

# Deschutes & Ochoco National Forests Crooked River National Grassland

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### ▶ Evaluate Our Service

We welcome your comments on our service and your suggestions for improvement.

Forest

#### **Deschutes National Forest**

1001 SW Emkay Drive  
Bend, OR 97702

(541) 383-5300

#### **Ochoco National Forest**

3160 N.E. 3rd Street  
Prineville, OR 97754

(541) 416-6500

#### **Crooked River National Grassland**

813 S.W. Hwy. 97  
Madras, OR 97741

(541) 475-9272



## Location

An Environmental Assessment (EA) that describes a range of alternatives to complete vegetative treatments which will result in prescribed burning, thinning, salvage, and the sale of commercial fiber as well as conducting other resource management activities within the Bend/Fort Rock Ranger District of the Deschutes National Forest is available for public review. The document may be reviewed in the Forest Supervisor's Office located at 1645 Highway 20 East, Bend, Oregon and the Bend/Fort Rock District Ranger's Office located at 1230 N.E. Third Street, Suite A-262, Bend, Oregon.

The project area is located 8 miles southwest of Sunriver, Oregon, outside of the range of the northern spotted owl, within T.20S., R.10E., Sections 15, 16, 19-22, 25-33; T.21S., R.10E., Sections 4, 5; T.20S., R.9E., Sections 23-27, 34-36; T.21S., R.9E., Sections 2-5, 7-11, 15-22, 30; T.21S., R.8E., Sections 13, 23, 24, 25; Willamette Meridian, Deschutes County, Oregon.

## Decision

I have decided to authorize implementation of **Alternative 3** of the Fall Environmental Assessment with the minor modifications described below. Alternative 3 is the preferred alternative that was identified in the 30 day public review and comment period notice, published March 24, 2004 in The Bulletin. An estimated 3,103 acres within Management Areas 8 (general forest), 9 (scenic views) and 11 (intensive recreation) would have vegetation management that includes some commercial fiber harvest. The estimated amount of firmwood fiber associated with this alternative is 13,640 hundred cubic feet (CCF) (6.82 million board feet) and 1,400 cords. In addition, this alternative would prescribe burn and/or mow 3,100 acres to reduce wildfire risk, close 23.4 miles of road to increase wildlife habitat effectiveness and non-commercially thin 3,297 acres. No new permanent road construction would occur under this alternative and no live trees larger than 21 inches in diameter would be harvested. Fuels treatment in fiber harvest areas would be accomplished by yarding with top attached followed by utilization or burning of the fiber residue piles. Implementation of vegetation management is planned to begin in the fall of 2004.

Of all the alternatives, this alternative provides the best mix of resource benefits, protection and outputs. This alternative is responsive to the issues of fuels/smoke management, wildlife habitat/road management and soil productivity maintenance and restoration. Alternative 3 takes a landscape level approach to fuels reduction while managing dry pine sites within the vicinity of and contiguous to major access routes, homes, recreation sites and administration sites to reduce fire risk. Of the alternatives, it restores prescribed fire to the highest number of acres as a tool for reducing wildfire risk and maintaining ecosystem health. Forest health in ponderosa pine stands was addressed by commercial and non-commercial thinning followed by prescribed burning or mowing, where appropriate. Forest health in lodgepole pine stands was addressed in lodgepole pine stands by non-commercial thinning and final over story removal. This

alternative moves the most towards restoring the historic range of variability for late and old structural stage pine by reintroducing fire, accelerating residual growth rates and by providing for the development of some single structural stage ponderosa pine stands within the watershed. It also enhances scenic views of ponderosa pine along the major access roads by thinning under story ponderosa pine and lodgepole pine. Alternative 3 is particularly responsive to wildlife habitat management. A total of 23.4 miles of road identified as surplus by a roads analysis would be closed and subsoiled to improve wildlife habitat effectiveness. Vegetation management in the eastern 1/3 of the project area is designed to facilitate big game movement by maintaining higher levels of vegetative screening. Snags and coarse woody material levels to be retained used the Deschutes Wildlife Tree and Log Implementation Strategy as modified by current science. These levels are within the ranges given by DecAID, a tool that can be used to help make decisions on snags and downed wood habitat. Under Alternative 3, no dead ponderosa pine or white fir trees would be harvested.

To make Alternative 3 more responsive to soil productivity maintenance and restoration, I am deferring commercial fiber removal from a 21 acre previously thinned stand (T-7) to prevent the reopening of roads that have been recently closed. As a result, the acres of commercial fiber removal would drop from an estimated 3,103 acres to 3,082 acres.

Overall, Alternative 3 makes substantial progress in improving forest health while providing increased fire protection for forestlands, administrative sites and private property by reducing the risk of large, high intensity stand replacing wildfires. A variety of standard mitigation measures along with implementation and effectiveness monitoring have been included in order to ensure consistency with the Forest Plan. All of the mitigation measures and monitoring pertaining to Alternative 3 and listed in the EA on pages 15-19, 23-24, and summarized in appendices A and M are a part of this decision.

Sufficient information has been disclosed in the analysis to make a reasoned choice among alternatives and no significant impacts on the quality of the human environment have been identified. Information available from past actions of similar context and intensity in this area also indicates that no significant impacts would be anticipated. In addition to Alternative 3, three other alternatives were developed and analyzed, but not selected.

**Alternative 1** is the No-Action alternative. No road closures, fuels management, thinning, or any other resource management activities would occur in this area with this project and at this time. The ecosystem would continue to change through a variety of on-going processes. This alternative partially addresses the issue of soil productivity maintenance and restoration. However, I did not select this alternative because it does not address the other issues of wildlife habitat/road management and fuels/smoke management. The risk of a large stand-replacing wildfire with extreme fire behavior would remain high. The deferral of thinning would accelerate bark beetle mortality within ponderosa pine stands leading to an accelerated loss of mature pines that are preferred for scenic, wildlife, ecosystem and aesthetic values. The opportunity to close roads to improve wildlife habitat effectiveness would be deferred.

**Alternative 2** would prescribe burn and or mow approximately 3,075 acres. An estimated 3,103 acres would have commercial vegetation management treatments that include thinning, overstory removal, and seed tree harvests. Identical to Alternative 3, no new permanent road construction would occur and fuels treatment within fiber harvest areas would be accomplished by yarding with top attached. This alternative addresses the issues of fuels/smoke management and soil productivity maintenance. I did not select this alternative because it is not as responsive as Alternative 3 is to wildlife habitat management. Alternative 2 does not close any roads identified as not being needed for fire, recreational or administrative access and it does not provide as much cover for big game in the eastern 1/3 of the project area as the preferred alternative.

**Alternative 4** would prescribe burn and or mow approximately 2,552 acres. An estimated 2,536 acres would have commercial vegetation management treatments that include thinning, over story removal, and seed tree harvests. Identical to Alternatives 2 and 3, no new permanent road construction would occur and fuels treatment within fiber harvest areas would be accomplished by yarding with top attached. Identical to Alternative 3, this alternative would close an estimated 23.4 miles of road. This alternative partially addresses the issues of fuels/smoke management and wildlife habitat/road management. I did not select this alternative because it is not as strategic as Alternative 3 is in reducing the potential for fire behavior within the project area and compared to Alternative 3, it does not provide as much habitat for wildlife species that prefer a more open structural stage ponderosa pine stand.

## Scoping

Contact with private individuals, organizations and public agencies was made by phone and letters (EA, pages 96-97) to solicit oral and written input into project area design and analysis. The following is a brief summary of the input received and how it was incorporated (*italics*) into the alternatives.

1. The Oregon Natural Resources Council submitted a form letter, before the proposed action was mailed out, that contained a number of comments that are relevant to the project area. *Alternative 4 and the other action alternatives were designed to incorporate the comments.*
2. Mr. Jim Meier called to voice "100 percent" support for the proposed action.
3. The Ochoco Lumber Company submitted a letter supporting the proposed action and requested that excess numbers of dead and dying trees over 21 inches dbh be harvested and to give equal consideration to social and economic concerns. *Harvest of trees larger than 21 inches dbh was not included because removal of trees of this size is not needed to meet the purpose and need. Social and economic concerns were included in the EA.*
4. Mr. Dean Richardson voiced support for the proposed action and

submitted a number of pertinent comments, concerns and suggestions. *Members of the district met with Mr. Richardson to address his concerns and incorporate his suggestions into project implementation.*

The first 30 day notice and comment period for the preferred alternative ended on May 23, 2003. Four organizations, two individuals and one letter with 42 signatories provided comments during this first notice and comment period. The Decision Notice and FONSI that was issued shortly after the end of the first notice and comment period was subsequently withdrawn to document additional analysis in the EA. A second notice and comment period began on March 24, 2004 and one individual and organization provided supplemental comments to their earlier comments during the second 30 day comment period that ended on April 23, 2004. The response to comments for both of the 30 day notice and comment periods is located in appendix Mc of the EA.

### Finding of No Significant Impact

Based on the site-specific environmental analysis documented in the Environmental Assessment, I have determined that this is not a major federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. An analysis of the cumulative effects of the fuels treatment, fiber harvest and other planned resource activities indicated that the combined effects are environmentally acceptable for soil, water and all renewable forest resources. Based on the analysis, I expect only slightly adverse, short duration impacts from implementation of this alternative. All impacts, whether beneficial or adverse, are limited in scope and intensity and can be considered negligible or minor. This determination is based on the mitigation measures designed into the selected alternative and the following factors:

1. Beneficial and adverse direct, indirect and cumulative environmental impacts discussed in the Environmental Assessment have been disclosed within the appropriate context and intensity. No significant effects on the human environment have been identified. There will be no significant direct, indirect or cumulative effects to soil, water, fisheries, wildlife resources, roadless areas, or other components of the environment. There are no fish runs or essential fish habitat (Magnuson-Stevens Act) which could be affected by any of the alternatives and no consultation was required (EA, pages 4-11, 31-96).
2. No significant adverse effects to public health or safety have been identified. Implementing Alternative 3 would have a beneficial effect on public health and safety (EA, III, pages 85).
3. There will be no significant adverse impacts to wetlands, park lands, wild and scenic rivers, floodplains, prime farm lands, old growth forests, range and forest land, Pacific Yew, minority groups, civil rights, women or consumers. No significant effects



are anticipated to any other ecologically sensitive or critical areas (EA, pages 4-11, 31-96).

4. The effects of implementation of this decision are not highly controversial (EA, section III, page 85, 96-99).
5. Based on previous similar actions in the area and the resource professionals that worked on this project the probable effects of this decision on the human environment, as described in the Environmental Assessment, are well known and do not involve unique or unknown risks (EA, section III, page 85-86).
6. This action does not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration (EA, section III, page 85).
7. This decision is made with consideration of past, present and reasonably foreseeable future actions on National Forest land and other ownerships within potentially affected areas which could have a cumulatively significant effect on the quality of the human environment. I find there to be no such cumulative significance (EA, pages 4-11, 31-96).
8. Based on the pre-disturbance survey and record search, the project undertaking will have "no effect" (36 CFR 800.4 (a)-(c)) on any listed or eligible historic or cultural resources. The Forest Archaeologist has certified that the project complies with Section 106 of the National Historic Preservation Act, under the consultation terms of the Programmatic Agreement (PA) between the Advisory Council on Historic Preservation (ACHP), the State Historic Preservation Officer (SHPO) and USFS Region 6. In accordance with the PA, a copy of the documentation has been forwarded to SHPO (EA page 82, Appendix K).
9. The Final Biological Evaluations of Proposed (P), Endangered (E), Threatened (T), Candidate (C) and Sensitive (S) wildlife, fish and plants determined that suitable habitat for bald eagle (T), Oregon spotted frog (C,S), Redband trout (S), green-tinged paintbrush (S) and marginal habitat for Pacific fisher (C,S), American peregrine falcon (S), and California wolverine (S) occur within the project area. The Fall project may impact some green-tinged paintbrush individuals and/or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species. Alternative 3 (preferred alternative) would have beneficial effects to Redband trout and their habitat; proposed critical Bull trout (T) habitat, bald eagles and their habitat, and to Oregon spotted frog habitat. No cumulative impacts to northern bald eagle individuals or populations are expected to result from activity associated with the Fall project area. No direct, indirect, or cumulative impacts to American peregrine falcon, California wolverine (S) and Pacific fisher (C,S) individuals or populations are expected to result from activity associated with the Fall project area. Activities associated with the Fall project area are not expected to negatively impact the Oregon spotted frog (C,S). The project would have no adverse effect on proposed critical Bull Trout (T) habitat.

There is no impact/effect to individuals or populations of any other PETS or Candidate Species, or their habitats. The Biological Evaluation of Proposed, Endangered, Threatened and Sensitive Wildlife Species for the Fall EA incorporates the latest information on Canada lynx. The Forest Wildlife Biologists of the Deschutes and Ochoco National Forest and the Crooked River National Grassland have made a determination (June 18, 2003) based on the best available science and guidance, that no lynx habitat or self-maintaining lynx populations are present on the three administrative units. Therefore, no effects to the continued existence of the species or its habitat are expected as a result of the activities associated with the Fall Project Area. Should any new information about endangered or threatened species become available they will receive full protection under the Endangered Species Act and consultation with the United States Fish and Wildlife Service will commence immediately, if necessary. The timber sale contract will contain provisions that will permit immediate appropriate protection of any threatened and endangered species identified (EA pages 16, 79-84, Appendix C.).

10. This decision is in compliance with relevant federal, state and local laws, regulations and requirements designed for the protection of the environment. Effects from this action meet or exceed state water and air quality standards (EA, pages 3-9, 15-19, 31-36, 53-70, 75-82, 88, 93-96).

## Other Findings

This decision is consistent with the goals, objectives and direction contained in the Deschutes National Forest Land and Resource Management Plan (Forest Plan) and accompanying final environmental impact statement dated August 27, 1990 as amended by the Regional Forester's Forest Plan Amendment #2 and Inland Native Fish Strategy (EA pages 3-4, 85-86, Appendix N.).

Uneven-aged and even-aged management systems utilized in this decision are appropriate for meeting the land management objectives identified in the Forest Plan (EA, section III, page 85, appendix D).

This decision is consistent with the seven vegetative manipulation requirements of 36 CFR 219.27 (b) (EA page 85-86, Appendix D).

This decision is in compliance with Executive Order 12989 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". No minority or low-income populations would be disproportionately affected under any alternatives (EA, section III, page 84-85).

This decision is subject to appeal pursuant to 36 CFR 215. 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](mailto: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 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 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. Only individuals or organizations who submitted substantive comments during the comment period may appeal. This project may be implemented 50 days after this legal notice if no appeal is received. If an appeal is received the project may not be implemented for 15 days after the appeal decision. For further information, contact Jim Schlaich Bend/Fort Rock Ranger District, 1230 NE Third, Bend, Oregon, 97701, (phone 541-383-4725).

/s/ Kevin Martin for  
LESLIE A.C. WELDON  
Forest Supervisor  
Deschutes National Forest

Published in **The Bulletin**, one time only, on **May 18, 2004**.

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