

**DECISION NOTICE  
FINDING OF NO SIGNIFICANT IMPACT**

**Bald Angel Vegetation Management  
Environmental Analysis**

**Forest Plan Amendment #34**

USDA Forest Service  
Wallowa-Whitman National Forest  
La Grande Ranger District  
Union County, Oregon

An Environmental Assessment (EA) that discusses the proposed Bald Angel Vegetation Management project within 36,700 acre planning area on the La Grande Ranger District of the Wallowa-Whitman National Forest is available for review at the La Grande Ranger District Office in La Grande, Oregon and at the Forest Headquarters in Baker City, Oregon.

**The Decision**

Based on the analysis described in the EA, it is my decision to implement Alternative 3 as the method of treatment and management of these National Forest lands. This decision addresses the purpose and need to be proactive in providing for long-term forest health and reduce the likelihood and severity of future insect infestations and wildfires, to develop forest structure toward historic ranges to meet connectivity and dispersal needs of wildlife species associated with different structural stages, to convert some of the multi-stratum large tree (MSLT) stands to single stratum large tree (SSLT) and reflect what these sites would historically have represented on the landscape, to restore healthy riparian conditions, to continue to reintroduce fire as a disturbance factor and to move toward a more historic fire frequency, and to reduce the miles of open road within the project area to provide for more big game security habitat.

Alternative 3 was designed to address the purpose and need through emphasizing retention of critical high quality cover and connective corridor areas to provide cover and connectivity habitat while other overstocked stands are treated to accelerate development of long term landscape cover and large structure needs. The highest quality, functional cover stands and best available connective corridor stands would be either retained for their cover value in this alternative or the prescription modified to provide functional corridors between stands of LOS. Stands at risk to insects and disease due to overstocking or that would not remain healthy for the next 15-20 years were of a higher priority for treatment and were not deferred for treatment in this alternative. Long-term transportation needs were balanced with big game habitat security needs in this alternative through reduction in the number of miles of new temporary and specified road construction.

In addition to the vegetative management projects, access and travel management in terms of physical closures, decommissioning, and promulgated area closures would be accomplished to enhance wildlife, fisheries, recreation, and hydrology resources. In Alternative 3, nearly all of the stands identified as a high priority for needing density management or fuel reduction would be treated.

This project will also modify the Wallowa-Whitman National Forest Plan through a non-significant Forest Plan amendment for treatment in old growth habitat. The Wallowa-Whitman National Forest Plan was signed in 1990. Stand density treatments throughout the project area have been designed to improve tree health and enhance long-term old growth characteristics. Forest Plan standards restrict harvest treatment in late old structure (LOS) that is below the historic range of variation (HRV). An HRV analysis of LOS, by biophysical grouping has been completed for this project area which indicates deficiencies in both SSLT and MSLT old growth, with SSLT being nearly non-existent. MSLT structure is more prevalent in the project area, however,

due to past management practices and fire exclusion many of these stands which were historically SSLT have now become MSLT. In order to reflect stand structures which were historically found within this project area to meet the needs of species dependant on this type of habitat and forest health objectives and needs, a non-significant forest plan amendment has been incorporated as part of this decision to address treatment needs within the area.

Alternative 3 addresses the following key issues: 1) Improvement of long term forest health conditions; 2) Deficiency in LOS and area outside of HRV; 3) Big game security habitat; and 4) Return of fire intervals.

### **Preferred Alternative Description:**

#### ***Alternative theme:***

Alternative 3 was designed to address the purpose and need through emphasizing retention of critical high quality cover and connective corridor areas to provide cover and connectivity habitat while other overstocked stands are treated to accelerate development of long term landscape cover and large structure needs. The highest quality, functional cover stands and best available connective corridor stands would be either retained for their cover value or the prescription modified to provide functional corridors between stands of LOS. Stands at risk to insects and disease due to overstocking or that would not remain healthy for the next 15-20 years were of a higher priority for treatment and were not deferred for treatment in this alternative. Long-term transportation needs were balanced with big game habitat security needs in this alternative through reduction in the number of miles of new temporary and specified road construction.

### **Vegetation Management:**

#### **Timber Harvest:**

Proposed harvest treatment would occur on approximately 4,193 acres of in the Bald Angel project area. Treatments include stand density management through commercial thinning (HTH), shelterwood (HSH), improvement cuts (HIM), sanitation harvest (HSA), overstory removal harvests (HOR), fuels reduction removals (HFU), fire cleaning (FCN) and stand cleaning (SCN) to reduce the risk of crown fires (refer to prescription descriptions below). These treatments are proposed to reduce stocking densities, remove diseased and poor growing trees, and promote stands with single story large tree characteristics. Stands would be opened up, stimulating growth of residual trees. No live trees larger than 21 inches in diameter would be cut except for an occasional tree removed for safety or construction clearing. Shelterwoods on 90 acres would remove poor growing, less vigorous trees while maintaining most of the larger component (trees larger than 18 inches dbh). The larger overstory component will remain and planting will ensure a healthy, viable understory. These stands will become Multi-stratum large tree (MSLT) structure stands. Approximately 784 acres would be precommercially thinned to improve tree growth and select desirable tree species, 20 of those acres would be accomplished as a follow-up treatment after harvest. Approximately 296 acres of release treatments would be accomplished within harvest units and 130 acres in non-harvest units. Approximately 209 acres of planting would occur in areas, which are below stocking and classified as having regeneration difficulties due to ground conditions and lack of adjacent seed sources.

No live trees larger than 21 inches in diameter would be cut except for an occasional tree removed for safety or construction clearing. For specific treatment unit prescriptions (pre and post harvest) refer to the tables in Appendix A.

**Riparian treatment units (Unit 13)** would be treated using a commercial thinning within the riparian area. No activity buffers of 10 feet along intermittent non-fish bearing stream channels and 25 feet adjacent to perennial non-fish bearing stream channels would apply to this unit. Stand density reduction treatments would occur outside of these no activity buffers to maintain and enhance riparian management objectives with specific treatment prescriptions coordinated between the District Silviculturist, Watershed Specialist, and Fuels Planner. No equipment would be permitted within the no-activity buffers. Outside of these buffers the detrimental soil conditions

would be limited to 10% of the RHCA area. Follow-up treatment would generally match the treatments prescribed in the adjacent unit and could include use of precommercial thinning and prescribed fire to reduce residual fine fuels and prepare sites for planting. Planting of native shrub species and ponderosa pine would occur during the spring immediately following the burn if prescribed. During burning activities, a backing fire only would be permitted within the no treatment buffers, while direct ignition may be permitted within the mechanically treated areas.

With the exception of this unit modification, all other treatment units in the action alternatives would incorporate the default INFISH RHCA no-cut buffer guidelines (refer to the Riparian section of the Management Requirements, Constraints and Mitigation Measures portion of the EA).

**Aspen Restoration** - Encroaching conifers hindering regeneration of approximately 25 acres of two quaking aspen stands will be treated to set back succession by removing or killing most conifers within the aspen stands, and introducing some disturbance to the soil and vegetation. This will reduce competition and stimulate suckering. Trees 21" dbh and greater will not be cut.

Commercial size trees that are in surplus of snag and down woody material requirements would be cut and removed with Units 123 and 125 of the timber sale. Portions of the soil would be scarified and slash burned on site. At the conclusion of these ground disturbing treatments, the area will be fenced with elk proof fencing to protect new sprouts. Monitoring will occur to measure the results of this portion of the project.

**Fuels Reduction:**

Objectives in all units would be to: a) reduce stand densities in overstocked stands and ladder fuels, enhance forage, create defensible fuel profile zones in strategic areas to aid in fire suppression efforts and minimize natural resource impacts in the event of a wildfire, and b) reintroduce fire as a disturbance factor on historical fire return intervals to reduce fire encroachment, promote healthy fire resistant stands at a landscape scale, promote large tree characteristics, provide for structural diversity, and improve forage.

Treatments within these areas would consist of a combination of mechanical harvest/removal and prescribed burning.

**General Mechanical Prescriptions:**

Associated with harvest units the following would occur:

1. Treatments would reduce overstocking of trees >7" dbh to recommended stocking levels per biophysical group.
2. 2-8 snags (depending on type of site) per acre >12" dbh and at least 35 feet tall would be retained while snags >5" dbh in excess of recommended snag levels would be removed.
3. Down wood would be retained at 120-140 lineal feet of down wood composed of pieces at least 12" diameter on the small end and at least 20 feet long. All other materials >3" in diameter could be reduced to 25 tons or less per acre.

**General Prescribed Fire Prescriptions:**

1. Fires would generally be low intensity (2-4 foot flame lengths with occasional torching).
2. Fuel loading goals would be as described in the following table:

Fuel Size Class	Desired Tons/Ac	Lineal Feet
0-3" Diameter	< 3	
3-9" Diameter	3	
12" Plus Diameter	5-15	120-140

3. Trees ≤ 5" dbh that are mistletoe infected, suppressed, or encroaching on fire regime 1 areas could be eliminated.

Prescribed burning would occur when weather and fuel conditions are appropriate to meet the objectives and prescription for each unit. No more than a total of 10% of the available forage would be burned per year within the project area. Burning would be accomplished over the next 10 years. Existing plantations and thinning areas would be avoided during burn layout and implementation.

Control lines would include roads, natural barriers and brush removal rather than bare mineral soil line construction where possible. With the exception of the RHCA treatment units described under the Modified RHCA section above, all other treatment units calling for the use of prescribed fire would not permit direct ignition within 150' of any Class I and III stream channels and 50' of Class IV stream channels. Low intensity fire would be allowed to back into all RHCAs. Reducing these fuels will enhance forage habitat and increase overstory growth rates by making nutrients readily available after burning is completed.

#### **Removal Systems Summary:**

Where treatments result in commercial products, they would be removed by tractor (3,514 acres), skyline (570 acres), and helicopter (109 acres) yarding systems. Approximately 9.3 MMBF of saw material and 1.6 MMBF of wood fiber is expected to be recovered from the proposed action.

2.26 miles of re-construction of systems roads is anticipated to improve drainage, reduce erosion and sedimentation, and reinforce the subgrade. Approximately 1.6 miles of new specified road construction is proposed and 5.36 miles of temporary spur roads are needed to facilitate removal of the materials.

#### **Access and Travel Management:**

The road management plan objectives for this project area will were analyzed determine how best to manage access to meet resource needs and objectives. Roads described under the Common Elements section of the EA (page 30 – 32) would be decommissioned, closed, and promulgated within the area closure with the exception of those roads identified to remain open for long-term access into the area. Approximately 15.48 miles of roads to be used by the project would be closed at the conclusion of harvest and project activities. These closures would be accomplished with a combination of signing and/or physical barriers. Approximately 0.76 miles of additional roads used by the project were identified for closure to protect and enhance water quality and meet objectives for wildlife habitat. These roads would be decommissioned and no longer be available for future use. Decommissioning would result in the stabilization and restoration of these sites to a more natural state. Activities could include recontouring, culvert removal, and seeding.

**Closure Area:** In order to provide for big game security a motorized closure area would be established in the Bald Angel project area (refer to closure area location map in the appendices). The closure area boundary is defined by the Forest Service boundary to the west and south, the 77 Road along the North, and the 77, 67, 70, 7035 and 7035076 Roads along the east. All boundary roads are open for motorized travel.

All motorized travel would be restricted to signed open roads within the project area. Motorized use would be permitted within 300 feet of open road to provide for dispersed camping opportunities, however, no cross-country travel would be permitted. This closure would remain in effect until the Forest Travel Management planning process which reflects the National Strategy is complete and a new plan in place. The designated motorized travel routes identified in this project will carry forward into the Forest-wide Travel Management Plan.

**Open Roads within Area Closure** - Portions of or the entire length of the following roads will be designated as open for motorized travel in the Bald Angel Area Closure Area. Refer to the Closure Area map in the appendices for specific open road locations.

### **Forest Plan Amendment for LOS**

As a part of the Bald Angel decision, the Wallowa-Whitman National Forest Plan is amended to allow for treatment in some LOS stands within the project area. The Forest Plan would be modified in this project as described below and approximately 1,237 acres of LOS would receive commercial thinning prescriptions. Treatments would modify these multi-strata stands to single-strata stands and maintain adequate levels of down logs and snags. Affected Units: 1, 6, 8, 10-12, 20, 23, 29, 30, 37-39, 41, 48, 57, 60, 60A, 70, 84, 96, 100, 102, 121-122, 125, 126, 128, 129, 131-133, 135, 137.

In order to restore these stands to their historic structure, enhance the health of the stands, and reduce ladder fuels in LOS stands in the project area, the following modification is made to the Wallowa-Whitman National Forest Land and Resource Management Plan, Regional Forester Amendment #2, for the Bald Angel Vegetation Management Project Planning Area.

**Current Direction:** d. Scenario A If either one or both of the late and old structural (LOS) stages falls below HRV in a particular biophysical environment within a watershed, then there should be no net loss of LOS from that biophysical environment. Do not allow timber sale harvest activities to occur within LOS stages that are BELOW HRV.

**Amended Direction:** d. Scenario A If either one or both of the late and old structural (LOS) stages falls below HRV in a particular biophysical environment within a watershed, then there should be no net loss of LOS from that biophysical environment. However, timber sale harvest activities may occur within LOS stages that are below HRV, if doing so increases other LOS stages that are below HRV within the biophysical environment.

Treatments include commercial thinning of trees under 21 inches, reducing levels of standing and down material, thinning and cleaning of small diameter trees, pile and burn, and prescribed burning. Treatments under this amendment would not result in a net loss of old growth, but the amendment would provide for treatments that would maintain old growth habitat as defined by Forest standards and definitions. Old growth habitat is measured by levels of down wood, snags, number of canopy layers and large trees (See Regional Forester's amendment #2 –Screens- and Wallowa-Whitman National Forest Recommended Definitions for New Structure Stages per Amendment #2, November 9, 1995).

### **Snags**

With the exception of an occasional snag removed for safety or construction clearing, no snags  $\geq 12$  inches dbh will be removed with this project.

### **Mitigations and Monitoring:**

Mitigation measures to be implemented consist of those Wallowa-Whitman National Forest Plan Standards and Guidelines that apply to Management Areas 1, 3 and 15, except where modified by the non-significant Forest Plan amendment described earlier. Specific requirements that apply to this project are listed on pages 46-57 of the EA.

Monitoring of project activities will be accomplished as discussed on pages 60-62 of the EA.

The effects of implementing this alternative, including these modifications, were analyzed by resource specialists as disclosed in the EA and analysis file. The direct, indirect, and cumulative effects of the

project as planned are within Forest Plan Standards and Guidelines, including those added/or modified in the forest plan amendment in this decision.

## **Alternatives**

A brief summary of the alternatives considered in this analysis follows:

### **Alternative 1 - No Action**

This alternative constitutes the "No Action" required by NEPA. Timber harvest and other management activities identified in the Bald Angel Vegetation Management analysis would be deferred. This alternative forms the baseline for comparison of the action alternatives.

### **Alternative 2 – Proposed Action [Refer to map and data tables in Appendix B]**

This is the Proposed Action described in Chapters 1 and 2 of the EA. Alternative 2 was designed to address the purpose and need through maximizing vegetation management treatment within the project area to enhance stand health and vigor, reduce fuel loadings, and enhance LOS stand structures. In Alternative 2, nearly all of the stands (both high and low priority) identified as needing density management or fuel reduction would be treated.

Proposed treatment would occur on approximately 4,869 acres of in the Bald Angel project area. Treatments include stand density management through commercial thinning (HTH), shelterwood (HSH), improvement cuts (HIM), sanitation harvest (HSA), overstory removal harvests (HOR), fuels reduction removals (HFU), fire cleaning (FCN) and stand cleaning (SCN) to reduce the risk of crown fires (refer to prescription descriptions below). These treatments are proposed to reduce stocking densities, remove diseased and poor growing trees, and promote stands with single story large tree characteristics. Approximately 860 acres would be precommercially thinned to improve tree growth and select desirable tree species, 96 of those acres would be accomplished as a follow-up treatment after harvest. Approximately 352 acres of release treatments would be accomplished within harvest units and 130 acres in non-harvest units. Approximately 235 acres of planting would occur in areas, that are below stocking and classified as having regeneration difficulties due to ground conditions and lack of adjacent seed sources, are lacking a healthy understory and/or to provide species composition appropriate to the site.

Riparian treatment units (6, 8, 13, 14, 60, 84, 97, 98, 129, 131, and 132) would be treated using the prescriptions previously described under Common Elements.

Where treatments result in commercial products, they would be removed by tractor (3,885 acres), skyline (618 acres), and helicopter (359 acres) yarding systems. Approximately 10.7 MMBF of saw material and 1.8 MMBF of wood fiber is expected to be recovered from the proposed action.

2.26 miles of re-construction of systems roads is anticipated to improve drainage, reduce erosion and sedimentation, and reinforce the subgrade. Approximately 1.7 miles of new specified road construction is proposed and 10.4 miles of temporary spur roads are needed to facilitate removal of the materials.

In addition to the treatments described above, aspen restoration work and access and travel management work would be accomplished as described in Alternative 3 (under The Decision) and approximately 13,770 acres of prescribe burning would occur.

### **Alternative 3 – Preferred Alternative [Refer to map and data tables in Appendix A]**

This is the preferred alternative as described in the EA and under The Decision above.

**Alternative 4 – No New Road Alternative [Refer to map and data tables in Appendix C]**

Alternative 4 was designed to address the purpose and need through emphasizing retention of critical high quality cover and connective corridor areas to provide cover and connectivity habitat while other overstocked stands are treated to accelerate development of long term landscape cover and large structure needs. It also was in response to comments and concerns received during scoping related to the extent of road development required for the project. The ID Team used Alternative 3 as a base for this alternative and deferred whole stands or portions of stands that would require new road construction (temporary and specified).

Proposed treatment would occur on approximately 3,709 acres of in the Bald Angel project area. Treatments include stand density management through commercial thinning (HTH), shelterwood (HSH), improvement cuts (HIM), sanitation harvest (HSA), overstory removal harvests (HOR), fuels reduction removals (HFU), fire cleaning (FCN) and stand cleaning (SCN) to reduce the risk of crown fires (refer to prescription descriptions below). These treatments are proposed to reduce stocking densities, remove diseased and poor growing trees, and promote stands with single story large tree characteristics. Stands would be opened up, stimulating growth of residual trees. No live trees larger than 21 inches in diameter would be cut except for an occasional tree removed for safety or construction clearing. Shelterwoods on 68 acres would remove poor growing, less vigorous trees while maintaining most of the larger component (trees larger than 18 inches dbh). The larger overstory component will remain and planting will ensure a healthy, viable understory. These stands will become Multi-stratum large tree (MSLT) structure stands. Approximately 784 acres would be precommercially thinned to improve tree growth and select desirable tree species, 20 of those acres would be accomplished as a follow-up treatment after harvest. Approximately 296 acres of release treatments would be accomplished within harvest units and 110 acres in non-harvest units. Approximately 209 acres of planting would occur in areas, which are below stocking and classified as having regeneration difficulties due to ground conditions and lack of adjacent seed sources.

Riparian treatment units (Unit 13) would be treated using the prescriptions previously described under Common Elements.

Where treatments result in commercial products, they would be removed by tractor (3,209 acres), skyline (398 acres), and helicopter (109 acres) yarding systems. Approximately 8.1 MMBF of saw material and 1.4 MMBF of wood fiber is expected to be recovered from the proposed action.

2.26 miles of re-construction of systems roads is anticipated to improve drainage, reduce erosion and sedimentation, and reinforce the subgrade. No new specified or temporary road construction are needed to facilitate removal of the materials.

In addition to the treatments described above, aspen restoration work and access and travel management work would be accomplished as described in Alternative 3 (under The Decision) and approximately 12,525 acres of prescribe burning would occur.

**Alternative Overview:**

<b>Alternative Elements</b>	<b>Alternative 1</b>	<b>Alternative 2</b>	<b>Alternative 3</b>	<b>Alternative 4</b>
Harvest Treatment Acres	0	4,869 acres	4,193 acres	3,709 acres
Prescribed Fire Acres	0	13, 770 acres	13, 248 acres	12,525 acres
Acres of Modified RHCA Treatments	0	127.7 acres	16 acres	16 acres
LOS Acres Treated	0	1,445 acres	1,237 acres	1,086 acres
Road Closure	0	16.64 miles	15.48 miles	16.22 miles
Road Decommission – Project		29.1 miles	29.1 miles	29.1 miles
Road Decommission - Sale		0.99 miles	0.76 miles	0.99 miles
Roads Promulgated		80 miles	80 miles	80 miles
Release Treatments (w/o harvest)	0	860 acres	784 acres	784 acres
Release Treatments (w/harvest)	0	352 acres	296 acres	296 acres
Planting	0	235 acres	209 acres	209 acres
Yarding Systems:				
Tractor	0	3,885 acres	3,514 acres	3,209 acres
Skyline	0	618 acres	570 acres	398 acres
Helicopter	0	359 acres	109 acres	109 acres
Road Work:				
Reconstruction	0	2.26 miles	2.26 miles	2.26 miles
Specified Road Construction	0	1.7 miles	1.6 miles	0 miles
Temporary Road Construction	0	10.4 miles	5.36 miles	0 miles
Saw/Chip Volume Recovered	0	12.5 MMBF	10.9 MMBF	9.6 MMBF

**Scoping Process**

Public scoping for the Bald Angel Restoration project was initiated in the July 1996 under the names of the Tucker Creek and Sawdust projects. These projects were identified as a part of the 5-year District Vegetation Management program in the La Grande District Schedule of Proposed Actions (SOPA). In January 2000, these two projects were combined to become the Tucker Dust project in the SOPA. In the Fall of 2002, the project boundaries were adjusted and the project was renamed Bald Angel and has appeared in each quarterly SOPA since then. This mailing is distributed to a mailing list of 100 - 600 (Forest-wide SOPA) individuals, organizations, and agencies. Between 1997 and 2002 three Environmental organizations and one individual expressed interest in this project.

A detailed description of the proposed action was mailed on April 22, 2005 to approximately 100 forest users and concerned publics soliciting comments and concerns related to this project. One letter of response and three phone calls were received from interested parties, which are part of the Comments Appendix of the EA.

On May 12, 2005, the Bald Angel Interdisciplinary Team and Ranger met with several interested local landowners within the project area to discuss and clarify the proposed action. In general they were in favor of the activities proposed.

A brief overview of the project was presented to the Union County Community Forestry Board as a part of District program of work for 2004-2006. Members also received a copy of the Proposed Action. Meeting notes are located in the project files and see EA pages 23 and 140 for public involvement.

Scoping and consultation for the project was initiated and is on-going with the Confederated Tribes of the Umatilla Indian Reservation.

The Oregon Department of Fish and Wildlife (ODF&W) office was contacted as part of the Proposed Action scoping process.

Permittees who graze cattle within the Bald Angel analysis area were notified of project planning activities.

The proposed action was mailed to the Eastern Oregon ATV Association and a follow-up phone call was made to offer clarification if needed on the Area closure proposal in this project. No comments were received.

This project has been reviewed and approved by the Forest Archaeologist and the State Historical Preservation Officer (SHPO).

An analysis file for this project is available for public review at the La Grande Ranger District. The analysis file includes specialist's reports, data specific to the project, public notifications and their responses, meeting notes, and miscellaneous documentation.

Several local/adjacent landowners expressed interest in this project over the phone. Their calls and responses are located in the Comments Appendix for this project.

A 30-day Comment Period for this Environmental Assessment was published in The Observer and Baker City Herald newspapers. Comment letters received and responses are located in the appendix for this EA..

## Reasons for Decision

I have chosen to implement Alternative 3 because it provides the best combination in responding to the major issues and concerns. I concur with the following key issues that were developed based on key issues and resource analysis by interdisciplinary team members. The key issues and specific reasons for this decision are:

Comparison Factors		Alternatives			
Key Issue	Key Indicators	1	2	3	4
<b>Overstocking &amp; Stand Health</b>	• Acres of stand density reduction (Commercial and Precommercial)	0	5555 Acres	4889 Acres	4477 Acres
	• Percent of Total Need Treated		68%	60%	55%
<b>LOS Deficiency</b>	• Acres of understory reinitiation accelerated toward MSLT/SSLT	0	2,811 ac	2,501 ac	2,251 ac
	• Acres of MSLT converted to SSLT	0	1,107 ac	997 ac	997 ac
	• Acres of treatment within connective corridors	0	937 ac	604 ac	516 ac
<b>Lack of Big Game Security</b>	• Acres of Satisfactory thermal cover converted to Marginal thermal cover or forage	0	1,843 ac	1,382 ac	1,187 ac
	• Acres of Marginal cover converted to forage	0	3,118 ac	2,771 ac	2,596 ac
	• Percent of analysis area further than 0.90km from motorized route	0.05	17%	17%	>17%
<b>Outside of Historic Fire Return Intervals, Risks, and Regimes</b>	• Acres treated within fire regimes of high departure from historical fire return intervals	0	4,080 ac	3,785ac	3,399 ac
	• Acres treated within fire regimes of moderate departure from historical fire return intervals	0	574 ac	371 ac	371 ac
	• Acres treated with high or moderate risk to wildfire damage due to heavy fuel loadings (Mechanical + Rx Burn)	0	H =16,721 ac M =2,995 ac	H =15,726 ac M =2,292 ac	H =14,863 ac M =2,292 ac

### 1. Overstocking and Stand Health in the Bald Angel Area

Stocking levels exceed recommended numbers in approximately 25% of the stands across all biophysical groups in the Bald Angel Planning area. Overstocking can lead to an increase in beetle populations, reduced health of the stand, decreases in production of both the overstory and understory, and alter stand structures and compositions. In many instances, stress, particularly drought stress is compounded by overstocking (Fiddler, et.al., 1995). This stress can lead to losses in tree growth and increases in insect and disease caused mortality. Appropriate stocking levels can help to increase tree growth and

fire, insect, disease resistance of stands (Lambert, 1993). The number of stands treated would measure the effectiveness of the alternatives towards reducing stand density.

To restore and maintain the landscape, silvicultural treatments will be used to modify and rejuvenate the forested landscape in the analysis area. Improvement cuttings, shelterwood, commercial thinning and salvage/sanitation are the types of silvicultural methods utilized in the Bald Angel project to improve landscape health, reduce the risk of insect mortality and wildfire, begin to provide a range of structures for the long term, release potential of the sites, and alter species composition. Stands will be managed within a range of densities that maintains tree health and vigor. The lower range or lower management zone (LMZ) would maintain stocking at a point where significant portion of the site resources is captured in tree growth. The upper range of density or upper management zone (UMZ) prevents the establishment of a suppressed tree class to develop.

Alternatives 2, 3, and 4 are a combination of improvement cuttings, shelterwood, overstory removals, commercial thinning, sanitation/salvage harvest, fuels reduction activities, prescription fire and artificial and natural regeneration. These treatments would provide stocking levels and species composition compatible with site production to promote healthy, vigorous stand conditions and begin to provide vegetative conditions in terms of structural stages and patch sizes which are within the Historic Range of Variability (HRV). Woody debris would be left on the site to contribute to the nutrient level (long term site productivity) and enhancement of small mammal habitat. Prescribed underburning in treated stands of the drier biogroups would occur in three to five years. Burning is designed to reintroduce fire in drier biogroups to emulate natural fire return interval and return fire to its role as an ecosystem process. Prescribed burning would also be done in stands to provide for additional openings to assist natural and artificial regeneration.

Under Alternative 2, 68% of the acres identified as needing silvicultural treatment are treated generating 12.5 million board feet from 4,869 acres. In Alternative 3, 59% of overstocked stands are treated producing 10.9 million board feet from 4,193 acres. And in Alternative 4, 53% of overstocked stands are treated with 9.6 million board feet being generated from 3,800 acres. As a result of these acres being treated the following effects would be realized in those areas as described below:

Treatments would remove suppressed trees and those with poor live crown ratios. Reducing stand densities would enhance stand and landscape health, while helping to create conditions that would allow a healthy understory to develop. Treated stands would provide for large structure multistory canopy across the landscape. Overstory densities retained would help to provide site conditions for a healthy understory of mixed species to develop and provide for multistory late/old structure (MSLT) in 15 to 25 years. Commercial thinnings and improvement cuttings will remove less vigorous trees and reduce densities and would provide for MSLT structure in 10-30 years. Treatments will reduce the risk of insect/disease problems and overstocking for 20-30 years.

In warm/dry biophysical environments treatments would provide more disease resistance and structures more consistent with natural disturbance regimes (Schmidt 1994; Scott 1996; Schowalter and Withgott 2001). Many of these stands would begin to provide more open conditions dominated by ponderosa pine, Douglas-fir and western larch. Post harvest burning of these stands would play an important role in maintaining them. Density levels, as well as, the amount of grand fir in the stands would be reduced as long as burning is conducted.

**Summary:** In general, the differences between implementing all three action alternatives are relatively minor in relation to the scale of the project area over the short (1-5 years) term. However over time, the acres deferred from treatment in these alternatives will be less and less likely to receive treatment in the future due to the difficulties associated with accessing large portions of this project area. Therefore, these acres are more likely to continue under the failing forest health conditions described in Alternative One for a much longer (50+ years) period of time. More of these acres would be realized under Alternative 4 followed by Alternative 3 and 2 in that order.

## **2. Deficiency of Late Old Structure within the Bald Angel Area**

An analysis of the historical range of variability (HRV) showed that current late old structure (LOS) habitat is below the HRV within the project area. The reason HRV is important to wildlife populations is because the distribution, quality and quantity of habitat largely determines the potential for a wildlife species to exist at viable levels.

The largest deficiencies are in Single structure large tree (SSLT) and multi-structure large tree (MSLT) structural stages. There are only 17 acres identified as SSLT in the entire analysis area where there should be somewhere between 1,133 and 4,144 acres (all biogroups combined). MSLT structure is most lacking in biogroup G4 where the HRV is 2,212-4,423 acres, but only 422 acres currently exist. Understory reinitiation (UR) stands can be accelerated toward LOS structure through intermediate prescriptions that remove poor quality, smaller diameter trees, and retain the largest, best condition trees. Alternative 3 would accelerate development of MSLT/SSLT structure from understory reinitiation on 2,501 acres. Alternatives 2 and 4 would accelerate 2,811 and 2,251 acres respectively toward MSLT/SSLT structures.

Additionally, 997 acres of existing MSLT would receive maintenance type treatments aimed at restoring SSLT character and reducing fuel loading that resulted from fire exclusion in both Alternatives 3 and 4 while Alternative 2 would treat 1,107 acres. These treatments will not result in a net decrease in LOS, but will reduce structural complexity in the short-term at the stand scale. Under Alternative One, stands within drier biogroups would continue to function as MSLT, predisposing the larger trees to threats of fire, insects and diseases. Perpetuating MSLT structure in these stands would benefit species like pileated woodpeckers that are currently using them, but there are risks associated with retaining this structure that could result in long-term loss of large diameter trees, namely ponderosa pine and Douglas-fir. In the event that large overstory ponderosa pine is lost to fire or insects, species such as white-headed woodpecker, flamulated owl, and pygmy nuthatch could suffer setbacks under Alternative One. These species are already poorly represented due to low levels of their preferred habitat (SSLT) and providing for more of this habitat with reduced fuel loadings in the action alternatives will be beneficial to these species and their habitat needs.

Alternative 3 includes 1.42 miles of new road construction and 3.94 miles of temporary road, 5 fewer miles than Alternative 2, but more miles than Alternative 4 which has no temporary road work. The quality of LOS could be reduced due to easier access into or nearer to LOS stands, facilitating firewood removal and disturbance to wildlife from motorized vehicles. However, the area closure included in the action alternatives would largely mitigate the effects of temporary roads.

All action alternatives include 80 miles of road for closure/decommissioning and a promulgated area closure that would essentially decrease the open road density to approximately 2.32/miles per square mile. The effect of these roads being decommissioned and the area closure is reduced potential for disturbance from motorized vehicles, and increased retention of snags and logs important to the function of LOS habitat. Alternative One would not accomplish these closures and unregulated off highway vehicle use would continue in an unrestricted manner across the entire project area.

Prescribed fire burn blocks represent logical burn boundaries defined by roads or other features that could serve as boundaries. Not all acres within these burn blocks would actually be burned. Site-specific exclusions will protect high quality LOS stands and big game cover stands where fire could negatively affect habitat values in all action alternatives.

## **3. Lack of Big Game Habitat Security in the Bald Angel Project Area**

Alternative One would not result in direct positive effects to big game security habitat, and would forego some opportunities to improve habitat conditions in the short and long-term. This alternative would be the least impacting to big game populations in the short-term. Current levels of cover would remain and continue to positively influence the distribution of elk and deer across available habitat. The areas that

are poor to fair quality cover (marginal thermal cover) today are important to the elk population while created openings are growing back into a cover condition.

Alternative 3 would convert 1,357 acres of satisfactory cover to marginal cover and 2,771 acres of marginal cover to forage. The effects of setting stands back to marginal cover would persist through the short-term, but would recover to a cover condition by the early part of the mid-term. Forty-seven percent of this analysis area would remain in a thermal cover condition (32% marginal and 15% satisfactory). This alternative retains at least 614 acres of important cover for the short-term that would be converted to forage or reduced to marginal cover with Alternative 2. Alternative 2 would convert the most acres of cover (4,961 acres satisfactory/marginal) and therefore have the greatest potential negative effect on elk habitat followed by Alternatives 3 (described above), 4 (3,783 acres satisfactory/marginal), and Alternative One in the short-term.

Alternatives 2, 3, and 4 propose to burn approximately 12,525 (Alternative 4), 13,248 (Alternative 3), and 13,770 (Alternative 2) acres. The difference between alternatives is likely negligible when considering the large scale of the burning. Prescribed fire on these acres would improve forage quality and quantity, and persistence later into the summer months. Forage enhancement through prescribed burning would not occur in Alternative One. Decadent shrubs and grasses that have been absent of fire for several decades will continue to provide marginal quantities and quality of forage.

All action alternatives (2, 3, and 4) include an area closure that would effectively create areas of low human disturbance, positively influencing the distribution of elk. Approximately 17.25% of the analysis area would be further than 0.90 km from an open motorized route, which represents marginal quality security habitat. This represents a notable improvement from the current condition and would likely improve the distribution of elk on spring, summer and fall ranges. Improved distribution of elk herds can alleviate private land complaints, provide more elk on public lands for hunting and viewing, and contribute to improved herd conditions (body fat, cow:calf ratios, bull escapement, etc.) Although 17.25% of the area being restored to security habitat does not address the scale of the elk distribution problems in this area, it initiates a positive trend.

Unregulated ATV and full-sized vehicle use would continue to increase and compromise security habitat for elk under Alternative One. The lack of secure habitat patches would continue to push elk onto adjacent private lands making them less available for wildlife viewing and hunting. Some elk may also respond to disturbance by moving into the adjacent Eagle Cap Wilderness where low to moderate densities of elk already exist. The current densities of roads open to motorized access results in 0.5% of the analysis area further than 0.9km from a road. This means that only a half of a percent of the area meets the criteria for moderate quality security habitat, and the remaining 99.5% is low or poor quality security habitat.

Cumulative effects from Alternative 2 would be greater than Alternatives 3 and 4 in regard to elk and their habitat; however the significance of the difference is difficult to determine. The primary difference is that Alternatives 3 and 4 retain more cover and some specific cover stands that are important to elk and deer. A better interspersed and juxtaposition of cover to forage will be attained by Alternatives 3 and 4.

Release thinning included in all action alternatives would result in a short-term reduction in hiding cover, but hiding cover would be restored in these stands within 10 years. The nature and scale of this activity is negligible in terms of habitat effectiveness for big game, but does change hiding cover which can influence how elk use an area at a localized scale. Slightly more hiding cover would be retained with Alternatives 3 and 4 than Alternative 2. The differences between the action alternatives are negligible in terms of HEI. The HEI value for Alternative 4 would be slightly higher than for Alternatives 2 and 3. However, the specific cover stands retained in Alternatives 3 and 4 when considered with the proposed area closure combine to improve conditions for elk to a much greater degree than indicated by the HEI model.

#### 4. Project Area is Outside of Historic Fire Return Intervals, Risks, and Regimes

Historically fire was a dominant disturbance process in the Blue Mountains. Low intensity fires crept through the drier forests and grasslands every 7 to 35 years. Moister sites experience fire every 40 to 150 years. The results were a mosaic of vegetation patterns from hot, intense fires, and light ground fires. In the Blue Mountains fuel levels were historically lower and maintained by fire as a natural disturbance process. Fire exclusion policies since the turn of the century have contributed to higher fuel loadings and vegetation changes on approximately 24,367 acres within the project area. Grand fir at high densities has developed in fire adapted plant communities. As densities increase, more ground and ladder fuels exist, increasing the probability of high intensity fires (W-W Land and Resource Management Plan, 1990).

Condition class three areas are significantly altered from their historic range and are experiencing high fuel loadings, stand composition changes, and are at high risk to serious resource damage and tree mortality in the event of a wildfire. Condition class two areas have been moderately altered from their historic range.

High and moderate departures for the analysis area are primarily experienced in fire regime groups 1 and 3, with a stand structural stage of understory re-initiation. These are generally overstocked, have a ladder fuel component of shade tolerant fir, and /or have heavy concentrations of standing dead and down fuels.

High and moderate departures are also common in stand initiation structural stage in fire regimes 1 and 3. Within the next 10 to 15 years these stands are at risk of developing into a suppressed condition with a higher risk to insects, disease, and stand replacing fire due to high levels of crown bulk densities.

Alternative 3 would accomplish approximately 4,156 acres of mechanical fuels reduction in fire regimes one and three in condition classes two and three, while Alternative 2 would treat 4,654 acres and Alternative 4 would treat 3,770 acres. Alternative 3 mechanically pre-treats approximately 19% of the high risk areas within the project area compared to 20% in Alternative 2 and 17% in Alternative 4. Treatment in these fire-adapted plant communities will improve site conditions by reducing ladder fuels, reducing concentrations of standing and down dead, and by increasing open space between trees to reduce crown closure prior to the re-introduction of low intensity fire. This pretreatment will enhance the Fire Managers' ability to successfully use prescribed fire to meet resource objectives.

Using mechanical pre-treatment and prescribed fire in the action alternatives would meet the purpose and need to re-introduce fire as a disturbance factor and move the area toward a more historic fire frequency in fire-adapted plant communities. Low to moderate intensity prescribed fire would thin suppressed overstocked regeneration and reduce fuel accumulations that could then be maintained over a 20-year period. It would also meet the purpose and need to mitigate the negative impacts of wildfire suppression with the positive benefits of prescribed fire.

**Summary** - In summary, mechanical pre-treatment under each action alternatives would allow for more opportunities to re-introduce low intensity prescribed fire during late summer and fall (when historical fires would likely have occurred). Resources could be better protected from high intensity crown fires, including riparian areas, late/old structure, and regeneration. The action alternatives provide management the opportunity to manipulate fuels prior to burning. The purpose and need, and desired condition would more likely be met than when compared to Alternative One. Alternative 2 would accomplish the most acres, followed closely by Alternative 3, and then Alternative 4.

Since weather and topography can not be manipulated, Alternatives 2, 3, and 4 manipulate the one component (fuels) that could assist management to re-introduce frequent intervals of low intensity fires and steer away from potentially damaging high intensity wildfires.

## Other Issues:

I further considered the environmental consequences disclosed in the EA for other issues. In review of these consequences I conclude that Alternative 3 best meets the purpose and need by mitigating impacts to soils and site productivity, water quality and fisheries, threatened and endangered species, cultural resources, noxious weeds, other wildlife, visual resources, recreation, treaty rights, and public safety while meeting Forest Plan direction. In those areas where Forest Plan direction is in conflict with the intent of direction, the Forest Plan has been amended for this project area to integrate the purpose and need of the project, meet the legal requirements of National Forest Management Act, and protect resources within the project area. In the subwatersheds where new permanent road construction is called for in Alternative 3, post sale road management (which includes an area closure) results in open road density levels in all cases which are well below Forest Plan standards (EA, page 124).

Public comments raised the issue of uninventoried Roadless within the project area. This issue was considered by the ID Team but not discussed further as this project will have no effect on the small unroaded area within this project area. Only limited amounts of prescribed fire are called for in that area with no timber harvest or road building, therefore the unroaded nature of the area will be maintained and this project will not preclude the area from consideration in the future for wilderness potential. The Eagle Cap Wilderness Area is adjacent to this project area which contains untouched ecosystems more suited to Wilderness needs in the Forest Plan than this project area.

**In summary**, I have selected Alternative 3 for the following reasons:

- Alternative 3 targets overstocked stands which are more vulnerable to insects and improves forest health by treating primarily high priority stands to reduce the potential for future insect and disease problems.
- Alternative 3 treats areas classified as having potential for moderate to high wildfire risk by lowering fuel loadings and reducing the potential for severe fire intensity and subsequent mortality. Alternative 3 is designed to complete the restoration work aggressively and maintain its effectiveness over the next 20 years.
- Alternative 3 ensures no net loss of old growth, valuable wildlife habitat attributes such as snag and down wood, and provides for enhancement and protection measures for old growth attributes in the future.
- Alternative 3 minimizes temporary road construction and protects soils and water through project design and use of appropriate mitigation measures.

From the results of site-specific analysis documented in the EA I conclude that:

1. The silvicultural harvest methods will meet the objectives and requirements of the Land and Resource Management Plan for the Wallowa-Whitman National Forest.
2. No timber will be sold from lands not suited for timber production - 36 CFR 219.27 (c). Management prescriptions proposed for the harvesting of timber in this decision comply with requirements found at 36 CFR 219.27 (b) for manipulating tree cover.
3. All manipulation of vegetation in this project will comply with the seven requirements of 36 CFR 219.27(b) and meet the constraints and conditions of the Wallowa-Whitman Integrated Weed Management Plan.
4. This action is consistent with the Wallowa-Whitman National Forest Land and Resource Management Plan, as amended, with the exception of the area being amended to reflect treatment

in LOS habitat that is below HRV. A non-significant amendment of the Forest Plan is part of this decision to reflect these treatments.

### **Finding of Non-Significance for Forest Plan Amendment**

Alternative 3 of the Bald Angel Project amends the Forest Plan as described on pages 4-5 of this Decision Notice. In determining the significance or non-significance of this amendment, I considered the following factors:

**Timing:** The amendment will begin implementation in 2006, which is 16 years after the signing of the ROD for the Forest Plan (April 1990). In general, the Forest Plans should be updated every 10-15 years. The Screens amendment to the Forest Plan was signed in 1994. Subsequent interpretation of the Screens direction indicates that it was not the intent of this direction to restrict treatment within LOS which would enhance LOS qualities and help meet the historic range of variation for single structure LOS, which is severely deficient in NE Oregon. The Wallowa-Whitman Forest Plan began its revision cycle in 2004 (in year 14). In order to provide for enhancement of LOS structure treatment needs to occur now in conjunction with the Bald Angel project area or the opportunity will be lost.

**Location and Size:** Alternative 3 will treat 997 acres of MSLT LOS in the amendment. The Bald Angel project area is approximately 36,700 acres in size of which approximately 2,314 acres are MSLT, while there is virtually no SSLT with the exception of 17 acres in biogroup G8. The total administrative area of the Wallowa-Whitman National Forest is 2.3 million acres. Therefore, the affected area comprises less than 0.0004 of the administrative area of the Forest.

**Goals, Objectives, and Outputs:** The amendment does not alter relationships between goods and services projected by the Forest Plan. There is no net loss of LOS under Alternative 3. In general, due to the small nature of the materials and the type of prescriptions being used, the materials being removed to treat stands within these areas produce a minuscule increase in outputs over the totals projected by the Forest Plan. However, in comparison to the totals, the increase is imperceptible.

**Management Prescription:** The amendment does not change the allocation of any of the lands within the Bald Angel project area, it merely permits treatment within these 997 acres to move toward the HRV's for SSLT LOS. There will be no net loss of LOS and the acres of allocated old growth will remain the same in the project area. The scale of this change is imperceptible when compared to the total goods and services estimated for the Forest Plan.

I find that the action of the management activities within MSLT LOS within the Bald Angel project area is not a significant departure from the National Forest Management Act (NFMA) planning requirements or the Forest Plan with respect to (1) timing; (2) location and size; (3) goals, objectives, and outputs; and (4) management prescription. I further find that the action is non-significant with respect to the implementation regulations of the NFMA Title 36, Part 219.10 (e) and (f); the Forest Service Manual at Chapter 1922.51 and 1922.52; and the Forest Service Handbook 1909.12 at Chapter 5.32. Therefore, I find that the action constitutes a non-significant amendment to the Forest Plan.

### **Finding of No Significant Impact (FONSI)**

The selected alternative, with the specified management requirements, constraints, and mitigation measures, provides the best combination of physical, biological, social, and economic benefits.

Based on the site-specific environmental analysis documented in the Environmental Analysis, I have found that this is not a major Federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not needed. This finding is based on the following factors:

1. Impacts that may be both beneficial and adverse are discussed in Chapter 3 of the EA. These impacts are within the range of those identified in the Forest Plan. The actions would not have significant impacts on other resources identified and described in Chapter 3.

The effect of the decision to be made is non-significant in the long and short term (EA, Chapters 2 and 3).

2. Public health and safety will only be minimally affected over a short term by the proposed project. Short-term safety hazards such as log truck traffic and falling trees near roads will be mitigated through contract safety provisions (EA, pp. 150). Both the short and long term fire-fighter and public safety relative to reducing potential for high intensity fast moving crown fires would be improved (EA, pp. 92).
3. This project proposal does not affect any unique geographical characteristics such as parklands, prime farmlands, wild and scenic rivers, or ecologically critical areas (EA, p. 151).
4. Based on public participation, the effects on the quality of the human environment are not likely to be highly controversial. During the scoping and meetings with the public, it was generally indicated that they were in favor of the actions proposed in this project; some even suggested that the Forest Service should consider doing more to improve forest health and reduce fuels in the project area. Local landowners expressed their support of this project in meetings as did the Union County Community Forestry Board following presentations of the Proposed Action and period updates. In general, letters received during the initial scoping of the Proposed Action indicated support of thinning harvest and opposed road building.

During the comment period for the EA, two letters were received; both from Conservation groups which oppose commercial logging and road building in this area but appear to support prescribed burning and removal of small non-merchantable materials. Phone calls were received from two local landowners in the area supporting the project objectives and goals. Given the very low level of public response and the generally supportive nature of their participation in meetings, this project does not appear to be of a controversial nature. (EA, Appendix E)

5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks associated with this project. Tree felling and removal, burning, and temporary road construction are common practices and the effects are well known. The EA effectively addresses and analyzes issues and environmental impacts associated with the project (EA, Chapter 3).
6. These actions pose no disproportionately high or adverse human health or environmental effects, including social and economic effects, on minority or low-income populations. This project has shared in the federal government's overall trust responsibility to Indian tribes where treaty or other legally defined rights apply to National Forest System lands. Consultation has incorporated opportunities for tribal comments and contributions to the proposed action. No comments were received. (EA, pages 18, 25, 150, 153)
7. These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the Wallowa-Whitman National Forest Land and Resource Management Plan. The Forest Plan, as amended has set a goal of managing vegetation in a manner consistent with resource objectives. Alternative 3 is consistent with management direction for these objectives with the exception of the areas being amended to reflect treatment in LOS which is below HRV (refer to description in Alternative 3 above). A non-significant amendment of the Forest Plan for the Bald Angel project area only is part of this decision to reflect these treatments and does not set precedent for other projects or other project areas. (EA, Chapter 3 and DN pages 5, 14-15)
8. There are no known significant adverse, cumulative, or secondary effects between this project and other projects (completed, active, or planned) adjacent to the affected area. Effects to the basic resource values of soil, water, vegetation, air, or fish and wildlife were estimated and determined to

be localized and limited (EA, chapter 3). This determination is based on the results of cumulative effects analyses discussed in the EA that considered past, existing, and proposed activities.

9. Based on a cultural resource inventory and report mitigation and protection measures, there are no known cultural, scientific, or historical resource affected by the project. Field studies have been completed for cultural and historic resources (Heritage Report, analysis file). The timber sale contract will contain a contract clause requiring protection of any newly detected sites.
10. A biological evaluation for wildlife PETS species indicates that this project received a "no effect" determination for the "threatened" northern bald eagle and Canada Lynx. The project would not preclude the "endangered" Gray Wolf from eventually inhabiting the area. A "no effect" determination was also made for "sensitive" Peregrine Falcon and Columbia Spotted Frog. This project may impact individual spotted bats or their habitat but will not likely contribute to a trend toward Federal listing or cause a loss of viability to the population.

The biological evaluation for "sensitive" redband trout revealed that this project may effect but is not likely to adversely affect this species due to the design of this project, and the measures incorporated into it for maintaining or improving water quality.

A no effect determination was made by the District Botanist for all PETS species and their habitat located within the project area. There will be no impacts to any documented occurrence for sensitive *Botrychium* or *Phacelia minutissima*, which are known to occur within the project area. Activities proposed under the Bald Angel project may affect individuals or habitat for *Carex backii*, a Region - 6 sensitive plant species. Although activities may impact individual plants the effects are limited and the analysis concludes that implementation of the project will not likely contribute towards Federal Listing, or cause a loss of viability to the population or species. A biological evaluation for plant Proposed, Endangered, Threatened, or Sensitive (PETS) plant species within the project area is located in the Bald Angel Analysis File.

10. The actions described for this project in the EA do not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.
11. Wetlands and floodplains near the planned actions are not affected. Wetlands and floodplains associated with streams and springs will be protected using mitigation measures and design criteria listed on pages 29, 46-48, 50-52, and 60-61 of the EA.
12. There are no known significant irreversible resource commitments or irretrievable loss of resources beyond the scope of the Forest Plan (EA p. 151).

## **Implementation and Request for Review**

If no appeal is filed, this project may be implemented five business days after the close of the appeal filing period. If an appeal is filed, implementation may not occur for 15 days following the date of appeal disposition. This decision may be appealed by any person who has expressed interest in this proposed action, or any non-Federal organization or entity that has provided comment by the close of the comment period which ended January 10, 2007. Any written notice of appeal of the decision must be consistent with 36 CFR 215.14, "Appeal Content." The notice of appeal must be filed hard copy with the Appeal deciding officer at the following address:

Linda Goodman, Regional Forester  
Regional Office  
Attn.: 1570 APPEALS  
P.O. Box 3623  
333 S.W. First Ave.  
Portland, OR. 97208-3623

Or it maybe be faxed to:

Fax: (503) 808-2255

Or sent electronically to:

appeals-pacificnorthwest-regional-office@fs.fed.us

It may also be hand delivered to the address above between the hours of 7:45AM and 4:30PM, Monday through Friday except holidays. The appeal must be postmarked or delivered within 45 days from the date the legal notice for this decision appears in The Baker City Herald.

Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word, rich text format, or portable document format only. E-mails submitted to e-mail addresses other than the one listed above or in other formats than those listed or containing viruses will be rejected.

For further information, contact Cindy Whitlock, Project Analyst, at the La Grande District, 3502 Highway 30, La Grande, Oregon 97850, or telephone (541) 962-8501.

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STEVEN A. ELLIS  
Forest Supervisor  
Wallowa-Whitman National Forest

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Date