

Gordon Three Thin

**Decision Notice
And
Finding Of No Significant Impact
And
Non-Significant Forest Plan Amendment No. 45**

USDA Forest Service, Willamette National Forest
Sweet Home Ranger District, Linn County, Oregon

Location

The *Gordon Three Thin* project is located in the South Santiam Watershed. The project areas are on the west end of the District and south of Highway 20 (see map at end of this document). The project includes two groups of units in two separate locations, but are relatively close, named for their association with the Three Creeks and Gordon Meadows areas.

Decision

It is my decision to implement Alternative 2 of the Gordon Three Thin Environmental Assessment (EA). This alternative proposes to harvest 5.2 million board feet on approximately 491 acres by thinning 40-year-old managed stands. These stands will be variable thinned to 70, 90 and 110 trees per acre (TPA). Twelve of the thirteen proposed thinning units are in the South Santiam-RO215 Late-Successional Reserve (LSR) and the other one is located in the Central Cascade Adaptive Management Area. Three of the LSR units are also classified as being within Three Creeks Old-Growth Grove. A Non-Significant Forest Plan Amendment is required to thin these three units.

This proposal includes 6 new road closures, maintenance of 23 miles of existing roads, and reconstruction of 0.25 miles of road. Mitigation measures will be required as stated in the EA on pages 27 to 32. It is also my decision to implement the KV projects in the priority listed (Appendix B, page 12). Implementation monitoring and effectiveness monitoring in Appendix H will be accomplished. This project will be implemented in 2004 or 2005.

Reasons for the Decision

I have selected Alternative 2 because it best meets the purpose and need for action of the EA and provides for more activities. The following discussion states the need for action described in full in Chapter 1 of the EA and further information concerning the alternative gives the rationale for my decision.

The purpose of this project is to increase stand vigor, structural complexity, and diversity by reducing stocking levels of managed stands with commercial thinning. Objectives were then developed to narrow the scope of analysis and move the existing stands towards the desired future condition.

The project objectives are:

- Develop thinning prescriptions from land management direction towards late-successional structure, thereby enhancing stand vigor and growth while maintaining or increasing managed stand's diversity.

- Design an economically feasible commercial thinning sale and promote local employment by minimizing logging cost.
- Design transportation management to minimize and reduce road density while providing forest management and recreational access.
- Design thinning treatments to reduce vegetation density in riparian areas to promote diameter growth for future large wood recruitment and improve riparian condition while maintaining riparian integrity.
- Maintain or enhance ground cover and coarse woody debris for wildlife habitat, soil protection and fertility while providing for fire hazard protection.
- Restrict the spread of existing noxious weed populations and avoid introducing any additional noxious weeds.

The following table summarizes these objectives and demonstrates how they are met by alternative. Effects of main issues and outputs are also displayed. See Chapter 3: Existing Conditions and Environmental Consequences for a full discussion.

Comparison of Alternatives by Main Issues, Objectives and Outputs

	Alternative 1	Alternative 2	Alternative 3
Thin Acres by Logging System & Total acres	none	Skyline – 222 Ground – 170 Helicopter – 99 Total - 491	Skyline -255 Ground – 182 Helicopter - 0 Total - 437
Volume Total Average mbf/ac	“	5,146 mbf; 11 mbf/ac.	4,589 mbf; 11 mbf/ac.
Logging Cost Spur Rd Cost Total Cost/mbf	“	\$129.19/mbf; \$0.36/mbf for 650 feet; Total \$129.55/mbf	\$112.02/mbf; \$0.96/mbf for 1,550 feet; Total \$112.98/mbf
Weed Risk	“	2 acres	16 acres
Treated Riparian Reserves (RR)	“	Treat 73% of RR	Treat 67% of RR
Riparian Management Differences	“	Units 1& 2 -50’ no-thin buffer; all other units have same buffers	Units 1& 2 -100’ no-thin buffer; Skl Corridor through Riparian areas for Units 2&3
Thin Prescription Differences	“	Units 1,2,& 3 Leave 70&110 TPA	Units 1& 2 Leave 70 TPA; Unit 3 leave 110
Coarse Woody Debris Development	“	Leave 10 TPA	Leave 10 TPA
Fire Hazard Reduction		Hand pile & Yard Tops by Skyline and Helicopter Logging Systems	Hand pile & Yard Tops by Skyline Logging System
Road Closures	“	5 New Closures: 5.38 miles	5 New Closures: 5.38 miles
KV Projects	“	Yes - \$377,479 See Appendix B	Yes - \$358,211 See Appendix B

Thinning will accelerate the rate of development of late-successional habitat (Carey, 2003). By maintaining and favoring a mixture of tree species, thinning will retain stand diversity, wildlife diversity and resistance to single species insect attack and disease. Through reduced crowding and competition between trees, stand vigor will improve and provide bigger, taller trees and begin the development towards a multistory stand. Improving diversity and increasing vertical and horizontal stand structure will also provide superior wildlife habitat quality.

Alternative 2 thins 491 acres and Alternative 3 thins 437 acres, a difference of 54 acres. The volume in Alternative 2 is 10% higher than Alternative 3 and local employment will be supported proportionately. Stand diversity projects are completed as a result of the timber harvest on a like amount of acreage in each alternative (see Appendix B: KV Collections). Post harvest treatments are similar in costs under both action alternatives; however, fewer acres are being collected for Alternative 3. Alternative 3 was developed with no helicopter logging for economic feasibility reasons, as helicopter logging is more expensive than cable or ground-based equipment. Without helicopter logging some steep acres were removed from thinning. Current timber market for this size of wood can support Alternative 2 with helicopter logging since there are close to 100 acres of this type of harvesting making it more feasible (see Chapter 2, pages 35-37, Economics). Alternative 3 also proposes a new spur road in Unit 4 of an additional 900 feet; however, it is in the Old-Growth Grove designation. Alternative 1 would not meet the “Need for Action” and its associated objectives (EA, pages 17-18).

Other Alternatives Considered

An alternative that thinned the entire managed stands as they were originally created was not considered due to changes in management objectives in the current Forest Plan. Many of the original unit boundaries extended into the entire riparian areas. The units totaled 646 acres when originally sold in the early 1960's, regeneration harvested (clear-cut) and planted. The interdisciplinary team, at this time-2004, only considered thinning up to approximately 500 acres in any action alternative; thinning of other acres would not meet the purpose and need for action, objectives and management requirements. Some of the acres were not of a suitable size timber for commercial thinning and would be uneconomical to harvest. Also the size of no-thin buffers required to meet environmental protection listed in the Alternatives tables in the EA (Tables 2 and 3) reduced the acres available for thinning.

An alternative that was purely without roads was not pursued because the proposed low specification road(s) will be temporary operator spurs/native surfaced and closed after use; this spur(s) will also make the sale more economical. One of the primary project objectives is to design an economically feasible commercial thinning sale and promote local employment by minimizing logging cost. Skyline and cut-to-length logging systems accessed by roads are less expensive to operate than bringing in a helicopter logging show.

Single-entry treatment or heavy thinning of managed stands was not pursued. A one-time entry would generally require thinning the stands down to 30 to 50 trees per acre to achieve the desired long-term stand conditions. Associated activities such as stand underplanting and road closures would be implemented. Stands would then be allowed to develop old-growth conditions on their own. However, a landscape populated by stands with minimum numbers of trees leaves little room for mortality from natural events such as strong winds or insect infestation.

Public Response

The 30-day public comment period for this environmental assessment ran from March 29, 2004 to April 29, 2004 and was published in the Eugene Register-Guard. Comments were received during this comment period from Doug Heiken of Oregon Natural Resources Council (ONRC). Responses to ONRC comments are in the June 2004 Gordon Three Thin EA, Chapter 5. Please refer to the Environmental Assessment page 12 and the Analysis files for more information on consultation with others prior to the 30-day public comment period.

Consistency with Other Laws and Regulations

The National Forest Management Act (NFMA) and the implementing regulations require specific findings to be made when implementing the Forest Plan (16 USC 1604(i)). I have reviewed my decision and document the following findings:

Determination that the Forest Plan Amendment is Not Significant under NFMA:

Within the Three Creeks Old-Growth Grove are three managed stand units proposed for thinning. The size of the old-growth grove management area is 1,963 acres and 796 acres are managed stands generally younger than 40 years old. A non-significant amendment to the Willamette Forest Plan (1990) is required to thin Units 4, 5 and 6 in the old-growth grove where management direction excludes programmed timber harvest.

I have determined that this amendment is not a significant amendment under the National Forest Management Act implementing regulations [36 CFR 219.10(f)]. In reaching this conclusion, I considered the following factors from Forest Service Handbook (FSH) 1909.12: timing; location and size; goals, objectives, and outputs; and management prescriptions.

The purpose of this non-significant amendment is to allow for short-term management activities that are not consistent with current Forest Plan direction to lead to long-term resource benefits. The timing of the change is less likely to result in a significant plan amendment if the change is likely to take place after the plan period (the first decade). The proposed changes are taking place after the first decade of the current 1990 plan; but will be enacted before the next scheduled revision. The Willamette National Forest will begin its revision in 2008. Therefore, the timing of the one change in this amendment is not significant because of how late the change is occurring under the current Forest Plan.

Another factor in non-significance is size and location. The size of the three proposed thinning units total 113 acres of the total 1,963 acres for the Three Creeks Old-Growth Grove equating to 17%; even if all the managed stands were thinned over time in this grove that would be about 41% of the total acres (796/1,963) and would increase the rate that these young stands would move towards the desired old-growth structure. The location of Units 4, 5, and 6 in relationship to existing old-growth/late-successional stands has been taken into consideration and 100 foot no thin buffers provided (see Appendix A: Unit Prescriptions).

There are 29 Old-Growth Groves (OGG) forest-wide. This amendment will only affect the stands identified in the Three Creeks OGG and will not change the management prescription nor the goals and objectives for this OGG or any others on the Forest.

Consistency with the Forest Plan:

I have determined that the selected alternative is consistent with the Willamette National Forest Land and Resource Plan, as amended. This finding is supported by the environmental analysis that was prepared in

accordance with Forest Plan Standards and Guidelines, as cited throughout the EA as well as documents in the Analysis File. This EA documents how these proposals and their purposes respond to the direction contained in the Forest Plan.

Survey and Manage

The *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines, March 2004*, has dropped the Survey and Manage mitigation measures and those survey and manage species found in Gordon Three Thin Environmental Analysis are now considered Sensitive Species. Protective mitigation measures as outlined in the EA page 31 remain the same.

Aquatic Conservation Strategy

The *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forest Within the Range of the Northern Spotted Owl, Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy* was signed on March 22, 2004.

The Northwest Forest Plan was amended to change the documentation requirements with regard to the Aquatic Conservation Strategy. This analysis was prepared to comply with the requirements in effect prior to that date. Under Chapter 1 Purpose and Need for Action one project objective to meet desired future condition is “*Design thinning treatments to reduce vegetation density in riparian areas to promote diameter growth for future large wood recruitment and improve riparian condition while maintaining riparian integrity.*” The existing condition, short and long term trade offs are discussed in the EA pages 39-46. On page 45 of the EA it states “It was determined that implementing activities would better preserve the stand into the future and off-set any short term impact from removing material.” The intent of the new direction is to insure that the project will maintain or restore the riparian condition within fifth-field watersheds over the long term. Analysis at a fifth-field level is specifically discussed in Appendix K: Aquatic Conservation Strategy Objectives; EA, pages 74-80 Stand Late-Successional Structure, Vigor and Diversity; and references under Management Direction (EA page 8) for the South Santiam Watershed Analysis for the development of late-successional structure, as well as other locations.

Road Management Decisions:

I find that the 6 new road closures, maintenance of 23 miles of road and the reconstruction of 0.25 miles of road in this project are adequately supported by the 2003 Updated *Forest Road Analysis* (1998) and are consistent with current Forest Service transportation system policies. This finding is supported by the environmental analysis that was prepared in accordance with Willamette National Forest Roads Analysis, as cited in the EA, page 65.

While the Gordon Three planning area was not identified as having areas of concern in the roads analysis, there are areas where there are high road densities that have negative affects on elk. In the Forest Roads Analysis - Map 6, the Boulder and Upper South Santiam high emphasis area shows the road density exceeds Big Game Objectives by < 1 mile/square mile (see Figure 8 - Big Game/Snag Emphasis Areas and Table 12: Current Road Conditions). Closing 6 local roads will decrease big game harassment, limit vehicle access to people who may use those roads and their dispersed camping sites, and decrease road maintenance cost; one of these closure is existing but considered new because the road behind the closure will be ripped and planted. The other existing closure will replace an existing gate with a heavy duty gate to insure compliance. Closing local roads is consistent with Forest Service policy and the *Forest Roads Analysis* (page 14) determined that local roads not necessary for long-term management should be decommissioned.

Road maintenance of 23 miles consists of spot rocking, brush cutback, road blading, and cleaning the ditches of the road. With the implementation of the timber sale, limited use roads will be enhanced for visitor use, project use, and drainage will be improved for the traveled way and roadbed. A six-inch lift of rock will be added for about 1.6 miles on road 2032 adjacent to the South Santiam River. Road reconstruction is proposed for approximately 0.25 miles consisting of resurfacing the roadbed and adding about a four-inch lift of rock; 0.15 mile for the 365 spur road into Unit 13 and 0.1 mile of spur road into Unit 4.

Finding Of No Significant Impact

My review of the results of the environmental assessment indicates there will be no significant effects on the quality of the human environment if Alternative 2 is implemented as proposed. I have therefore determined that this action is not a major federal action that will significantly affect the human environment. An environmental impact statement is not needed, and will not be prepared. This determination was made considering the following rationale, starting with the context and intensity factors listed in the Code of Federal Regulations' 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 Gordon Three Thin project implements management direction set forth in the Willamette National Forest Plan as amended by the Northwest Forest Plan (EA, pages 8-10). The Willamette National Forest is one of nineteen National Forests in the Pacific Northwest Region. The Willamette National Forest has 1,686,582 acres. The proposed harvest acres are less than 1% of the Canyon, Trout, Sevenmile, Sheep Creeks Subwatersheds (491 out of 55,123 acres) and even less of the South Santiam Watershed (491 out of 101,615 acres). Harvest has been occurring in these subwatersheds for the last 50 years. Over that period of time an average of approximately 800 acres of regeneration harvest has occurred each decade. The thinning units were originally harvested in the late 1950's and 1960's (EA, page 74). In the context of past management actions, this harvest is not a significant amount. Therefore, the effects of the selected action on the resources and species within the project area or at scales larger than the project area are not significant as disclosed in Chapter 4 Environmental Consequences.

Thinning is a common silvicultural practice in the South Santiam Watershed that enhances the growth of residual trees by removing some of the competing trees. Since initial reforestation, additional conifer and hardwood seedlings have entered these stands through natural seeding. These 40 plus year old plantations are generally dense, even-aged, single canopy stands ranging from 250 to 350 trees per acre (TPA) of greater than 7 inch diameter. The lower elevation units are primarily Douglas-fir (Units 1-4, 7-12). As elevation increases more noble firs are present and Units 5, 6 and 13 consist mainly of noble fir. Diameter growth rates will increase as a direct effect of thinning. The resulting stand, freed from inter-tree competition for water and light, will have large-diameter trees sooner thus accelerating the development of late-successional structure. At age 80 the quadratic mean diameter greater than seven inches (at Diameter Breast Height –DBH) will be three to four inches larger than if left un-thinned (see EA, page 79, Table 18). Increased growth rates will speed the development of high-quality snags and large, coarse woody debris. Live-crown ratios will increase under all treatments.

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 effects of the proposed actions will be both beneficial and adverse, as documented in Chapter 3 of the EA, pages 35 to 83, but not significantly so. The proposed harvest will increase the risk of introducing or increasing noxious weed populations; have short-term effects of additional accumulation of snow from reduced canopy levels and increased risk of fire for about 5 years until the fine fuels break down. Conversely, forest stand conditions will improve and the analysis shows there will be some economic benefit from the proposed harvest, and provide the opportunity to collect sale area improvement funds (as authorized by the K.V. Act of 1930) in order to provide for the proposed resource restoration activities.

This harvest will increase the pace of the stand towards the development of late-successional structure as recommended in the South Santiam Watershed Analysis (C12, page 63) and enhance conditions of Late-Successional forest ecosystems directed by the Mid-Willamette Late-Successional Reserve Assessment (1998, IV,111). Road closures will improve habitat for deer and elk. Affects to the subwatersheds will be local to the proposed action. It will have a negligible effect upon the watershed's function and values, the Forest's inventories, and the county's economy.

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

No impacts to public health or safety are anticipated. Air quality will not be significantly affected during logging operations. Only a small portion of the sale will be hand piled and timing of burning of the hand piles will follow the Oregon Smoke Management Plan so no smoke intrusions are expected (EA, page 55). Water quality will be protected and is anticipated to be similar to the existing quality (EA, page 42). Oregon Occupational Health and Safety Act regulations will be adhered to during the occurrence of all proposed actions.

The project 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 50).

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.

There are no significant historic resources, parklands, prime farmlands, or wild and scenic rivers within, adjacent to, or affected by the project area. The South Santiam River is potentially eligible as Wild and Scenic River, however, the implementation of the project will not preclude any future designation.

A cultural resource survey has been completed and known heritage properties such as the Santiam Wagon Road will be avoided, buffered or otherwise subject to appropriate mitigation from harmful effects (see Chapter 2 - Mitigation Measures). The effects on heritage resources from any action alternative will remain constant for all alternatives being considered (EA, page 15). The survey was 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. A clause will be included in the timber sale contract to provide for protection of this resource in the event that new material is discovered during ground disturbing activities.

There are several small wetlands in or adjacent to the proposed harvest units. The wetlands are associated with the riparian network and will be buffered or protected during harvest activities; therefore, there will be no reduction in the amount of wetlands or adverse effects to wetlands due to the selected action (EA, page 30).

The project area is partially within visual management allocations 11A, 11C and 11F. Harvest prescriptions are consistent with management objectives for all the visual allocations (EA, pages 10). The selected alternative will not affect visual areas.

Units 1-9 are located within Spotted Owl Critical Habitat OR-16. Removing up to 60 percent of the existing canopy within these units *may affect* critical habitat but dispersal habitat will be maintained. These thinning prescriptions are designed to encourage the development of late-successional habitat and are beneficial in the long-term (EA, page 61).

Due to the above reasons and conditions, there will be no significant impact to the human environment in regard to unique geographic characteristics.

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

The Gordon Three Thin Environmental Analysis is based upon the best available scientific information and site-specific data. The computer models and methodologies used to estimate the effects disclosed in Chapter 4 of the EA are widely used in similar environmental 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 its results.

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

The predicted effects of the timber sale are not uncertain, nor do they involve any unique or unknown risks. To the extent that we do not know what may happen in this area during a 250 year return interval flood, a landscape scale wildfire, or a subduction earthquake, the potential environmental effects are uncertain or unknown, but this type of uncertainty is not unique in the daily lives of humans, nor are these uncertain events part of the proposed action.

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 managed stand thinning and other management actions included in the decision are common land management practices and will not set a precedent for future actions with significant effects. The amendment to allow thinning within the Three Creeks Old-Growth Grove is specific to this one old growth grove and will not establish a precedent to schedule any sort of timber harvest in any other old growth groves currently designated in the Forest Plan. Although there are other young, managed stands within the Three Creeks Grove that may be considered for thinning to enhance old growth characteristics at sometime in the future, that decision will be made based on the circumstances and issues at that point in time.

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

Essentially the entire analysis presented in Chapter 3 of the EA (and where noted) constitutes an evaluation of cumulative impacts of the Gordon Three Thin proposed actions and other past forest management activities. Discussions on the affects to Economics Cumulative Effects (pages 37); Noxious and Invasive Weeds Cumulative Effects (page 39); Riparian Management Cumulative Effects (page 45-46); Big Game (EA, pages 46-49); Fisheries Cumulative Effects (page 53); Fuels/Fire, Air Quality (pages 53-55); Management Indicator Species (EA, page 56-58); Migratory Birds (pages 58-59); Northern Spotted Owls Cumulative Effects (EA, page 61); Recreation (EA, pages 63-65); Roads (pages 65-68) Sensitive Wildlife and Plant Species (pages 69-70) Snag Habitat and Down Wood (EA, pages 70-72); Soils and Geology Cumulative Effects (EA, page 73); Stand Late-Successional Structure, Vigor and

Diversity (EA, pages 74-80); Survey and Manage/Sensitive Species (EA, pages 80-83); Proposed, Threatened, Endangered, and Sensitive Species (Appendix D, Biological Evaluation); Botanical Resources (Appendix D, Biological Evaluation for Plants); Wildlife Resources (Appendix D, Biological Evaluation for Wildlife); ASCO's (Appendix F, pages 1-4); Fisheries (Appendix J, Biological Assessment); and more in Chapter 4 all include effects of past and present actions in addition to those of the foreseeable future.

All these effects are well within the levels anticipated by the Willamette Forest Land and Resource Management Plan and the Northwest Forest Plan. The South Santiam Watershed Analysis (SSWA) is incorporated by reference (EA, pages 8 and 10) and presents a comprehensive analysis of the watershed conditions and a contextual basis for cumulative effects. The proposed action falls within the range of activities considered during the analysis. No significant direct, indirect, or cumulative impacts to soil, water, fisheries, wildlife resources, or other components of the human environment are anticipated (EA, pages 35-83, Biological Evaluation).

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.*

The Santiam Wagon Road is eligible for the National Register Historic Places. An appropriate review has been conducted by this undertaking, and no other 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, as mentioned in Item 3, have been surveyed and the Santiam Wagon Road will be avoided, buffered or otherwise subject to appropriate mitigation from harmful effects (see Chapter 2 - Mitigation Measures).

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 Gordon Three Thin Biological Evaluation (BE) in Appendix D addresses the effects upon endangered and threatened species and their habitat. Formal consultation with U.S. Fish and Wildlife Service (USFWS) as required by Section 7 of the Endangered Species Act was completed for northern spotted owls on the Gordon Three Thin project within the Willamette Province. Terms and conditions in the Biological Opinion will be adhered to during harvest operations.

The proposed units are located within the median home range radii (1.2 miles) of 7 owl pairs and within 0.25 miles of the activity core of 3 of these pairs. The units and surrounding areas (out to 0.5 miles) were surveyed for spotted owls (R6 Survey Protocol) in 2001- 2003. No additional spotted owls were located.

Treatment of 491 acres in Alternative 2 will degrade the existing dispersal habitat by removing part of the overstory. Quality of this dispersal habitat will be affected but the functionality will not since all treated areas will maintain a minimum 40 percent canopy closure to maintain dispersal capability of the habitat. The creation of ¼ acre gaps (Dominant Tree Release) in each alternative will not fragment habitat or create areas of non-dispersal habitat.

There will be a seasonal restriction of March 1 – September 30 on all timber harvest operations that may disturb spotted owls. There will be *no effect* to spotted owls from disturbance within the LSR. There will be a *may effect* to spotted owls outside the LSR. Unit 12 will have a seasonal restriction of March 1 – July 15, allowing timber harvest to occur within the latter part of the nesting season.

This project is consistent with the terms and conditions of the Biological Opinion for Fiscal Year 2003-2004 Habitat Modification Projects in the Willamette Province (February 27, 2003).

Anadromous fish species found within the planning area include spring chinook salmon and winter steelhead. They are not found within any of the proposed units but both are present within the South Santiam River down stream of House Rock Falls and winter steelhead are present in Canyon Creek. These fish are both listed as threatened under the Endangered Species Act. There are no other fish or aquatic insects found within the project area that are listed or are on the Regional Forester’s Sensitive Species list. The two listed fish species above are discussed more specifically in the Biological Assessment for consultation with NOAA Fisheries (Appendix J). The Biological Opinion states that the actions proposed are not likely to adversely affect either Chinook salmon or steelhead. (NOAA Fisheries Memo, 2/2004)

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. The proposed action meets State air and water quality standards and complies with all regulations in the National Environmental Policy Act and National Forest Management Act. Plant Survey and Manage/Sensitive species as identified in the Forest Plan have been found in the project area (EA, page 31).

Unit #	Plant Survey and Manage/Sensitive Species Located	Number of Sites	Buffer Width
1	No survey and manage/sensitive species found		
2	No survey and manage/sensitive species found		
3	<i>Pseudocyphellaria rainierensis</i>	4	100'
4	<i>Pseudocyphellaria rainierensis</i>	1, riparian	100'
5	No survey and manage/sensitive species found		
6	No survey and manage/sensitive species found		
7	<i>Leptogium cyanescans</i> <i>Pseudocyphellaria rainierensis</i>	1 3	172' 100'
8	<i>Leptogium cyanescans</i>	2	172'
9	No survey and manage/sensitive species found		
10	<i>Leptogium cyanescans</i>	1	172'
11	No survey and manage/sensitive species found		
12	No survey and manage/sensitive species found		
13	<i>Bridgeoporus nobilissimus</i> <i>Racomitrium aquaticum</i> <i>Rhizomnium nudum</i>	4 historical record 2, out of unit	Dropped from unit Not located none

* Retention areas are small (1/4 acre) patches where no thinning will occur. Where survey and manage/sensitive species are found adjacent to but outside of the stand, retention areas will be left in the stand.

Proposed unit boundaries were adjusted to provide appropriate buffers for each species (EA, page 31).

Seventeen Region 6 sensitive wildlife species, identified on the Regional Forester’s Sensitive species list, were evaluated to determine if they or their habitat would be impacted by this project. No habitat exists for 11 of the 17 species (EA, pages 69). Habitat does exist for 6 species, which are: Baird’s shrew,

Pacific shrew, peregrine falcon, Pacific fisher, Cascade torrent salamander and Oregon slender salamander.

Two species, Oregon slender salamander (*Batrachoseps wrightii*) and Cascade torrent salamander (*Rhyacotriton cascadae*) have been located within the proposed units. To limit impacts to these salamander species, known locations will be protected with a minimum 50-foot no-harvest buffer (Appendix D: BE, page 9-10). For these 2 species and their habitat, a **may impact individuals or habitat, but will not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species** determination was made for Alternative 2. This impact should be of short duration (Appendix D: BE pages 9-13).

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 215. Only individuals or organizations that submitted substantive comments during the comment period may appeal this decision. Notice of appeal must meet requirements in 36CFR 215.14, "Content of an Appeal". Appeals must be received by the Appeal Deciding Officer within 45 days from the date of publication of this notice in the *Register Guard*, Eugene Oregon.

The notice of appeal must be filed hardcopy with the Appeal Deciding Officer,

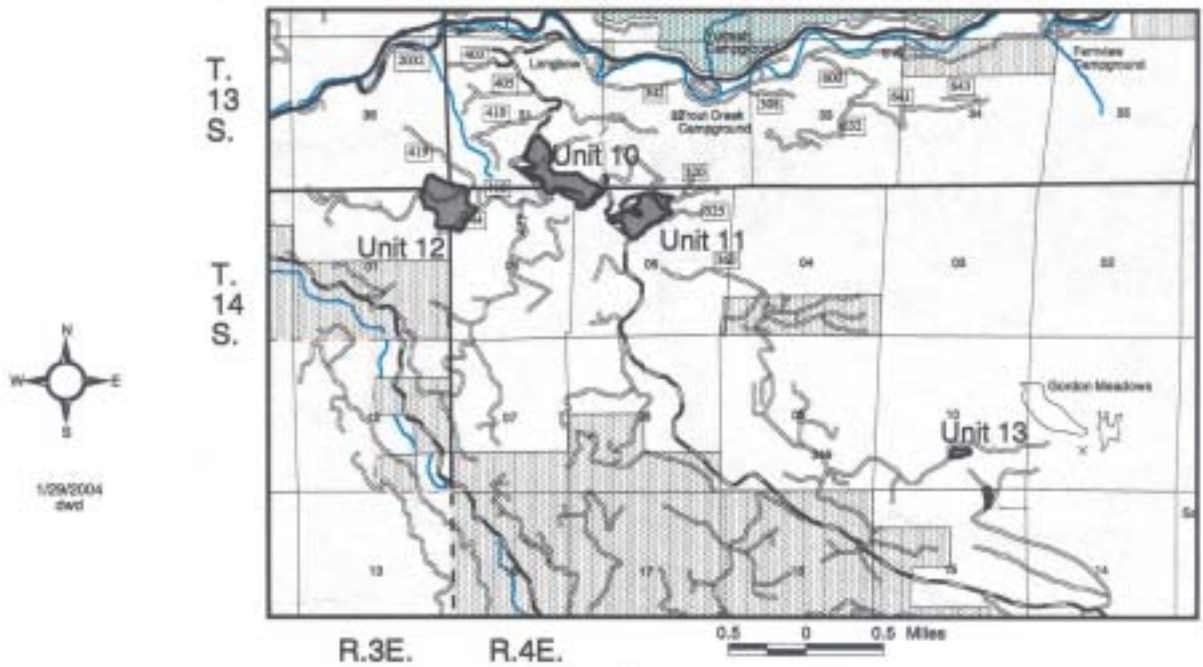
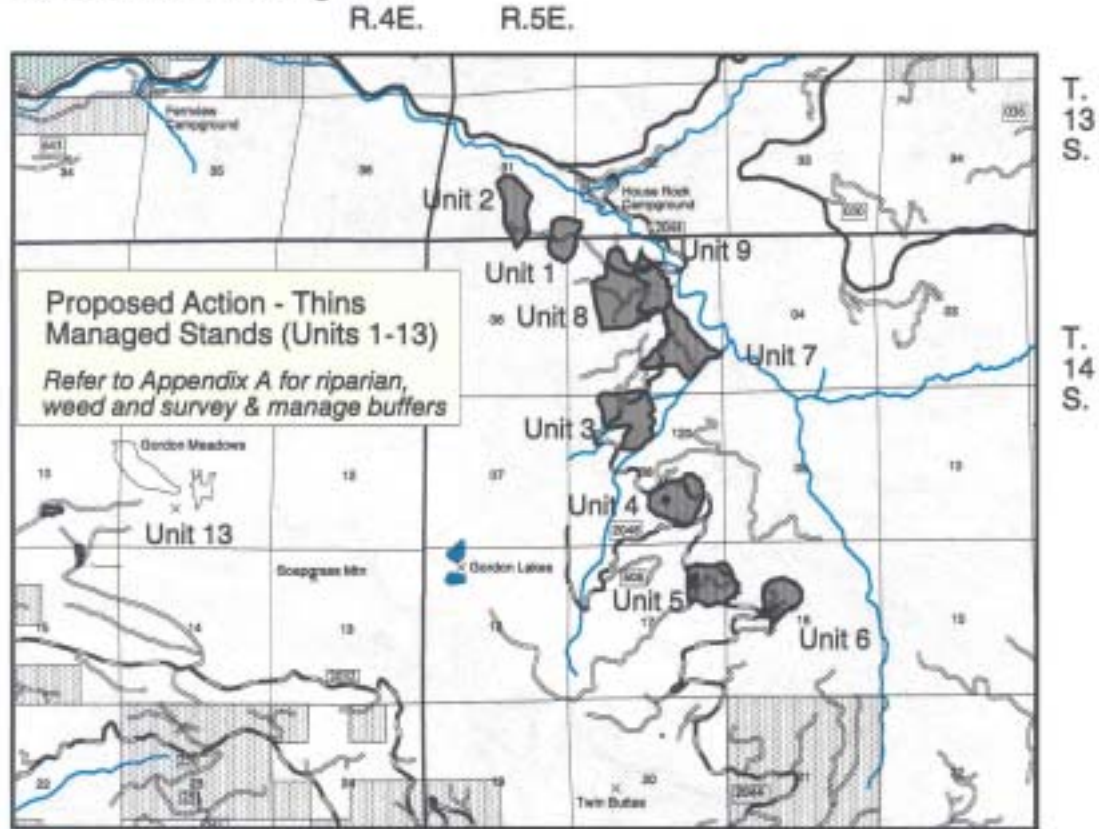
- ATTN: 1570 APPEALS, 333 S.W. First Avenue, P.O. Box 3623, Portland, Oregon, 97208-3623, or
- faxed to (503) 808-2255, or
- sent electronically to appeals-pacificnorthwest-regional-office@fs.fed.us, or
- hand delivered to the above address between 7:45 AM and 4:30 PM, Monday through Friday except legal holidays.

Responsible Official: /s/ Dallas Emch 6/16/04
Dallas Emch Date
Willamette National Forest
PO Box 10607
Eugene, Oregon 97406

For additional information or a copy of project documents contact:
Donna Short or Mike Rassbach
Sweet Home Ranger District
Phone: (541) 367-5168

Alternative 2

Gordon Three Thin



The legal location is: T13S,R3E,S36; T13S,R4E,S31; T13S,R5E,S31; T14S,R3E,S1; T14S,R4E,S5, 6, 10, 15; T14S,R5E,S5, 6, 8, 16, 17.