

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

**MANAGING RECREATION USE ON WALDO LAKE  
ENVIRONMENTAL ASSESSMENT**

**FOREST PLAN AMENDMENT NO. 47**

Lane County, Oregon  
US Forest Service  
Willamette National Forest  
Middle Fork Ranger District

**Legal Description:** T21S, R5.5E, sec 13, 24, 25, 36; T21S, R6E, sec 7-9, 16-21, 29-32;  
T22S, R5.5E, sec 1, 12; T22S, R6E, sec 5-7; Willamette Meridian

## **Decision and Reasons for the Decision**

### **Background**

Motorized boat use dominates water recreation on most large lakes and reservoirs (>1000 acres) in the Pacific Northwest region. While Waldo Lake is the 13<sup>th</sup> largest water body in Oregon, it receives a different mix of water recreation than Oregon's other large lakes and reservoirs. More than 86 percent of boat use on Waldo Lake is nonmotorized. This unusual boating pattern on a large lake is largely due to a 10 mph boat speed limit and the lake's relatively low fish population. The infrequency of motorized disturbances along its shoreline combines with the lake's remote location on the crest of the Cascade Mountains and its outstanding water clarity to make Waldo Lake a popular destination for visitors from communities in the Willamette Valley and central Oregon. Public comments over the last 10 years have demonstrated to the Willamette National Forest how much Waldo Lake visitors appreciate its peacefulness and remoteness, and how sensitive they can be to disturbance from motorized traffic once they leave a trailhead or boat launch.

The peacefulness and solitude experienced on Waldo Lake's remote shoreline areas is not only popular among forest visitors but unique for a large lake setting in the Pacific Northwest. A broad search across the western half of the continent for lake settings similar to Waldo Lake will produce few large lakes for people to visit and experience nonmotorized lakeside settings. Settings that currently exist are limited to portions of large lakes or reservoirs such as Yellowstone Lake, lakes in the Boundary Waters Wilderness/Quetico Provincial Park area of Minnesota and Ontario, a handful of lakes in British Columbia, and remote lakes in Alaska.

The 1990 Willamette National Forest Land and Resource Management Plan (as amended), hereafter referred to as the Forest Plan, has defined recreation experience objectives for most of the Waldo shoreline as Dispersed Recreation – Semiprimitive and

Nonmotorized. A comprehensive description of these objectives is offered by the Recreation Opportunity Spectrum (ROS) in Appendix A of the Waldo Lake – Managing Recreation Use Environmental Assessment (EA). The Forest Plan also identifies three management goals for the Semiprimitive shoreline around Waldo Lake (USDA 1990b; page IV-195). These management goals are:

- Provide a full spectrum of recreation opportunities that meet (ROS) criteria for a *Semiprimitive Nonmotorized* experience through the management of user activities and natural resource settings.
- Provide users the opportunity to experience a sense of solitude, tranquility, self-reliance and closeness to nature. These experiences are provided through activities involving the application of outdoor skills in an environment that offers some challenge and risk.
- Provide for the conservation of unique geographic, topographic, biological, and ecological processes, as well as significant scenic, wildlife, recreation, and watershed values.

Current use of internal combustion boat motors, lake visits by floatplanes, and use of chainsaws and generators at shoreline dispersed sites are inconsistent with the recreation experience objectives assigned to the Waldo Lake’s Semiprimitive Nonmotorized shoreline. The Forest is committed to managing lake use to meet the management goals for Waldo Lake’s Semiprimitive shoreline and to offer the public an exceptional nonmotorized experience on a large lake. To address these two recreation Needs for Action at Waldo Lake, the Forest began examining management options in 1998 and completed an EA of selected alternatives in 2006. This EA is the basis for the following management decision.

### **Decision**

After reviewing alternative strategies within the **Waldo Lake - Managing Recreation Use Environmental Assessment** (EA), I am selecting Alternative 4 because it effectively responds to significant resource issues described in the EA while addressing the project’s Needs for Action.

With this decision, I also will be modifying Alternative 4 and the proposed new Forest Plan standards slightly from their descriptions in the EA. This modification would have the District Ranger of the Middle Fork Ranger District serve as the approving official on any administrative exceptions for boat motor use or use of internal combustion devices on lands immediately surrounding Waldo Lake. I am making this minor modification because the District Ranger has the best perspective of the recreation program needs around Waldo Lake and will likely be more available for responding to emergency situations. The modified alternative will be referred to as **Alternative 4 Modified** in this document and its effects will be the same as those described for Alternative 4 in the EA and supporting documents.

In selecting Alternative 4 Modified, I am amending the Forest Plan with two new Standards and Guidelines to help the Forest meet recreation objectives for the Semiprimitive Nonmotorized shoreline areas around Waldo Lake. A new forest-wide standard (FW-323) will prohibit year-round the public use of internal combustion boat motors and floatplanes on the surface of Waldo Lake. A new management area standard

(MA-10e-17) will prohibit year-round the public use of chainsaws and generators on Semiprimitive Nonmotorized lands immediately surrounding Waldo Lake. Both standards are listed below in the description of Alternative 4 Modified (selected alternative), and the attached Map 2 shows which MA-10e lands within the Project Boundary are affected by MA-10e-17.

### **Description of selected Alternative 4 Modified**

Alternative 4 Modified amends the Forest Plan in the following ways:

- Internal combustion boat motor use would be prohibited year-round.
  - Administrative exceptions for boat motor use, such as search and rescue, law enforcement, fire suppression, research/science monitoring, or trail maintenance, could be approved in writing by the District Ranger.
- Electric boat motor use would be allowed. The 10 mph and 5 mph speed limits would remain in effect.
- Boat motor restrictions would begin two years after the decision is finalized to allow time to educate visitors about this management change.
- The surface of Waldo Lake would be closed to floatplanes year-round.
- Public use of chainsaws and generators in the Dispersed Recreation, Semiprimitive Nonmotorized Management Area (MA 10e) around the lake would be prohibited year-round.

These restrictions would be implemented with two new Forest Plan standards worded in the following way.

- **FW- 323 Public use of all internal combustion boat motors and floatplanes on the surface of Waldo Lake shall be prohibited year-round.** Public use of electric boat motors on Waldo Lake is allowed. Administrative use (including search and rescue, law enforcement, fire suppression, authorized research, or trail maintenance) of internal combustion motors could be allowed on Waldo Lake when approved in writing by the District Ranger.
- **MA-10e-17 Public use of internal combustion devices (such as chainsaws and generators) on lands immediately surrounding Waldo Lake shall be prohibited year-round.** Administrative use (including search and rescue, law enforcement, fire suppression, authorized research, or trail maintenance) of such devices could be allowed when approved in writing by the District Ranger.

The new standard MA-10e-17 would apply only to Dispersed Recreation - Semiprimitive Nonmotorized lands located between Waldo Lake and the Waldo Lake Wilderness or the Waldo Lake trail #3590 along the eastern shoreline (see attached Map 2).

### **Project Monitoring**

During the two-year transition period, USDA Forest Service staff will talk with visitors at the three boat launches during the summer season to explain the upcoming management change on motor uses and to answer any questions. Public contacts also will be used to

provide general information about the lake basin and to promote *Leave No Trace* camping behavior by visitors at dispersed sites on the Semiprimitive shoreline. After the two-year transition period, implementation monitoring will take the form of enforcement patrols at boat launches and the lake surface.

### **Reasons for Selecting Alternative 4 Modified**

Offering almost 6300 acres of water surface that is partially surrounded by the Waldo Lake Wilderness on the Cascade crest, Waldo Lake is indeed a special public resource and understandably a popular recreation opportunity. Public recognition of these facts has been shared with the Willamette National Forest by visitors from across the Pacific Northwest since we started receiving public comments on this project in 1998. The range of public comments showed me the importance that our visitors place in Waldo Lake as a recreation destination.

Two consistent themes were shared by people in their thoughts about Waldo Lake. The first and most universal theme is to protect Waldo Lake from the damaging effects of human use. Most of these comments were directed toward water quality and the surrounding forest landscape, two striking features in the Waldo Lake basin. The second and more conceptual theme is to keep Waldo Lake pristine. These comments often express the values of remoteness, solitude, quiet places, and naturalness. While these two themes are connected, the former expresses a concern for changes to physical conditions, whereas the latter focuses on visitor experiences at Waldo Lake and how human activities can affect these experiences.

The Willamette National Forest values the importance of these two resource themes at Waldo Lake, and remains committed to managing recreation use at Waldo Lake to protect water quality and to retain the pristine character of the lake's undeveloped shoreline. Designating most of the lake's shoreline a Semiprimitive Nonmotorized management area (*MA-10e*) in the Forest Plan is part of the Willamette National Forest's intent of offering a pristine shoreline setting around Waldo Lake. This project is specifically designed around the second and more conceptual theme of keeping the Waldo Lake setting pristine by managing motorized activities on or near the Semiprimitive Nonmotorized shoreline.

After studying the information presented in the EA about significant issues (EA, pages 26-46) and understanding the public's views on managing recreation uses on the Semiprimitive Nonmotorized shoreline (*EA, Appendix E*), I am selecting **Alternative 4 Modified** as our strategy for managing recreation uses around the semiprimitive shoreline of Waldo Lake.

Alternative 4 Modified effectively meets the defined Purpose and Need for Action and helps the Willamette National Forest move toward meeting Access and Remoteness standards for the Semiprimitive Nonmotorized shoreline throughout the recreation season by removing motorized disturbances on Waldo Lake and its Semiprimitive Nonmotorized shoreline. Alternative 4 Modified also offers the Willamette National Forest an opportunity to promote a nonmotorized experience on a large lake. The following summarizes how Alternative 4 Modified responds to the significant issues in the EA and lead to my decision.

**Motorized Disturbances to Semiprimitive Shoreline Visitors** - Alternative 4 Modified removes most motorized disturbances to the Semiprimitive Nonmotorized shoreline setting from boats and floatplanes on the lake, and chainsaws and generators on the shoreline. Alternative 4 Modified applies these setting improvements for the 150-day summer/fall recreation season, when most visits to the Semiprimitive shoreline occur. The Forest Plan does not define different shoreline setting objectives for different seasons of use, therefore our interest in meeting these Forest Plan objectives would be best served by managing recreation use consistently across the entire 150-day summer/fall season.

I selected Alternative 4 Modified, because it removes disturbance created internal combustion motors on both boats and floatplanes from the surface of Waldo Lake. While the number of floatplane visits at Waldo Lake is low (EA, page 40), their disturbing presence is as inconsistent with Semiprimitive Nonmotorized setting objectives as a passing boat powered by an internal combustion motor. Alternative 4 Modified enhances our consistency with Forest Plan setting objectives by also removing disturbance created by public use of chainsaws and generators on the Semiprimitive Nonmotorized shoreline.

I recognize and accept that Alternative 4 Modified will not completely eliminate motorized disturbances to visitors of Waldo's Semiprimitive shoreline. Activities connected with access roads and campgrounds on the east side of Waldo Lake will continue to generate motor disturbances that may affect Semiprimitive shoreline visitors. Additionally, shoreline visitors have the potential to experience a plane flying overhead or even a train traveling over Willamette Pass. The EA describes these continuing disturbance effects on Semiprimitive shoreline visitors under Alternative 4 Modified, particularly those staying at shoreline sites closest to one of the three campgrounds (EA, page 35). I consider many of these auditory distractions to be typical of the "distant sights and sounds of human activity" that define the Remoteness standard for a Semiprimitive Nonmotorized setting.

In selecting Alternative 4 Modified, I also understand that allowing the administrative use of internal combustion motors on Waldo Lake for trail maintenance and lake research will occasionally intrude on some shoreline visitors and may compromise their experiences. I conclude that the EA identified and described the scope and scale of these effects sufficiently (EA, pages 36-37) to inform my selection of Alternative 4 Modified. These administrative activities offer an important benefit to the public and to other Forest Plan resource objectives at Waldo Lake. I am willing to allow their temporary effects on shoreline visitors as an acceptable trade-off for other public benefits from this administrative use. I am also confident that the approval process for administrative uses of internal combustion motors under Alternative 4 Modified can be designed to minimize disturbances to shoreline visitors. Our field staff and research partners will be encouraged to use less intrusive ways of accomplishing their administrative work in order to reduce motorized intrusions on shoreline visitors.

Similarly, Alternative 4 Modified will allow the occasional disturbance effects to the shoreline visitors from the administrative use of motors for emergencies, search and rescue, law enforcement, and fire suppression. These operations serve a vital public service and I expect their effects on shoreline visitors will be limited in time and scale (EA, page 37). I am identifying these administrative uses separately because I realize these operations are less predictable and more difficult to schedule around periods of high

recreation use. In this sense, I recognize the Willamette National Forest will have less ability to limit their disturbing effects on shoreline users. Public comments to the EA and during the scoping process have demonstrated the public's willingness to accept agency use of motors for public safety purposes. Understanding the public's attitudes around administrative motor uses allowed me to feel comfortable with the motor exceptions strategy described under Alternative 4 Modified. Within the context of administrative use of motors, I also expect the Willamette National Forest will begin using electric boat motor options whenever feasible, and as soon as possible.

**Public Access** - Alternative 4 Modified would reduce lake access options for Waldo Lake visitors by prohibiting public use of all internal combustion motors on Waldo Lake and its semiprimitive shoreline. By limiting boat motor options to electric models, Alternative 4 Modified would restrict independent boating access for visitors with physical limitations. These visitors would need to rely on others to navigate on Waldo Lake or recreate at other water bodies. Alternative 4 Modified would also restrict boating options for owners of large boats (greater than 18 feet) who felt that electric boat motors could not serve their boating needs. These boat owners would need to choose another boating option or recreate at another water body. Many of the large boats on Waldo Lake are sailboats equipped with auxiliary motor power (EA, page 41). Alternative 4 Modified would also displace the few floatplane operators that have visited Waldo Lake.

Our 1998 recreation survey showed approximately 13.6 percent of Waldo Lake boaters used motors, and approximately 12.3 percent of all boaters used internal combustion motors. About one-third of motorized boats were sailboats. Table 2 in the EA estimates about 360 motorized boaters affected by Alternative 4 Modified. I recognize that by selecting Alternative 4 Modified some boaters will be displaced from Waldo Lake or will need to change their boating habits or equipment. Alternative 4 Modified will not satisfy the desires of all Waldo Lake boaters; however, the displacement of 12.3 percent of boaters is a trade-off that I am willing to make for the benefits of meeting Forest Plan setting objectives for the Semiprimitive Nonmotorized shoreline and for improving setting conditions for a larger population of lake visitors. The existence of many other large lakes open to motorized boating near Waldo Lake helps to make this trade-off acceptable.

As partial mitigation for boater concerns over lake access, I selected Alternative 4 Modified over the more restrictive Alternative 5, because it retains electric boat motor options that I believe can meet the needs of many boaters who have raised the issues of lake access and mobility (EA, page 39-41). Given a two-year period to transition to electric motor options, I believe the actual number of boaters displaced by Alternative 4 Modified will be smaller than 12.3 percent of current boaters.

Retaining electric boat motor options under Alternative 4 Modified will also create a subtle compromise to meeting Forest Plan setting objectives for the Semiprimitive shoreline. I am confident any use of electric boat motors on Waldo Lake when combined with existing boat speed limits will not substantially denigrate shoreline setting experiences for visitors. Here again, I am willing to accept a less than perfect situation for meeting setting objectives in order to reserve access options for affected motorized boaters.

Alternative 4 Modified also will displace floatplane operators from the surface of Waldo Lake. I am comfortable reducing access to a little-used water body for floatplane pilots to create setting benefits at Waldo Lake for a larger population of national forest visitors.

**Management Costs** - Alternative 4 Modified was estimated to have the second highest increase in dispersed recreation management costs (EA, page 42). Only Alternative 3 was higher than Alternative 4 Modified. The absolute cost differences between the action alternatives were not substantial when compared to our overall recreation budget. Most of new management costs generated by Alternative 4 Modified should occur during the first five years of implementation therefore, I expect long-term management costs will not be sustained at the level presented in the EA. I found the estimated increase in management costs under Alternative 4 Modified to be acceptable given the overall enhancement of recreation experience provided to shoreline visitors.

**Equipment Costs to Motorized Boaters** - Alternative 4 Modified would cause at least 333 boaters to consider investing in an electric motor option in order to continue their boating patterns on Waldo Lake (EA, page 45-46). The cost of electric motors can vary from \$450 to \$1800 for models equivalent to 2-9 horsepower internal combustion motors, respectively. Other models that are capable of pushing larger boats are also commercially available for as much as \$4600. Some boaters choosing to transition to electric motor options may also need to invest in a recharging device, such as a portable generator or solar panel. When considering the total costs that many boaters incur in purchasing their craft, safety equipment and accessories, the cost of transitioning to new boat motor equipment did not heavily influence my selection of Alternative 4 Modified over other action alternatives.

### **Other Alternatives Considered in Detail**

**Alternative 1:** The No Action alternative is required by the Council of Environmental Quality regulations (40 CFR 1502.14(d)). This No Action alternative proposes no new management changes at Waldo Lake. With respect to the proposed action, current management consists of these components:

- No new USDA Forest Service restrictions on internal combustion boat motors on Waldo Lake. Current Oregon State law prohibits open water boat speeds above 10 mph and wake zone boat speeds above 5 mph.
- No new USDA Forest Service restrictions on floatplanes accessing to the lake surface. Federal Aviation Administration and Oregon State boating regulations would continue to apply to floatplane operations.
- No new USDA Forest Service restrictions on the public's use of chainsaws and generators on the Semiprimitive Nonmotorized management area (MA 10e) around Waldo Lake. Seasonal fire restrictions would continue to apply.

I did not chose Alternative 1 because it did not meet the Purpose and Need for this project. Alternative 1 does not address the on-going inconsistency between Forest Plan setting objective for the Semiprimitive shoreline and motorized uses on and around the lake.

**Alternative 2:** This alternative would restrict the public use of internal combustion motors at Waldo Lake in the following ways:

- Internal combustion boat motor use would be restricted to 4-stroke models only. The 10 mph and 5 mph boat speed limits would remain in effect.
- Boat motor restrictions on Waldo Lake would take effect two years after a decision is finalized to educate boaters about the management change.
- The lake surface would remain open to floatplane use under current FAA and Oregon State regulations.
- Public use of chainsaws and generators would be allowed on the Semiprimitive Nonmotorized management area (MA 10e) around Waldo Lake with due consideration for seasonal fire restrictions.

I considered Alternative 2 to be the least controversial change in management direction that could still create some positive improvement in shoreline setting conditions. I did not choose Alternative 2 because it only removed one source of motorized disturbance around Waldo Lake. Alternative 2 would still allow the public to run 4-cycle boat motors and floatplanes on the lake surface, and to use generators and chainsaws at semiprimitive shoreline sites. Motorized disturbances from these uses would continue to detract from the experiences of visitors on the semiprimitive shoreline under Alternative 2. I was convinced the visiting public would not notice a substantive improvement to their setting conditions by removing only 2-cycle boat motors.

**Alternative 3:** This alternative would prohibit the public use of internal combustion motors at Waldo Lake during the peak summer season in the following ways:

- Internal combustion boat motor use would be prohibited for approximately 60 days (July 15<sup>th</sup> until the first Monday after Labor Day, inclusive).
  - Administrative exceptions (such as search and rescue, law enforcement, fire suppression, research/science monitoring, or trail maintenance) during the 60-day motor closure period could be approved in writing by the Forest Supervisor.
- Internal combustion boat motor use would be restricted to 4-stroke models for the remaining 90 days (prior to July 15<sup>th</sup>, and after the Monday following Labor Day) of the summer/fall seasons. The 10 mph and 5 mph speed limits would remain in effect.
- Boat motor restrictions would take effect two years after a decision is finalized to educate visitors about the management change.
- The surface of Waldo Lake would be closed to floatplanes year-round.
- Public use of chainsaws and generators in the Semiprimitive Nonmotorized management area (MA10e) around Waldo Lake would be prohibited during the 60-day boat motor closure period and whenever seasonal fire restrictions are imposed for the area.

Alternative 3 makes the same setting improvements to the Semiprimitive shoreline area as Alternative 4 Modified, but only during the 60-day peak summer period. Our visitor use survey (EA, Appendix B) found that more than half of visitations occur during the 60-day period defined by Alternative 3. Alternative 3 is designed make shoreline setting improvements for a majority of Waldo Lake visitors while retaining lake access for



boaters with internal combustion motors. Alternative 3 offers setting improvements proposed by Alternative 2 for the remaining 90 days of the season. While survey data shows most visitors staying at Waldo Lake during this 60-day peak summer period, I was not willing to forfeit shoreline setting improvements during the other 90 days. I did not select Alternative 3 because I was also convinced (EA, page 43) that managing a split season for different users would be confusing for the public and difficult to implement successfully.

**Alternative 5:** This alternative would prohibit the public use of internal combustion motors at Waldo Lake in the following ways.

- Public use of any boat motors, internal combustion or electric, would be prohibited year-round on Waldo Lake.
  - Administrative exceptions for motor use (described in Alternative 3) could be approved in writing by the Forest Supervisor.
- Motor restrictions would begin the first summer after the decision is finalized.
- The surface of Waldo Lake would be closed to floatplanes year-round.
- Public use of chainsaws and generators in the Dispersed Recreation, Semiprimitive Nonmotorized Management Area (MA 10e) around the lake would be prohibited year-round.

The EA described Alternative 5 as the most complete option, within the scope of the Purpose and Need for Action, for moving the Willamette National Forest closest to meeting Forest Plan setting objectives for the Semiprimitive Nonmotorized shoreline. I did not select Alternative 5 because I wanted to retain an electric motor option for those boaters that had expressed access or mobility concerns. I also believe the removal of electric boat motors from Waldo Lake would not substantially improve setting conditions compared to the actions taken under Alternative 4 Modified.

### **Alternatives Not Considered in Detail**

A number of options were brought to light by public comments and Waldo Subcommittee discussions that were not developed in detail or analyzed in the EA (pages 21-22). These options included:

- 1.) Adding Waldo Lake to the Waldo Lake Wilderness,
- 2.) Modifying or closing developed campgrounds or sites and,
- 3.) Designating Waldo Lake as a State “Outstanding Resource Water”
- 4.) Dividing the lake surface into different management areas for different types of boaters,
- 5.) Imposing a boat motor size limit to discourage larger boats
- 6.) Changing the recreation setting of the shoreline to match the lake surface

The first three options were determined to be outside the scope of this project analysis. The fourth option was considered too complex to clearly define to the public or to successfully administer and meet shoreline recreation objectives. The fifth option did not

sufficiently address the need to remove or reduce motorized activities inconsistent with recreation experience objectives for the semiprimitive nonmotorized shoreline setting. Option five also was considered redundant with analyzed alternatives. The sixth option did not successfully match the project's purpose of managing activities to meet recreation objectives for the shoreline management area, nor did it meet the need for emphasizing a nonmotorized large lake boating experience.

## Public Involvement

The EA (pp. 11-13) describes a public involvement process that started in 1998. Appendix E of the EA summarizes scoping comments received for this project. The 30-day comment period for the EA ended on January 10, 2007 and drew 310 letters and emails from interested individuals and organizations.

Many public responses to the EA simply voiced support for (or opposition to) the proposed action along with rationale for these positions. Some of these responses included preferences for another action alternative or the No Action alternative. Commonly raised issues or concerns voiced to oppose the proposed action were discussed in the EA or its appendices, and are listed below.

- Loss of public access (EA, page 39-41)
- Risks to public safety (EA, page 16-17)
- Reduced mobility for elderly and disabled visitors (EA, page 39-41)
- More difficult navigation in and out of boat launches (EA, page 41)
- Lack of jurisdiction to regulate use on Waldo Lake (EA, A-59)

**Forest Service Response:** Loss of public access was a significant issue analyzed in the EA. Most access issues came from motorized boaters concerned about losing lake access provided by internal combustion motors. Some respondents identified a loss of independent mobility for elderly or disabled visitors when denied the use of a internal combustion boat motor. Others did not believe electric motor options would adequately allow them to continue their boating patterns. Owners of large sailboats (greater than 18 feet) expressed concerns over being able to control their boats without an internal combustion motor, particularly when navigating in and out of boat launches or shallow bays. Sailboat owners also expressed a concern of being stranded by a loss of wind. Floatplane operators expressed alarm at losing complete access to Waldo Lake. These concerns were recognized and discussed in the EA (EA, page 41).

Alternative 4 Modified would reduce travel options for motorized boaters and for boaters with physical mobility constraints due to age or disability. Alternative 4 Modified would also constrain the maneuverability of large sailboats in and out of shallow boat launches by removing access to internal combustion boat motors. Finally, Alternative 4 Modified would eliminate lake access for floatplane operators. I understand these access effects to some lake visitors and have considered them in making my decision.

Public safety concerns over restricting or prohibiting internal combustion motors was largely focused on boating on a large lake with weather conditions that can worsen

during the day. Part of this concern involved a lack of confidence in electric motor options to control boats in rough water conditions. Another safety issue raised by owners of large sailboats was a loss of control while navigating into and out of boat launches or shallow bays. Some boaters mentioned a loss in their ability to help others (nonmotorized boaters) in crisis. Floatplane operators also were concerned that motorized restrictions would compromise their ability to make emergency landings.

Public safety concerns connected to restrictions on internal combustion boat motors were discussed in the EA (EA, pages 16-17). Motor restrictions under Alternative 4 Modified would likely modify visitors' perceptions of risk when traveling on Waldo Lake, but would not change the physical conditions affecting public safety. Boating accident data from the Oregon State Marine Board suggested no pattern that connects boating accidents with boaters' access to motors. The dominance of nonmotorized boating on Waldo Lake (86.4 percent) combined with very few boating fatalities also suggests that boating safety is not connected to visitor access to boat motors.

Floatplane operators raised two public safety issues in their comments to the EA. First, they voiced assurances that their activities did not create a safety hazard for boaters on Waldo Lake. The EA did not identify boater risks from floatplane operations as a safety issue motivating this project decision. Pilots also expressed concern over a reduced capacity to respond to in-flight emergencies under Alternative 4. Alternative 4 Modified creates no restrictions on the air operations of floatplanes or a pilot's ability to respond to in-flight emergencies while flying over Waldo Lake.

Throughout the project planning process, the issue about the legal ability of the USDA Forest Service to regulate boating use on Waldo Lake has been raised. Proponents of this issue include boat motor advocates, Oregon State Marine Board, and floatplane operators; and they claim that only the State of Oregon can regulate boat use on navigable waters in Oregon. The EA recognized this issue (EA, page 59) by asserting the USDA Forest Service's legal authority over the use of public lands and waters within the boundaries of National Forests and Grasslands, including Waldo Lake. The connected issue of whether Waldo Lake is a navigable waterway will only be settled through an adjudicated process.

Public comments to the EA also voiced concern for the range of alternatives considered in the EA. Public suggestions about alternative motor strategies included:

- using "decibel levels" of motors to restrict motor types
- using "best available technology" rather than electric motor technology for defining acceptable boat motor options
- using a horsepower limit (e.g. 10 hp or smaller) to regulate motorized boat use
- limiting motorized boat use to certain hours of the day or portions of the lake

**FS Response:** All of these options were expressed by individuals during the public scoping process and considered by the IDT during alternative development. Many of these suggested motor-option criteria did not meet the Purpose and Needs for Action for this project. Others were considered by the IDT as too difficult to implement successfully. Difficulty was defined with respect to the ability to explain the restrictions for the public to follow and the ability of the USDA Forest Service to

enforce the restrictions at the lake. The IDT also felt that the intents of these alternative options were already covered by the existing set of alternatives and their inclusion in the analysis did not add value to the range of alternatives analyzed.

Public comments to the EA challenged analysis methods used. Comments on analysis methods included:

- Criteria used to define “noise pollution” (motor disturbance) is subjective and not a valid tool for decision-making.
- No measurable data is used to describe “noise” (motor disturbance) to shoreline visitors. The effects of time of day and weather conditions on perception of motor disturbances were not considered.
- Distances in Table 4 (EA, page 29) describing the geographic extent of motor types are not accurate.
- The EA lacks a rational connection between lake users and noise impacts from boats, when you consider the presence of other noises affecting the setting.
- The assessment of motor impacts is dated considering the latest technological advances in boat motors.
- Analysis lacked documented use statistics on floatplane visits.
- Enforcement costs in Table 7 for Alternative 1 (EA, page 42) are too low to successfully administer the 10-mph speed limit.

**FS Response:** Criteria used to describe disturbance effects from motorized devices were ROS criteria in Table 3 (EA, page 26) that have been assigned by the Forest Plan for each management area. The very nature of managing recreation settings for specific experiences is difficult to define in numerical values. The EA analysis attempts to quantify setting effects for each alternative by combining ROS criteria with estimates of the geographic extent for motorized devices and the location of existing dispersed sites on the shoreline.

The EA does not use “noise pollution” as a comparative criterion, nor does the EA attempt to numerically (e.g. decibels) define “noise pollution”. The EA uses ROS criteria (e.g. presence or absence of motorized disturbances) to describe how each alternative achieves the project’s purpose and need for action. The descriptive criteria of presence of motorized disturbances by type, proximity of disturbances to shoreline sites, and how many shoreline sites potentially would be affected were considered appropriate for this project analysis.

The EA analysis recognized the seasonality of recreation use at Waldo Lake by defining a 60-day peak use recreation period for building Alternative 3 around and for comparing alternative effects. The EA analysis also considered the proximity of Semiprimitive shoreline areas to developed campgrounds on the east side of Waldo Lake when describing alternative effects.

Using the ROS criteria provided by the Forest Plan, the IDT defined motorized disturbance as the number of days that motorized devices are allowed (or restricted) under each Alternative. While time of day or weather conditions may have an

influence to a visitor's reaction to or perception of motorized disturbance, these factors are not represented in the ROS criteria.

Distances used in Table 4 of the EA (page 29) are best professional estimates of the geographic extents of different types of motorized devices. The intent of these numbers is to recognize relative differences between disturbance sources, and to help characterize how each alternative may influence shoreline setting conditions. The public comment rejected these distances estimates in Table 4 but failed to offer an alternative set of estimates to consider with an explanation to support their use over the estimates in the EA.

The purpose of the project is to manage motorized activities on the lake surface and the Semiprimitive shoreline to meet experience objectives for the Semiprimitive Nonmotorized management area. Motor boats, floatplanes, generators, and chainsaws were the most inconsistent activities to shoreline experience objectives and disturbance sources with the biggest potential to affect shoreline visitor experiences. The EA (pages 36-39) recognizes that other human disturbances (e.g. planes, trains, campgrounds, human voices, dogs, radios) have the potential to influence visitor experiences on the Semiprimitive shoreline. The EA describes improvements to recreation setting conditions created by each alternative, and recognizes that perfectly meeting Semiprimitive setting objectives is difficult.

The Willamette National Forest possesses no statistical use data for floatplane visits to Waldo Lake. District employees managing recreation facilities at Waldo Lake have seen (or heard) very little floatplane activity over the last 20 years. The Willamette National Forest has not received use information from regional floatplane operators to contradict this conclusion. Given the local managers' experience of floatplane visits, the Willamette National Forest did not see any analytical benefit to conducting a statistical survey of floatplane operators in the Pacific Northwest region.

Cost estimates in Table 7 of the EA (page 42) for enforcement only involve work performed by the USDA Forest Service to manage dispersed recreation at Waldo Lake. The Willamette National Forest currently allocates no funding to enforce the 10-mph speed limit on Waldo Lake, though our field staff does inform the public about posted boat speed limits whenever appropriate.

Finally, public comments have criticized aspects of the NEPA process used for this project analysis.

- Significance of the proposed action is high enough to be considered a major federal action that requires an Environmental Impact Statement.
- Outreach to local, regional and national members of floatplane associations was insufficient for adequate commenting on the EA.
- Because of a typographical error in the email address listed in the cover letter sent to people on the project mailing list, a number of people claimed they were prevented from participating during the 30-day public comment period.

**FS Response:** The Finding of No Significant Impact (FONSI) attached to this Decision Notice addresses the significance of this decision and whether it should be

considered a major federal action. The FONSI described nothing in the Context or Intensity of this decision that would determine this action needed to be analyzed in an Environmental Impact Statement.

During the scoping period for this project an officer of the Columbia Seaplane Pilots Association (CSPA) was contacted to inform their group about the proposed action at Waldo Lake. This association contact was provided by an employee of the Oregon Department of Aviation. The CSPA was also placed on the project mailing list. A cover letter announcing the availability of the project EA and how to make comments was subsequently sent to this same association contact. A number of comments about the EA were received by seaplane pilots before the end of the 30-day comment period. The consistent themes of letters from seaplane pilots were access for recreation visits and legal jurisdiction over regulating their use of the lake. These issues have been discussed by the EA.

The cover letter announcing the availability of the EA on the Willamette National Forest website and inviting interested parties to submit comments was sent to over 300 addresses on the project mailing list. Additional avenues for submitting comments were made available on the cover letter. The cover letter provided a correct mailing address for the Middle Fork Ranger District, as well as a phone number. The letter also provided two contacts (phone numbers and emails) that could be used to submit comments or seek a corrected email address. Finally the cover letter provided a website for downloading a copy of the EA. This website contained a correct email address for submitting comments. Despite the email address error in the cover letter, the Willamette National Forest received 310 letters and emails from interested parties. More than half of these responses were emails.

## Consistency Findings

The National Forest Management Act (*NFMA*) and its implementing regulations require specific findings to be made when implementing the Forest Plan (*16 USC 1604(i)*). After reviewing my decision, I have determined that **Alternative 4 Modified** is consistent with the goals and objectives of the Willamette National Forest Land and Resource Management Plan, (*Forest Plan*). My decision is also consistent with all applicable Acts and Regulations, including the National Forest Management Act of 1976, National Environmental Policy Act of 1969, the Endangered Species Act of 1973, the Clean Water Act of 1972, Civil Rights Act of 1964, the Preservation of Antiquities Act of 1906, the National Historic Preservation Act of 1966, and Environmental Justice Executive Orders 11988 and 11990.

The above consistency finding is based on how the environmental assessment was prepared in accordance to Forest Plan Management Areas and Standards and Guidelines, as cited in the Environmental Assessment and supporting documents. This analysis essentially describes how the selected alternative responds to or amends direction contained in the Forest Plan.

Alternative 4 Modified will not result in any adverse human health and/or environmental effects that disproportionately impact minorities and low-income populations as defined in Executive Order # 12898 (*EA, page 48-50*).

## **Survey and Manage**

I am aware of the August 1, 2005, and the January 9, 2006, U.S. District Court orders in the Northwest Ecosystem Alliance et al. v. Rey et al (NEA), Civ. No, 04-844, WD Wash. that set aside the 2004 Record of Decision (ROD) to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines. The Waldo Lake – Managing Recreation Use project does not rely on the 2004 ROD for Survey and Manage and it is consistent with the 2001 ROD for Survey and Manage. No actions approved by this Decision will disturb survey and manage species habitats (EA, pg 51).

## **Aquatic Conservation Strategy**

I am also aware of the March 30, 2007 US District Court orders in the Pacific Coast Federation of Fishermen’s Associations, et. al. v. National Marine Fisheries Service, et.al. Civ. No. C04-1299, WD Wash. that set aside the FSEIS and 2004 ROD Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy (ACS). The Waldo Lake – Managing Recreation Use EA does not rely on the 2004 ROD clarifying the ACS. I have reviewed the EA and it is consistent with the Riparian Reserve standards and guidelines and all other Forest Plan standards and guidelines applicable to the Aquatic Conservation Strategy. I have also reviewed the EA from a watershed context and considered its watershed analysis and find that this Decision is consistent with the ACS. No actions in this Decision significantly impact the biological or physical components of the aquatic system (EA, pg 15, Appendix C). The actions in this Decision will meet and do not prevent the attainment of the Aquatic Conservation Strategy objectives (Northwest Forest Plan ROD, B-11-17).

## **Finding of No Significant Impact**

My review of the environmental assessment indicates no significant effects on the quality of the human environment if Alternative 4 Modified were implemented as proposed. I have therefore determined that this action is not a major federal action that significantly affects the human environment. As such an environmental impact statement is not needed for this project and will not be prepared. This determination was made considering the following rationale, beginning with the context and intensity factors listed in the Code of Federal Regulation’s definition of “significantly” (40 CFR 1508.27).

### **Context**

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

The Waldo Lake project implements and amends the Forest Plan. This project proposes a non-significant Forest Plan amendment to regulate motorized uses on the lake’s surface and Semiprimitive Nonmotorized shoreline. These proposed use restrictions do not apply to any other areas on the Willamette National Forest or in the region. These changes would only change certain recreation uses on and around Waldo Lake.

While Waldo Lake is the 13<sup>th</sup> largest lake in Oregon and commands a great deal of attention because of its water quality and recreation setting, visits to Waldo Lake

represent a relatively small component of total recreation use on the Willamette National Forest, in western Oregon and in the Pacific Northwest Region as a whole. Data from the 1998 visitor survey estimate less than 14,000 people visited Waldo Lake (EA, A-11) each year. Proposed management changes under Alternative 4 Modified will have the greatest effect on boaters using internal combustion motors. The 1998 visitor survey showed only 13.6 percent of all boating visitors used a boat motor during their visit (EA, page A-15). Boaters with motors represented only 5.5 percent of all visitors to Waldo Lake in 1998. The low number of visitors affected by Alternative 4 Modified changes and the narrow focus of these changes on motorized activities demonstrate that these proposed management changes are not significant and should not be defined as major federal actions.

The State of Oregon offers many large water bodies near Waldo Lake where motorized boating is permitted. Therefore the scale of effects on the local, state and regional motorized boating population from the proposed motor restrictions is not significant and should not constitute a major federal action.

### **Intensity**

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

Alternative 4 will create both beneficial and adverse effects to resources and the visitors that come to Waldo Lake (EA, pages 28-41). Water and air quality will not measurably change under Alternative 4 Modified though the absolute amount of pollution generated by boat motors will decrease around Waldo Lake. The size of Waldo Lake and the short season of recreation use help to mask any detectable changes in water quality from human use at Waldo Lake. Alternative 4 would not create any measurable difference in water quality (EA, pages A-17-33). Noise levels from motorized devices affecting the Semiprimitive Nonmotorized shoreline setting would decrease under Alternative 4 Modified, though current noise levels are likely well below national safety standards. Changes in motorized disturbances and noise pollution are likely not significant in a physical scale relative to these national safety standards.

Potential impacts on bald eagle nest sites from motorized boat traffic would decrease under Alternative 4, though disturbance impacts to eagles largely depend upon how individual birds acclimate to human presence. Effects to sensitive species or survey & manage species are expected to be small but positive under Alternative 4 (EA, pages 50-52).

The visitors to the Semiprimitive Nonmotorized shoreline would benefit from the proposed changes under Alternative 4 Modified by experiencing a quieter and more pristine recreation setting around Waldo Lake. These anticipated setting changes were considered beneficial by many people submitting scoping comments (EA, pages A-56-59) or responses to the EA. The public's expressed concern over water pollution in Waldo Lake from motors will likely be reduced by changes under Alternative 4 Modified, though actual changes in water quality will not be measurable.

The proposed actions create adverse effects for some visitors at Waldo Lake. Visitors will experience more regulation over their motorized activities on Waldo Lake and its



Semiprimitive shoreline. Some boaters will also experience less convenience in their travels on Waldo Lake. The variety of boat types over a typical year will likely change as fewer visitors will bring large boats (greater than 18 feet) to Waldo Lake. Currently large boats, typically sailboats and cruisers, represent a small percent of the boating population (less than 10 percent) and about one-third of motorized boats.

All effects to resources and the public, beneficial or adverse, created by Alternative 4 Modified are considered non-significant in their intensity.

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

Alternative 4 Modified changes would not create significant health or safety impacts to the public, and does not create or increase physical hazards within the project area. Alternative 4 Modified maintains the ability to use internal combustion motors to respond to public safety situations, such as search and rescue efforts, medical emergencies, law enforcement actions, and fire suppression.

The proposed ban of internal combustion motors would change perceptions of risk for some boaters on Waldo Lake, due to their use of smaller boats, their reduced capacity to respond to changing weather or their ability to provide assistance to others boaters in distress. Visitors with large boats (greater than 18 feet) may also have less confidence maneuvering into and out of boat launches and shallow bays with an electric motor. These effects are not significant public safety issues, but elements of the lake's recreational experience that must be considered by boaters planning their trips. State of Oregon statistics do not demonstrate a connection between boater safety on flat water bodies and access to boat motors (*EA, page 16-17*).

Floatplane operators have expressed safety concerns caused by losing access to the surface of Waldo Lake. Federal Aviation Administration regulations permit pilots to land in restricted or closed areas during emergency situations, such as mechanical failure. Other water bodies can be found within 50 miles of Waldo Lake that remain open to floatplane operators, such that Waldo Lake is not a critical location for pilots along a significant flight corridor for floatplanes. The Willamette National Forest estimates 2-3 floatplane visits to Waldo Lake per summer (*EA, page 40*).

**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.***

Waldo Lake has often been defined as special or unusual because of its large size and remarkable water quality. Very few lakes, in this country or around the world, possess such high water quality, and those that do are not large or deep like Waldo Lake. Only Crater Lake can be similarly compared to Waldo Lake in the Pacific Northwest. While these conditions help create the public recreation demand, and provide some of the motivation for the proposed actions, they do not create a significance that would define the proposed actions as major federal actions. Alternative 4 will not significantly affect the physical conditions of Waldo Lake that define its special character (*EA, pages 25-51*).

Waldo Lake is the headwaters to the North Fork of the Middle Fork of the Willamette River, which is a designated National Wild and Scenic River. Waldo Lake is also adjacent to the Waldo Lake Wilderness on the north, west and south sides, though the

wilderness does not come down to the shoreline. Alternative 4 Modified would not impact or compromise the Outstandingly Remarkable Values (ORV) of this river or the resource values within the Waldo Wilderness.

A heritage resource assessment has been completed for the planning area and no significant heritage resources would be affected by Alternative 4 (*EA, page 51*). Four tribes believed to have historic links to the Waldo Lake area have expressed no concerns over changes proposed under Alternative 4.

All special habitat areas and wetlands around the lakeshore will be protected in accordance with meeting the Aquatic Conservation Strategy Objectives of the Forest Plan (*EA, Appendix D*).

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

The most controversial component of Alternative 4 Modified is the prohibition of internal combustion motors on Waldo Lake. Many public comments received during project scoping (*EA, Appendix E*) and the 30-day comment period for the Environmental Assessment expressed support for restrictions or prohibitions on boat motors. Other public comments during the scoping and public comment periods offered support for continued use of internal combustion boat motors, while often suggesting or supporting less restrictive motor options (*e.g. banning only 2-cycle motors*). Letters and emails also were received during the 30-day comment period from floatplane operators expressing their desire for continued access to Waldo Lake.

While comments supporting or opposing motor restrictions were often emphatic during project planning, most comments simply represented strong emotional feelings for preferences rather than significant evidence challenging the effects described in the environmental assessment. Issues identified as rationale for supporting management preferences in public comments were addressed in the EA. Public comments also did not identify resource conditions created by Alternative 4 that should be viewed as significant.

The issue around the USDA Forest Services' legal authority for regulating motorized boat use on Waldo Lake has been raised by public comments. The USDA Forest Service claims legal authority over the use of public lands and waters within the boundaries of National Forest and Grasslands, including Waldo Lake. By contrast, the Oregon State Marine Board is claiming state's rights over the regulation of motorized boat use on navigable waters.

Despite the emotions created by this project, the scale of effects created by the Alternative 4 Modified on the quality of the human environment should not be seen as highly controversial.

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

The predicted effects from Alternative 4 Modified are not highly uncertain, nor do they involve any unique or unknown risks. Any lack of certainty in effects under Alternative 4 Modified is typical of other federal efforts to manage recreation use on public lands. The USDA Forest Service has a long history of making and implementing regulations around recreation use on public lands and has a strong understanding of human behavior

in various recreation settings. Possible effects from implementing Alternative 4 Modified are well within the normal ranges of uncertainty and risk.

**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.***

Managing recreation use on public lands is a routine function of the USDA Forest Service. Proposed restrictions under Alternative 4 Modified are typical examples of recreation management and not more precedent-setting than other actions across the region. Alternative 4 Modified also would not commit the Willamette National Forest (*or other national forests in Region 6*) to future management decisions that are not discussed in the analysis. Proposed actions are designed around specific conditions at Waldo Lake and are not automatically transferable to other areas or lakes on the Willamette National Forest or within the Region.

Comments were received challenging the USDA Forest Service's legal authority to regulate boating activity, due to the Oregon State Marine Board's claim to all navigable waters in the State of Oregon. Differences in opinions over regulatory jurisdiction are not unusual in public land management, even if these differences result in administrative appeal of my decision or a lawsuit in Federal Court. Philosophical debates over resource management decisions and legal interpretations of existing law are common in public resource management, and should not be sufficient cause for defining a precedent-setting condition.

While prohibition of boat motors and floatplanes on Waldo Lake may be locally controversial for some people and may create debates over legal jurisdiction among agencies, such debates do not carry over to similar situations across the state or country. Legal debates about ownership of public waters will be settled one case at a time using a defined set of legal criteria. Alternative 4 Modified will not in any way redefine the legal criteria by which ownership of public waters in Oregon is determined. In this sense, Alternative 4 Modified does not set any precedents for future actions.

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

Alternative 4 Modified is not expected to create significant cumulative effects for any resources or issues. Cumulative effects from this project are connected only to the amount of visitors at Waldo Lake and their behavior. Alternative 4 Modified does not propose ground-disturbing activities except for the placement of signs near existing boat launches in the three campgrounds (*EA, page 25*). Because all action alternatives are designed to reduce the impacts of public use around Waldo Lake, Alternative 4 Modified is expected to reduce cumulative effects from recreation use.

An identified effect created by Alternative 4 could be the displacement of some boaters to other locations on the Willamette National Forest or in the state. Displacement of boaters is not expected to be significant or result in significant cumulative effects at other locations (*EA, pages 45-48*). Alternative 4 would also create a non-significant displacement of floatplane operators to other water bodies in the Cascades. The Willamette National Forest estimates that very few pilots (2-3 floatplane visits per year)

use Waldo Lake as a recreation destination. The central part of the Cascade Mountains offers many other water bodies for floatplane pilots to use (*EA, page 49*).

**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 lost or destruction of significant cultural or historic resources.***

A review of heritage resource records shows a number of significant historic resources around Waldo Lake (e.g. Klovdahl Tunnel, South Waldo shelter, dendroglyphs, and lithic scatters). Because Alternative 4 does not propose ground disturbing activities outside of existing developed campgrounds, it is not expected to create any impacts to known heritage resources in the area (*EA, page 51, and Appendix G*).

**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.***

A Wildlife Biological Evaluation (*EA, Appendix F*) for this project has been completed and addresses the effects on endangered and threatened species. Alternative 4 Modified proposes no ground disturbing activities beyond the placement of signs in campgrounds and next to access roads. Therefore this project decision will not significantly impact federally listed wildlife species or their habitat. A **NO EFFECT** determination was made for proposed actions under Alternative 4.

Waldo Lake is home range for at least one pair of bald eagles, which may be affected by concentrated shoreline activity near its nest site (*EA, page 16*). Human disturbance around nest sites can be mitigated with seasonal restrictions during the critical breeding season if an active nest site is located and the Biologist determines the need. Alternative 4 Modified is expected to reduce the potential for disturbing nesting eagles by removing internal combustion boat motors and floatplanes from the lake surface, and by eliminating the public's use of chainsaws and generators within the Semiprimitive Nonmotorized management area around the lake.

A Botany Biological Evaluation (*EA, Appendix I*) was also completed for the project area. Alternative 4 does not propose ground-disturbing activities that could adversely affect known populations of protected plant species (*EA, pages 50-51*).

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

All Federal, State and local laws protecting the environment will be followed during implementation of Alternative 4 Modified. Alternative 4 meets Oregon State water quality standards (*EA, page 15 and Appendix C*) and creates no effects that would compromise air quality within the Waldo Lake watershed. Alternative 4 Modified also complies with all regulations in the National Environmental Policy Act of 1969 and the National Forest Management Act of 1976.

These conclusions are based on Alternative 4 being consistent with the Standards and Guidelines of the Forest Plan (*EA, pages 52-53*), and the public involvement record (*EA, pages 11-12*).

## Significance of Forest Plan Amendment

Based on a review of the following factors of significance, I have determined that Amendment #47 proposed by Alternative 4 Modified is not a significant change to the Willamette Forest Plan, and therefore does not need to be analyzed in an Environmental Impact Statement.

**Timing:** The Willamette Forest Plan was implemented in August 1990 and has been in place for about 16 years. The current agency schedule is for a Forest Plan revision to begin in the fall of 2008 and be completed by 2011. While it is not possible to predict what issues will or will not be considered in the upcoming Forest Plan revision, it is likely that all land allocations and recreational uses will be reviewed for possible changes.

**Size and location:** The proposed forest-wide S&G of this amendment is limited to Waldo Lake and would not apply to recreational boat use on other lakes or rivers. Because Waldo Lake is the largest natural lake on the Willamette National Forest, the proposed amendment would affect a high percentage of natural lake acres on the Willamette National Forest. However, when viewed in terms of the actual amount of recreational boating use, this amendment would affect less than 5 percent of the annual boating use estimated to occur across the Willamette National Forest.

Likewise, the proposed management area S&G of this amendment applies only to motorized use within a portion of MA-10e immediately adjacent to Waldo Lake and representing approximately 2072 acres. The total area on the Willamette National Forest classified as MA 10e is 49,600 acres, so this proposed amendment would affect slightly more than 4 percent of the all acres currently allocated as MA 10e.

**Goals, Objectives, Outputs:** The proposed amendments would alter the long-term relationship between motorized and non motorized opportunities and potential user days at Waldo Lake. At the Forest level, the change or shift in long-term recreational opportunities between motorized and non motorized boating would be minimal. The other large lakes and reservoirs on the Willamette National Forest offer a large amount of motorized boating opportunities and these uses/opportunities are not affected by the proposed amendment. The amount of motorized use at Waldo is small in comparison to the use/opportunities on these other lakes and reservoirs, so changes in the ratio or relative amounts of motorized and non motorized opportunities across the Forest would be minimal.

**Management Prescription:** The proposed Standards & Guidelines are specific to the surface of Waldo Lake and the Dispersed Recreation, Semiprimitive Nonmotorized management area immediately around the lake. They would not set a precedent for future management decisions on the Willamette National Forest primarily because Waldo Lake and its surrounding area offer unique recreational settings and opportunities. The type of management changes proposed for Waldo simply would not fit the existing social and physical environments of other large lakes and reservoirs on the Willamette National Forest.

## Administrative Review and 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 December 11, 2006 to January 10, 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.

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.

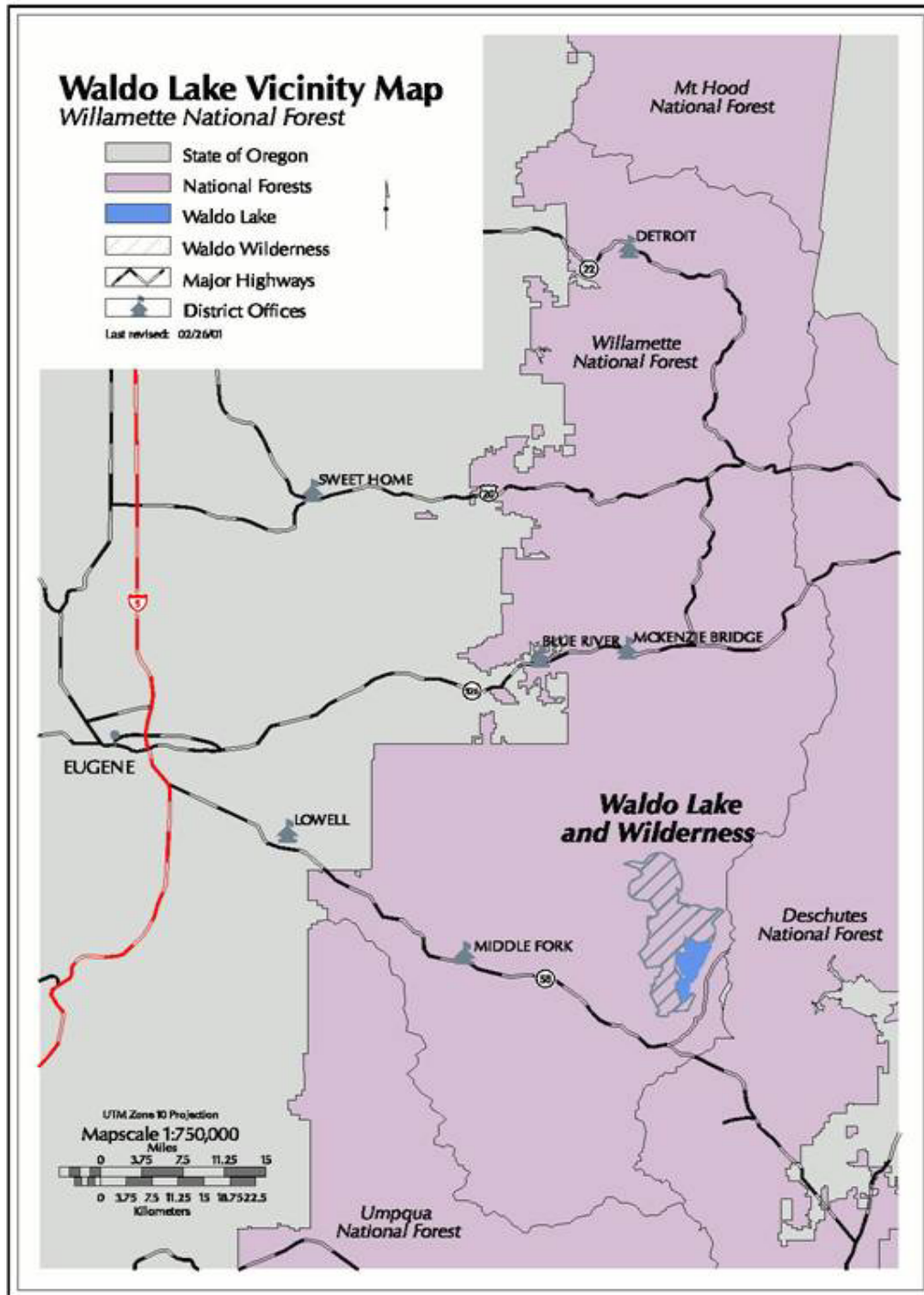


**DALLAS J. EMCH**  
Forester Supervisor  
Willamette National Forest

April 16, 2007

Date

Map 1: Proposed action Location



Map 2: Management Areas Around Waldo Lake

