response, he was under the false assumption that the proposed expansion was directly east of his property when, in fact, the

closest point of the existing trail system is about 1.5 (air-miles) directly north of his property and the closest new trail designation is about 2 air-miles. Considering the distance separating Mr. Moses' property from the trail area, the likelihood of his being disturbed by "increased noise at all hours" is substantially diminished.

In his comment, Mr. Moses expresses a desire to know what steps will be taken to actually limit motorized vehicles to approved trails within the Huckleberry Flats OHV area. Use of the area east of his property is currently very occasional with no known documented OHV intrusions from the either Mr. Moses himself or the previous landowner. Most OHV riders come to Huckleberry Flats from outside the Oakridge/Westfir area and are highly reliant on the trail map to navigate the trail system, effectively minimizing the potential for them to stray onto Mr. Moses' property from adjacent FS roads and trails. Under current management direction use of OHVs that are being used in compliance with Oregon Revised Statutes, Chapter 821 (Oregon State motor vehicle laws) on established roads and trails, are not prohibited unless the area is posted as being closed. There currently are no closures specific to the area adjacent to Mr. Moses' property. At this time, the closest planned management activity to the Moses and Culwell properties, a commercial timber removal, will close and rehabilitate designated skid trails adjacent to FS road 1928 which should ameliorate concerns of trespass from the north onto private property.

Dispersed camping on Forest Service land is a legal and accepted option for the public whether or not they also use OHVs. During periods of high fire danger, the trail is closed to OHV use, which would likely diminish the already rather low occurrence of dispersed camping in the Huckleberry Flats area.

That said, whether or not the proposed fuel reduction activities which are perceived to be an open invitation for increased OHV use materializes, the best opportunity for Mr. Moses to express support for restrictions on camping and OHV use near or adjacent to his property may be found in the public involvement phase of the Willamette National Forest's Travel Management Rule implementation. Scoping is planned to begin this year.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Context:

"The significance of an action must be analyzed in several contexts such as society as a whole, the affected regions, the affected interests, and the locality...in the case of site-specific actions (such as this one), significance would usually depend one on the effects at the locale rather than the world as a whole".

The Huckleberry Flats OHV Trail Expansion implements direction set forth in the Willamette National Forest Plan to provide for a "diversity of off-road vehicle recreational opportunities where use is compatible with resource objectives and there is a demonstrated demand which

cannot be better satisfied elsewhere.” The Willamette National Forest is one of eighteen National Forests in the Pacific Northwest Region. The selected alternative of the Huckleberry Flats OHV Trail Expansion will affect less than .003% of the Willamette National Forest (4,300 acres out of 1,700,000 acres) and less than 3% (4,300 acres out of 158,200 acres) of the North Fork of the Middle Fork of the Willamette River watershed. Assuming 30 additional miles of designated trail managed for vehicles not exceeding 50” in width, less than 30 additional acres would be designated as OHV trail.

There are currently no other designated motorized trail systems on the Middle Fork District, and only one other area on the Willamette National Forest (located on the McKenzie River Ranger District) is under consideration for designation for motorized use. Less than 15% of the approximately 583 miles of trail on the Middle Fork District are open to motorized use. Approximately 52 miles of multiple use (hiking, biking, equestrian, and motorcycle) trails are found throughout the Middle Fork District in 16 locations and range in length from .5 miles to 9.3 miles, averaging about three miles. Because of their abbreviated length, only about three of those multiple use trails are found to be of moderate value to the local OHV community, primarily because of their length and proximity to the Oakridge/Westfir area.

Under current travel management (open to off-road use unless posted closed), Forest Service system roads in the planning area are currently open to motorized use even though they have not been formally integrated into the trail system and assigned trail numbers. Half of the mileage included in the expansion (15 miles) will be roads selected from this group and designated as trail. Many of the roads not designated as trail will be closed after the Niner timber sales are completed. Twelve miles of trail will be designated on existing skid trails and the like. Three miles of tread, tying trails together to form loop opportunities, will be constructed utilizing Best Management Practices (BMP) and mitigations listed on pages 27-28 of the EA. Less than 10% of the new mileage will occur on soils not previously impacted by management activities. When managed as trail for vehicles 50” and less, there will be less than three acres of new ground disturbance. Therefore, the effects of the selected alternative on the resources and species within the project area or at scales larger than the project are not significant, as disclosed in Chapter 3 of the EA.

The impacts of the project, compared to those of not providing managed areas for the growing numbers of motorized recreationists is not significant as disclosed in Chapter 3 of the EA.

Intensity:

- 1) *Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.*

The environmental effects of the proposed actions will be both beneficial and adverse, as documented in Chapter 3 of the EA, (pages 31-79), but not significantly so. Providing a designated, managed system to accommodate use may result in fewer adverse impacts elsewhere in the National Forest from displaced use (EA, page 33). The action would increase soil compaction on about three acres (cumulative) in seven locations. The action would not increase the overall detrimental soil conditions from past logging practices and mitigated proposed Niner Thinning project timber sale activities to levels above the Forest Plan Standard and Guidelines (20%) because there is no new trail construction proposed in areas where mitigated detrimental soil conditions in the planning area exceed 14% (Table 13,

Niner Thinning Project EA). A minimal amount of disturbance of coarse woody debris is expected from the trail construction activities which would be mitigated by leaving all disturbed down wood on site (EA, page 27). The action could cause a fluctuation in utilization of the area as foraging habitat but would not have a significant effect on the northern spotted owl (EA, page 51). Fisher individuals or habitat may be impacted but the proposed action is not likely to contribute toward a Federal listing or loss of viability to the population. It's been determined that others species, such as the slender salamander, shrews and neo-tropical migrant land birds would experience only slight or no impacts to individuals or habitat (EA pages 52-53). With implementation of BMPs the action would not likely contribute to measureable changes in water quality or fisheries (EA pages 65-69). Impacts on riparian vegetation will be minor because riparian overstory trees would not be disturbed (EA pages 66, 68). OHV trail construction and maintenance will introduce an element of soil disturbance that would create conditions which are susceptible to spread of invasive weeds. Conversely, a designated trail system will contain OHV use and provide opportunity for public education and monitoring (EA, page 77).

2) *The degree to which the proposed action affects public health or safety.*

There will be no significant effects on public health and safety. This expansion is, to a great extent, an exercise in designation of existing motorized travelways. State traffic laws will continue to prevail. Trail users and other forest visitors would be alerted to the presence of construction or maintenance equipment by advisory signs, as is the standard operating procedure during tread maintenance activities on the existing trail system. Any increase in traffic would be caused by a general increase in OHV owners seeking a recreational experience within the National Forest at the existing trail system rather than by the integration of additional trails into that system. Access routes through National Forest will be continue to be promoted to alleviate traffic concerns through rural residential areas. Trail additions would be well signed and mapped. Where motorized mixed use exists, advisory signs (i.e., OHVs on Roadway, Congestion, suggested speeds) would continue to be posted. Preventive fire measures (advisory signing, exhaust compliance monitoring) would continue. Mitigating measures which include best management practices would insure protection of water quality as indicated on pages 27-28 of the EA.

3) *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.*

A cultural resource survey has been completed on all proposed trail sites. The surveys were conducted according to an inventory plan approved by the Oregon State Historic Preservation Office (SHPO). This inventory is consistent with an agreement between the USDA Forest Service R6/PNW, Oregon SHPO, and the advisory council on historic preservation. Several areas containing these resources have been identified. Operations will halt to provide for protection of this resource in the event that new material is discovered during ground disturbing activities (EA page 83).

There will be no significant effects on unique characteristics of the area, because the action avoids or excludes these areas from any management activities. An adjacent Wild and Scenic River corridor, which drops steeply to the west of the project area is not included in the project

area. Trails passing through riparian areas would be mitigated by utilizing best management practices including mitigations such as bridges, drainage structures, culverts, puncheons or tread hardening techniques.

Several special habitats consisting of hardwood inclusions, scattered small wetlands and drier non-forested openings are located in the project area. Unique natural features such as these are designated as special habitats in the project area are excluded from any physical disturbance.

Therefore, no adverse direct, indirect, or cumulative effects on naturally occurring special habitats are anticipated as a result of implementation.

The proposed action does not include areas of park lands, prime farmlands, or rangelands, therefore the proposed action cannot have environmental consequences to them (EA, page 84)

The vegetation and topography of this area is typical of the Middle Fork Ranger District and no known ecologically critical areas occur. Due to the above reasons and conditions, there will be no significant impact to the human environment in regard to these unique geographic characteristics.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The Huckleberry Flats OHV Trail Expansion analysis is based upon the best available scientific information and site-specific data. Models and methods used to estimate the effects presented in Chapter 3 of the EA are widely used in similar analyses and have been reviewed by the research and academic communities. I am not aware of any credible, peer reviewed scientific questioning of the methods used in this analysis, nor of its results.

Some members of the public are philosophically opposed to OHV use on federally managed forestlands. This opposition is expressed by questioning the accuracy or procedural correctness of various analyses. To these people, the results of any environmental analysis documenting the effects of OHV use is viewed to be not credible, therefore these management actions are perceived to be controversial.

I find that there is no known controversy surrounding the scientific basis for the estimation of effects of the proposed designation of motorized-use trails presented in the Huckleberry Flats OHV Trail Expansion EA.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

We have considerable experience with the types of activities to be implemented with this decision. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk. Similar types of OHV trail system construction and management have occurred here at the existing Huckleberry Flats OHV Trail and on other National Forests. No impacts to the human environment that are highly uncertain or involve unique or unknown risk have been identified in Chapter 3 of this analysis (EA, pages 31-79).

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Forest Plan is the vehicle that makes decisions in principle about future considerations. Future projects to implement the Forest Plan direction will be analyzed in separate NEPA planning processes. Decisions based upon the Huckleberry Flats OHV Trail Expansion analysis will not directly affect how such future decisions may be made.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The analyses presented in Chapter 3 of the EA constitute an evaluation of cumulative impacts of the Huckleberry Flats OHV Trail Expansion proposed action. The discussions include effects of past, present, future foreseeable actions in addition to those of the selected alternative (detrimental soil conditions (EA, page 58-59), big game habitat (EA, page 43-45), northern spotted owls and other threatened, endangered, and sensitive species (EA, pages 51-52), Biological Evaluations in Analysis File), Survey and Manage species (EA, pages 47-48), Management Indicator species (EA, pages 45-46), land birds including neotropical migratory birds (EA, pages 53), Water Quality, including soil erosion, turbidity, and peak flows, Fisheries and Riparian Vegetation (EA, page 67-68), invasive weeds (EA, pages 78-79). All these effects are within the levels anticipated by the Willamette National Forest and the Northwest Forest Plans. Appendix B of the EA provides a complete listing of past, present, and foreseeable activities in the watershed. The North Fork of the Middle Fork of the Willamette River Watershed Analysis (WA) is incorporated by reference (EA, page 12-13). This WA presents a comprehensive analysis of the watershed conditions that provides a contextual basis of cumulative effects. No significant direct, indirect, or cumulative impacts to soil, wildlife, water, fisheries, vegetation, recreation, and public safety or other components of the human environment are anticipated.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.*

An appropriate review has been conducted by this undertaking, and no significant property (s), which may be eligible for inclusion in the National Register Historic Places, were found to be present in the project area.

This document meets the requirements of Section 106 and 110 of the National Historic Preservation Act.

Cultural resources have been surveyed (as mentioned in Item 3). The proposal will have no adverse effects to cultural resources (EA, page 83-84).

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.*

The Huckleberry Flats OHV Trail Expansion Biological Evaluations (BE) and Biological Assessments (BA) address the effects upon endangered and threatened species and their habitat. The summary of the effects to threatened northern spotted owl is found in the EA (pages 51). None of the project area is located within a USF&WS designated Critical Habitat Unit. The effects determination for the expansion project is a “may affect, not likely to

adversely affect” northern spotted owls or its designated critical habitat (EA, page 49). Trail construction operations could create a potential noise disturbance to owls during the nesting season that is mitigated with a seasonal restriction in the nesting/foraging/roosting habitat located outside of, but adjacent to, the project area. Formal consultation with USF&WS as required by Section 7 of the Endangered Species Act was completed and a Biological Opinion for this finding is located in the Analysis File. Term and Conditions recommended in the Biological Opinion that are applicable have been incorporated into project design and mitigation measures.

North Fork of the Middle Fork of the Willamette River provides habitat for spring chinook salmon and bull trout, two ESA-listed fish species. Only the spring Chinook salmon are currently found in the river. The finding of the Biological Assessment (BA) for the selected alternative is a “not likely to adversely affect” spring chinook salmon and bull trout (BA page 51). Formal consultation was completed with the National Oceanic and Atmospheric Administration (NOAA) - Fisheries Division and US Fisheries and Wildlife Service and letters of their concurrence for this finding is located in the Analysis File.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This project is in compliance with all Federal and State laws relating to environmental protection. A summary of how this project and the design of alternatives comply with the federal and state laws can be found in Appendix A of the EA. The proposed action meets State air and water quality standards and complies with all regulations in the National Historic Preservation Act, National Environmental Policy Act, Endangered Species Act, National Forest Management Act, Clean Air Act, and Clean Water Act.

This finding is based on how the Huckleberry Flats OHV Trail Expansion environmental assessment was prepared in accordance to Forest Plan Management Areas and Standards and Guidelines, water quality and beneficial uses (EA, page 59-64) Threatened, Endangered, and Sensitive species (EA, pages 45-53, 67), and with various recent Executive Orders (Appendix A).

Findings Required by Other Laws and Regulations

This decision to implement Alternative 1 is consistent with the intent of the Forest Plan’s long term goal and objectives for recreation listed on pages IV-4, 9, 10, 21. The project was designed in conformance with the Land and Resource Management Plan Standards and Guidelines and incorporates appropriate guidelines for Management Areas 14A, 9B, where activities will occur implementing this decision (EA, Figure 1 page 11).

This decision is consistent with all applicable Acts and Regulations such as the National Forest Management Act (NFMA) of 1976, National Environmental Policy Act (NEPA) of 1969, Endangered Species Act (ESA) of 1973, Clean Water Act (CWA) of 1972 and section 319 of the 1987 CWA, Civil Rights Act (CR) of 1964, Title VI and Environmental Justice (EJ) Executive Orders 11988 and 11990, The Preservation of Antiquities Act of June 1906 and the National Historic Preservation Act of October 1966, Executive Order 12962 on Recreational Fishing, and Executive Order 13186 on Neotropical Migratory Birds (EA, Chapter 3 and Appendix A).

In addition, the August 1, 2005, and January 9, 2006, U.S. District Court orders in the Northwest Ecosystems Alliance et al. v. Rey et al (NEA), Civ. No.04-844, WD Wash, set aside the 2004 Record of Decision (ROD) to Remove or Modify the Survey and Manage Mitigating Measures Standards and Guidelines. The Court re-instated the January 2001 ROD for Amendments to the Survey and Manage, Protection Buffer, and other Mitigating Measures Standards and Guidelines, as amended by the 2001 and 2003 Annual Species Reviews. On October 11, 2006, the U.S. District Court modified its order amending paragraph three of the January 9, 2006 injunction.

This project is in compliance with the January 2001 ROD for Amendments to the Survey and Manage, Protection Buffer, and other Mitigating Measures Standards and Guidelines, as amended by the 2001 and 2003 Annual Species Reviews.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 215. Only individuals or organizations that submitted comments or otherwise expressed interest during the EA comment period, which ran from April 26 to May 26, 2007 may appeal.

Notices of Appeal must meet the requirements of 36 CFR 215.14. Appeals can be submitted in several forms, but must be received by the Appeal Deciding Officer, Regional Forester, within 45 days from the date of publication of this notice in the Register-Guard, Eugene OR. Appeals may be:

1) Mailed to: Appeal Deciding Officer, Regional Forester; ATTN: APPEALS, P.O. Box 3623; Portland, OR 97208-3623;

2) E-mailed to: appeals-pacificnorthwest-regional-office@fs.fed.us. Please put APPEAL and the project name in the subject line. Electronic appeals must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. E-mails submitted to addresses other than the ones listed above or in formats other than those listed above or containing viruses will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail;

3) Delivered to: Pacific Northwest Regional Office, 333 SW First Avenue, Robert Duncan Plaza Building, Portland Oregon between 8 am and 4:30 pm, M-F; or

4) Faxed to: Regional Forester, ATTN: APPEALS at (503) 808-2255.
Implementation

If no appeal is filed, implementation of this decision may begin 5 business days from

close of the appeal period. If an appeal is filed, implementation of this decision shall not occur for 15 days following the date of appeal dispositions.

Contact

For further information about this project, please contact Chip Weber, District Ranger or Stacey Smith, Recreation Staff Officer at the Middle Fork Ranger Station; at (541) 782-2283 during normal business hours.

/s/ Dallas Emch

Dallas Emch
Forest Supervisor
Willamette National Forest

August 31, 2007

Date



