



Decision Memo FRY Thinning Project

USDA Forest Service
Bend/Fort Rock Ranger District, Deschutes National Forest
T. 18 S., R. 11 E., Sec. 6; WM., Deschutes County, Oregon

Introduction

The Fry CE project area is located adjacent to private property within the wildland urban interface (WUI) as designated by the city of Bend Community Wildfire Protection Plan of 2006. The forested lands that surround the private inholding were clear-cut harvested in the 1920s during Bend's railroad logging era and subsequently acquired by the Federal Government (Figure 1). Since that time, this area has naturally regenerated into a dense, young stand of small diameter ponderosa pine with a well developed shrub layer that is currently experiencing bark beetle mortality. The combination of ladder fuels and surface fuels, exacerbated by recent pine beetle mortality of ponderosa pine, makes the area at high to extreme risk for both stand replacement wildfire and severe fire behavior (Tumalo Creek Watershed Analysis).

Under the Deschutes Land and Resource Management Plan (Forest Plan) the project area is allocated to Deer Habitat and Scenic Views management areas. The area is located on the edge of the Deer Habitat Management Area and serves more as transition range for big game.

Decision and Rationale

It is my decision to proceed with this project because it will reduce crown fire susceptibility and fire behavior. The integrated use of thinning and prescribed fire will also improve public safety and facilities protection, help restore a dry mixed conifer forest dominated by ponderosa pine, and be economically efficient by providing some commercial forest product revenue to offset the costs associated with vegetation management.

The project involves thinning from below, while retaining on average 50 to 70 square feet of ponderosa pine basal area, where available, on approximately 69 acres (see Figure 1). Thinning will be followed by mowing of the shrub layer and underburning. Prescribed burning is needed to further reduce fire risk and to improve white-headed woodpecker nesting habitat.

All trees 21 inches in diameter and larger would be retained. Approximately 250 thousand board feet (500 CCF) with an estimated average dbh of 9.5 inches will be harvested. Ponderosa pine less than 21" dbh that display yellow bark, characteristic of older trees, will be favored for retention. In addition, where available, groupings of these smaller trees will be retained in one to two clumps per acre of 3 to 7 trees (or more) within the thinning area. The purpose of these small groups is to mimic the clumps typically found in ponderosa pine stands that arose from natural agents such as squirrel and other rodent caches.

My decision includes the following elements to reduce or minimize unwanted effects:

- To minimize soil disturbance, harvested trees would be whole tree yarded to designated skid trail networks with ground-based equipment.
- All equipment would be cleaned before entering National Forest System lands to prevent noxious weed introductions or spread.
- No standing dead trees or ponderosa pine and white fir down trees would be removed. All vegetative management activities, including thinning, mowing and prescribed burning, would only occur between September 1 and April 15 to avoid effects on nesting hawks.
- No-treatment areas of up to 10 acres would be retained within and adjacent to the thinning area to provide high density wildlife cover and habitat.
- Minimize the amount blue marking paint that is visible from Road 4601. Paint back side of tree if leave tree marking with orange paint, so that it is not visible from Rd. 4601.
- Stumps visible from Road 4601 should be cut 6-8 inches or as low as possible (with angle cut away from line of sight) within the immediate foreground area. If erosion control is a concern, stump height with a minimum of 6 inches and maximum of 18 inches is permitted.

Additionally, Forest Service personnel, including silviculture planning, silviculture operations, and fuel technicians will monitor the project during and after implementation to ensure activities are implemented as planned.

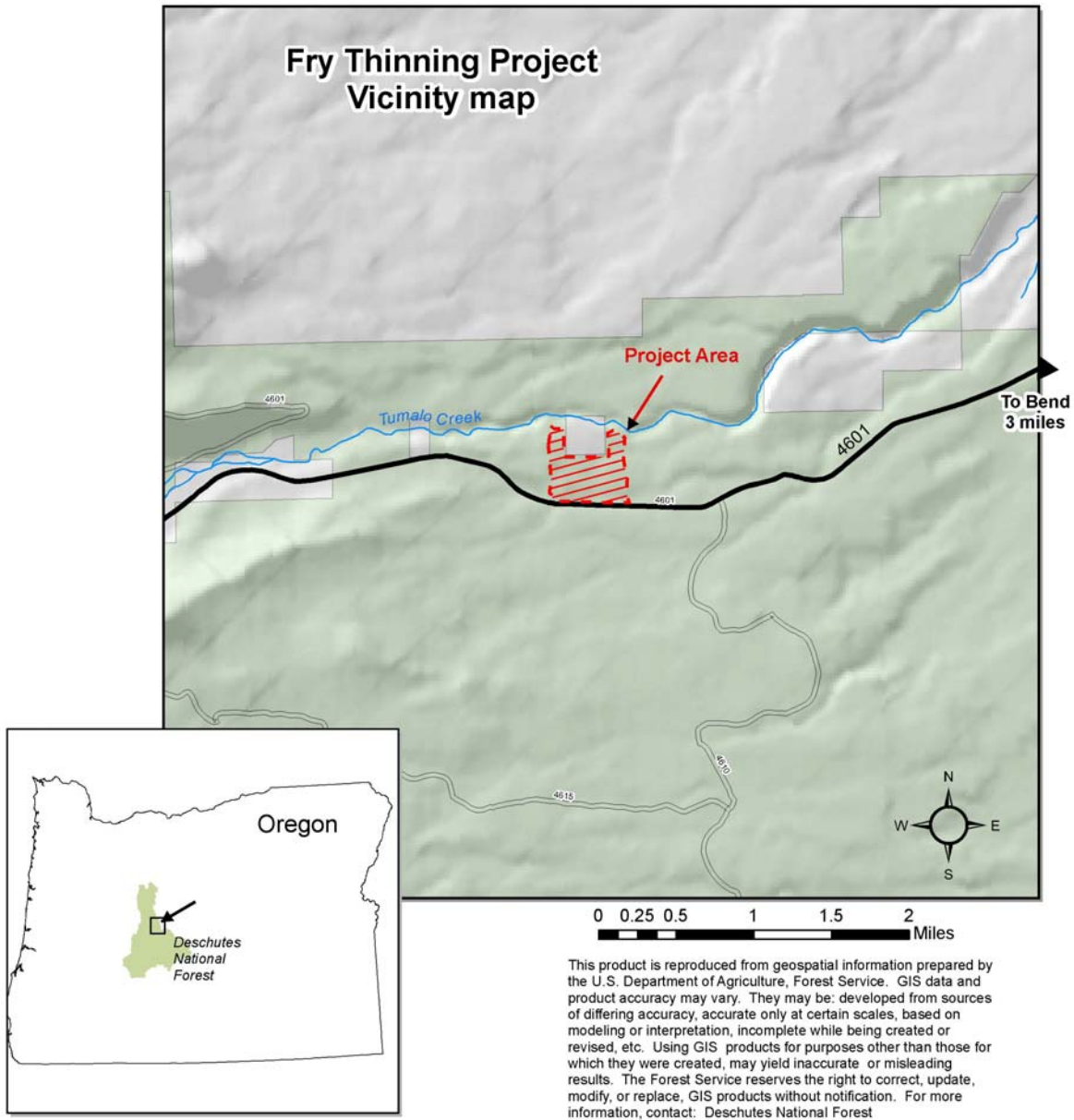


Figure 1. Vicinity of the Project Area

Categorical Exclusion

I find the proposed action can be categorically excluded from documentation in an Environmental Assessment or Environmental Impact Statement because there were no extraordinary circumstances identified by the interdisciplinary team (IDT) of professional resource specialists that analyzed this proposal and it falls within categories 31.2(6) and 31.2(12) described in Forest Service Handbook 1909.15 (effective 2/15/2007).

Category 31.2(6) is for timber stand improvement activities such as prescribed burning to control the understory. Category 31.2(12) is for thinning of live trees not to exceed 70 acres to improve the health and vigor of the remaining trees and requiring no more than ½ mile of temporary road construction. This category was established after extensive review of similar projects by the Forest

Service which determined these types of projects do not have significant environmental effects when there are no extraordinary circumstances (Federal Register Volume 68, Number 145, pages 44,598-44,599).

Based on the resource narratives below and the project record as summarized in this decision, I find that this decision is consistent with agency policy concerning extraordinary circumstances (Forest Service Handbook 1909.15.30.3(2)(a)-(g)).

(a) Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species

The project would have no impact on any proposed, endangered, threatened or sensitive (PETS) plant species because no PETS plants or their habitat were found within the project area (Project File: Biological Evaluation - TES Plants).

The project would not negatively affect any proposed, endangered, threatened or sensitive animal species. There is no designated or proposed critical habitat within the project area. The project meets and is consistent with all applicable project design criteria listed in the 2006-2009 Joint Aquatic and Terrestrial Programmatic Biological Assessment for Federal Lands within the Deschutes Basin; therefore informal consultation is complete and no further consultation with the U.S. Fish and Wildlife Service is necessary (Project File: Wildlife Biological Evaluation, Aquatic Biological Evaluation).

(b) Flood plains, wetlands, or municipal watersheds

The Fry project does not propose to occupy or modify any floodplains. Therefore, the thinning, mowing, and underburning proposed is consistent with Executive Order 11988. The Fry project does not propose to destroy or modify any wetlands. Therefore, the project is consistent with Executive Order 11990. There are no municipal watersheds within the project area.

(c) Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas

The area does not contain any Congressionally-designated wilderness, wilderness study areas, or National Recreation Areas (Forest Plan).

(d) Inventoried roadless areas

The area does not contain any Inventoried Roadless Areas (Forest Plan).

(e) Research natural areas

The area does not contain any Research Natural Areas (Forest Plan).

(f) American Indians and Alaska Native religious or cultural sites and (g) Archaeological sites, or historic properties or areas

There would be no effect on cultural sites, archaeological sites, historic properties or heritage resources because all sites would be avoided (Project File: Project Review for Heritage Resources).

Public Involvement and Scoping

This project was mailed to a wide audience of interested groups and individuals, including adjacent property owners, on January 16, 2007. The list of organizations, groups and individuals contacted is listed in Attachment A. Scoping responses and interdisciplinary team consideration of them is contained in the project file. Those who responded to scoping are Ochoco Lumber Company, Oregon Wild, and Blue Mountain Biodiversity Project.

Findings Required by other Laws

This decision is consistent with the Deschutes National Forest Land and Resource Management Plan (LRMP), as amended, as required by the National Forest Management Act. The project area is within the Deer Habitat and Scenic Views management areas. This project was designed in conformance with forest plan decisions for these management areas.

The project area is subject to interim direction provided by INFISH (Inland Native Fish Strategy). No treatment would occur within the Riparian Habitat Conservation Area adjacent to Tumalo Creek. There are no ephemeral, intermittent, or perennial streams, wetlands, or other waterbodies in the project area.

There are no sensitive or steep soils (>30 percent) within the project area. The use of heavy equipment may create minor levels of compaction and displacement but the use of designated skid roads or winter logging over snow and/or frozen ground combined with a limited number of passes and reuse of existing landings and roads would assure no adverse impact to soils (Project File: Soils Report).

Project design would maintain consistency with Forest Plan direction for Scenic Views management.

Effects on air quality would be negligible and all burning would be coordinated through the State Forester and conducted in accordance with the Clean Air Act (Project File: Estimated Smoke Emissions).

My conclusions are based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. Based on the conclusions regarding the effects to the resource conditions listed above, I have found that no extraordinary circumstances exist with the proposed project that could result in a significant individual or cumulative effect on the quality of the human environment.

Comment Period and Opportunity for Administrative Review

This decision is subject to public notice, comment, and appeal pursuant to 36 CFR 215.5. A 30-day comment period ended January 7, 2008. Supportive comments were received from the Deschutes County Forester and Henry Melhorn, private citizen. Oregon Wild provided supportive comments and suggested that we address retention of old and fire-resistant trees that are less than 21" dbh. This concern was addressed by adding to the project design the retention of ponderosa pine that display older tree characteristics (see page 1).

Any written notice of appeal of the decision must be fully consistent with 36 CFR 215.14, "Appeal Content." The notice of appeal must be filed hard copy with the Regional Forester, ATTN: 1570 APPEALS, 333 S.W. First Avenue, P.O. Box 3623, Portland, Oregon, 97208-3623, faxed to

(503) 808-2255, sent electronically to appeals-pacificnorthwest-regional-office@fs.fed.us, or hand delivered to the above address between 7:45AM and 4:30PM, Monday through Friday except legal holidays. The appeal must be postmarked or delivered within 45 days of the date the legal notice for this decision appears in the Bend Bulletin. The publication date of the legal notice in The Bulletin is the exclusive means for calculating the time to file an appeal and those wishing to appeal should not rely on dates or timeframes provided by any other source. Electronic appeals must be submitted as part of the actual email 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. Only individuals or organizations who submitted comments during the 30 day notice and comment period may appeal.

Implementation

Following the 30-day public comment period and consideration of comments received, a final Decision Memo will be issued. The final Decision Memo will then be subject to a 45-day appeal period. Instructions for filing an appeal will be provided in the final Decision Memo. If no appeal is filed, implementation may begin on, but not before, five business days from the close of the appeal filing period.

Contact Person

For further information contact Beth Peer (541) 383-4769, or Jim Schlaich, Project Leader at the Bend/Ft. Rock Ranger District, 1230 NE 3rd, Suite A-262; Phone: (541) 383-4725, Email: jschlaich@fs.fed.us.

/s/ Phil Cruz

Phil Cruz
District Ranger

1/22/08

Date