DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

Bend-Fort Rock Ranger District
Deschutes National Forest
Deschutes, Oregon

Kelsey Vegetation Management Environmental Assessment

An Environmental Assessment (EA) for the Kelsey Vegetation Management Project area is available for public review describing a range of alternatives that include mechanical shrub treatments

Links
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

(mowing), prescribed burning, and commercial and non-commercial thinning of forest stands that are at high risk to disturbance from wildfire, insects or disease. It includes the consideration of a no action alternative. The EA may be reviewed in the District Office located at the Bend/Fort Rock District Ranger's Office located at 1230 N.E. Third Street, Suite A-262, Bend, Oregon.

Location

The planning area totals approximately 46,175 acres including 570 acres of private land. It includes approximately 10 miles of the east bank of the Deschutes River, from Sunriver to the southern urban growth boundary of the city of Bend, that is within the boundaries of the Upper Deschutes Wild and Scenic River corridor. It includes approximately 18,140 acres of the Newberry National Volcanic Monument (NNVM), and is adjacent to the High Desert Museum. Elevations range from 3,900 to 6,000 feet. The planning area is located in T.18 S., R. 11 E., Sections 26-28, and 33-36; T.18 S., R. 12 E., Sections 26-29 and 32-36; T. 19 S., R. 11 E., Sections 1-4, 2-28, and 33-36; T. 19 S., R. 12 E., Sections 2-11, 14-23, and 26-33; T. 20 S., R. 11 E., Sections 1-5, 11-14; and T. 20 S., R. 12 E., Sections 3-11, 14-22, 28, and 29.The project area is outside the range of the northern spotted owl and boundary of the Northwest Forest Plan, but within the boundaries of the Revised Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales (Interim Direction), also known as the Eastside Screens.

The 18 Fire in July 2003 burned approximately 3,520 acres within the planning area along the northeast boundary, with an additional 290 acres burned in the adjacent Fuzzy planning area. The planning area boundary, the purpose and need, and the decision to be made have remained the same as before the fire. Approximately 1,085 acres that were proposed for vegetation treatments within the fire perimeter have been removed from this analysis. The changes are reflected in Alternative 2 (Proposed Action). The area within the fire perimeter was analyzed separately from this environmental assessment, under the Draft Environmental Impact Statement – 18 Fire Salvage Recovery Project.

Management activities within the project area are guided by direction described in the Deschutes National Forest Land and Resource Management (Forest Plan, 1990) as amended, the Newberry National Volcanic Monument Comprehensive Management Plan (Monument Plan, 1994), and the Upper Deschutes Wild and Scenic River Management Plan (River Plan, 1996). The project area contains five (5) land allocations as described in the LRMP; a scenic segment as described in the River Plan; and three (3) management zones as described in the Monument Plan.

The five LRMP land allocations include: Deer Habitat – MA-7; General Forest – MA-8; Scenic Views – MA-9; Old Growth – MA-15; and Wild and Scenic Rivers – MA-17. The goals of each allocation are:

- MA-7 - " to manage vegetation to provide optimum habitat conditions on deer winter and transition ranges while providing

some domestic livestock forage, wood products, visual quality, and recreation opportunities."

- MA-8 - "to emphasize timber production while providing forage production, visual quality, wildlife habitat, and recreation opportunities for public use and enjoyment."
- MA-9 - "to provide forest visitors with high quality scenery that represents the natural character of Central Oregon."
- MA-15 - "to provide naturally evolved old growth forest ecosystems for 1) habitat for plant and animal species associated with old growth forest ecosystems, 2) representations of landscape ecology, 3) public enjoyment of large, old-tree environments, and 4) the needs of the public from an aesthetic, spiritual sense."
- MA-17 - "to protect the outstandingly remarkable values identified and maintaining the free flowing nature of the river."

Approximately 10 miles of the Deschutes River form the western boundary of the project area. This area is within the Upper Deschutes Wild and Scenic River corridor and is designated as scenic (segments 4a and 4b) because they are free of impoundments with shorelines still largely primitive and undeveloped but, in places, accessible by roads.

Three zones of the NNVM Plan are within the planning area and include the River, Lava Butte, and Transition Zones:

- River Zone - Minimize disturbance to wildlife habitats, while ensuring their long-term sustainability and diversity. Direct recreation use away from this zone.
- Lava Butte Zone - Serve a large number of day-use visitors with a variety of short-term, day oriented interpretive programs and recreation opportunities. Manage facilities to support a comprehensive theme-based interpretive program. Manage vegetation to provide high quality scenery, with some emphasis on preserving and sustaining large, old growth ponderosa pines, and to provide some habitat that allows for deer migration.
- Transition Zone - Serve visitors interested in day-use recreational and interpretive opportunities, with emphasis on trail opportunities, both recreational and interpretive. Work to reduce fuel loads enough to allow safe reintroduction of fire (prescribed) without endangering large, old growth ponderosa pine.

Decision

I have decided to authorize implementation of **Alternative 3,** with modification, of the Kelsey Vegetation Management EA. This alternative is particularly responsive to the Issues identified in the EA. Alternative 3 is the preferred alternative that was identified in the 30-day public review and comment period notice published May 6, 2004 in *The Bulletin* newspaper in Bend, OR.

Alternative 3 was developed following public scoping that ended in November 2001 and the 18 Fire that occurred within the planning area in July 2003. All alternatives considered are consistent with the Forest Plan. A variety of standard mitigation measures and Best

Management Practices (EA pages 29 to 37 and Official Record, Appendix A) have been included to ensure consistency with the Forest Plan, River Plan, and Monument Plan (EA pages 10, 11, 13, and EA Appendix A, pages 141 to 148).

- The following modifications will occur to Alternative 3:
  - Units 103, 122, 127, 128, 219, 314, and 442 east of the powerline. These units total approximately 483 acres with an estimated commercial volume of 1.476 MMBF (million board feet) or 2,834 CCF (hundred cubic feet) . The effects from the loss of thermal cover as a result of the 18 Fire will be reduced and cover distribution will be improved.
  - Units 232, 233, and construction of one half (0.5) mile of temporary road. These units total approximately 46 acres with an estimated commercial volume of 0.041 MBF (78 CCF). The difficulty of and costs associated with temporary road construction are prohibitive at this time. The area immediately surrounding these units contains terrain with considerable amounts of lava.
  - Unit 205, five (5) acres, located within a stand classified as late and old structure (LOS) and within the Wild and Scenic River corridor, will have no commercial harvest. Structure will be retained for key elk and great gray owl habitat.

Alternative 3, as modified, will implement the following actions, separately or in combination. An estimated 14.3 MMBF (27,455 CCF) of commercial firm fiber will be removed from approximately 5,320 acres.

- To maintain wildlife corridor connectivity, modifications will be made to the specific units (Mitigation LOS-1, EA page 35): 1) Portions of units 23 and 26 that may be located within the corridor will be dropped from treatment and 2) Portions of units 102 and 369 located within the corridor will have prescription changes to reflect a lighter thinning with more trees remaining, ensuring the stand will be within the upper one third of the stand site potential.
- Approximately 5,230 acres will be treated using prescribed fire, mechanical shrub treatment, non-commerical thinning, and/or pruning.
- Approximately 4,290 acres will be treated using a combination of commercial harvest with mechanical shrub treatment and/or prescribed fire. Approximately 1,750 of those acres will also include non-commercial thinning, pruning, or a combination of thinning and pruning following commercial harvest. Approximately 470 acres, consisting of landings, skid trails, and decommissioned roads will be subsoiled to restore soil productivity.
- Approximately 1,030 acres will have commercial harvest with no prescribed fire or mechanical shrub treatment. Approximately 270 of those acres will include non-commercial thinning, pruning, or a combination of the two after commercial harvest. Approximately 12 acres of landings, skid trails, or

decommissioned roads will be subsoiled.

- Approximately 180 acres will be planted with ponderosa pine to improve deer hiding cover and promote vertical diversity for deer hiding cover. Herbicide application to manage competing vegetation will ensure the growth and survival of the planted seedlings. Herbicides will be spot applied around individual seedlings by a hand held spot applicator, affecting approximately 31 acres.
- Approximately 5 acres of an Aspen stand will have conifer removal (under 10 inches diameter at breast height) and approximately 2,000 feet of pole fence will be built to surround the 5 acre aspen stand.
- Approximately 22 miles of system roads will be reconstructed prior to commercial harvest activities.
- Approximately 28 miles of system roads will be closed and seven (7) miles of system roads will be decommissioned following vegetation treatments.
- Motorized access within the Green Mountain Winter Ranger Habitat Unit will be restricted by a seasonal closure between December 1 and March 31 of the following year. Motorized access will be permitted on Forest Roads 1800000, 1810000, 1810012 (Gas Transmission Line Right-of-Way access road), 9710000, 9711000, and 9714000.

Decision Rationale

Alternative 3, as modified, provides the best combination of resource benefits, protection and outputs for the Newberry National Volcanic Monument, a scenic portion of the Upper Deschutes Wild and Scenic River, Deer Habitat, Key Elk Habitat, and the Wildland Urban Interface. This alternative makes substantial progress in reducing the risk of a high intensity, stand replacing wildfire, improving forest health, protecting or improving late and old structure integrity, maintaining or improving wildlife habitat and protecting administrative sites. Scenic views would be enhanced, with an emphasis on the Cascade Mountains, lava flows, and large ponderosa pine.

A variety of standard mitigation measures and best management practices have been included in order to ensure consistency with the Forest Plan. The mitigation measures and best management practices are listed in the EA, pages 33 through 39 and Appendix A of the Administrative Record and 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.

Risk from Wildfire

High risk of a high intensity, stand-replacing wildfire is typical in many areas on the Bend-Ft. Rock Ranger District. Alternative 3 takes a landscape-level approach to reduce the risk of a very large wildfire by strategically placing treatments to protect critical mule deer

winter range, designated travel routes, Wildland Urban Interface areas that border the southern urban growth boundary of Bend and the community of Sunriver, developments within the Newberry National Volcanic Monument, and stands of trees that will eventually develop into late and old structured stands. In addition to thinning approximately 6,585 acres of stands in a high-density condition, a return to a low intensity fire regime will be initiated on approximately 9,865 acres. Approximately 3,225 acres will be treated adjacent to the Wildland Urban Interface. A combination of vegetative and fuels treatments will help to reduce fire behavior potential from a classification of high/extreme to moderate or low. When implemented treatments will, under normal conditions, limit wildfire to approximately 1,000 acres. Treatments adjacent to major access roads will increase safety, by providing a defensible space for stopping an approaching wildfire or an escape route for firefighters and the public.

Forest Health

Historically within the Kelsey analysis area, open stands of late and old structure, single-story ponderosa pine were much more prevalent on the landscape. Currently, these stands represent approximately one (1) percent of the area**.** Typical of much of the planning area, 60 to 70 years old, single story black bark ponderosa pine dominates the landscape. This alternative will use thinning (non-commercial and commercial) and prescribed burning to reduce existing high stand density. Treatments will reduce the imminent risk of loss from bark beetle infestations on approximately 4,430 acres. Treatments for dwarf mistletoe-infected stands classified as severe will occur on approximately 4,380 acres. Treated acreage will improve the vigor stands, reducing the risk of loss from a large-scale disturbance from insects, disease, or wildfire. The potential for these stands to develop into late and old structure will be improved.

Wildlife Habitat

Species requiring late and old structure in frequent fire disturbance forests would have a positive benefit from the treatments designed to reduce dense stands. Treatments designed to accelerate residual growth rate of trees will provide larger snags and downed logs more quickly, especially in areas currently deficient. Treatments adjacent to Old Growth Management areas would reduce the likelihood that a large-scale disturbance from wildfire would remove this important component from the landscape. Species requiring late and old structure in frequent fire disturbance forests would have a direct benefit.

Approximately 223 miles of roads for public access would be maintained. Improvements/reconstruction will occur on approximately 22 miles of roads. Road closures and decommissioning will reduce the overall miles per square mile in the planning area from 3.6 to 3.2, while retaining access for the needs of the public. Roads planned for closure or decommissioning are associated with proposed activity units and are no longer needed for administration of the forest. Road density reduction will enhance wildlife habitat by reducing habitat fragmentation, disturbance, and vulnerability. In addition, a seasonal road closure in Deer Habitat (MA-7) will substantially reduce intentional and unintentional harassment during critial times of mule deer foraging and fawning.

Wild and Scenic River(303(d) Listed Stream), Scenic Portion

Approximately 290 acres of the riparian area of the Deschutes River would be thinned to reduce lodgepole pine density. This will provide the benefits of reducing the high risk of bark beetle attack and risk to high intensity fire and improve scenic views by highlighting large, mature ponderosa pine. By reducing the risk of natural disturbances that could replace complete stands of trees, the risk of subsequent changes to water quality and fisheries.

Alternatives Considered

In addition to Alternative 3, the Preferred Alternative, two (2) other alternatives were developed and analyzed, but not selected (EA pages 16 through19 and EA pages 42 through 138). Three (3) other alternatives were considered and eliminated from further analysis (EA pages 31 through 33).

- **Alternative 1 (No Action):** I did not select this alternative because it does not meet the purpose and need for action. Natural processes would be allowed to continue and existing high-density stands would provide an elevated risk of high intensity, stand replacement crown fire, insect infestation, and the spread of disease, particularly dwarf mistletoe. The risk of high intensity wild fire would not be reduced because there would be no changes in tree and shrub densities. The potential for high or extreme wildfire behavior would remain in the wildland/urban interface. Forest plant communities would not begin to transition toward greater resiliency and resistance to natural disturbance. There would be no commercially viable firm fiber available for local mills.

  Tree growth in young stands would not be accelerated and ponderosa pine dominance would be delayed. The development of structural diversity that provides important hiding and thermal cover within critical deer winter range either would not occur or would be substantially delayed. Deer forage diversity and productivity would not be improved. The development of habitat for wildlife species that are dependent upon large diameter late and old structure stands would be delayed. Deer habitat effectiveness in the biological winter range of mule deer would continue to be reduced through the continued year around access of all Forest Roads, including those within Deer Habitat. Motorized access within Key Elk Habitat would continue to diminish habitat effectiveness, particularly during elk calving.

  This alternative would not maintain or enhance scenic views of areas that display the inherent scenic qualities of Central Oregon such as the Cascade Mountains, lava flows, and the open, park-like stands of large diameter ponderosa pine. It would delay the development of large diameter ponderosa pine that characterizes Central Oregon.

- **Alternative 2 (Proposed Action):** This alternative would treat approximately approximately 1,195 fewer acres than Alternative

3. I did not select this alternative because: 1) it does not fully treat areas adjacent to the wildland urban interface and other areas of concern that were identified to be at risk to high intensity wildfire, including crown fire; 2) does not fully treat areas that are at risk to insect and disease; and 3) does not enhance and protect aspen, a unique habitat within the planning area.

Alternatives Considered but Eliminated from Detailed Analysis

- An alternative that would implement vegetation management activities (precommercial thinning and prescribed fire) without the removal of commercial wood fiber (restoration only) was considered. I t did not meet the desired results or condition (s) identified in the Purpose and Need.

  Vegetation management and restoration activities in the Kelsey EA are designed to maintain and restore a healthy forest ecosystem. Eliminating commercial firmwood fiber removal would effectively eliminate the opportunity to reduce fuel loads on 5,230acres classified as extreme for fire behavior potential, while exacerbating a worsening forest health trend. The analysis shows that treating these additional acres could be done with only minor short-term effects. Commercial firmwood fiber removal can be one of many outcomes of vegetation management. Most vegetation management projects include service contracts, force account work, volunteer labor and where appropriate, commercial firmwood fiber removal to implement.

  Fiber harvest, which can be an outcome of vegetation management, provides economic benefits, employment, and returns to local and federal governments. The district examines areas where vegetation management is needed and makes a determination of whether commercial timber harvest is an ecologically appropriate and economically feasible method of achieving desired resource conditions. The high, density ponderosa pine stands and existing lodgepole pine shelterwood areas within the Kelsey project area have the capability to provide an economic return as an outcome of vegetation management.

  Reduction of stand density is necessary to create more open stand structures that would meet a variety of objectives including: making stands more resistant to wildfire and bark beetle attack, opening up views of scenic features, and reducing shade on the Cottonwood Road. To achieve desired density reduction with fire would be clearly unreasonable - a relatively high intensity fire would be necessary. Such a fire would result in higher level of density reduction than is desired. Scorch heights associated with this type of fire would put surviving trees at an increased risk of bark beetle attack. Scorch heights and tree mortality would not be desirable within scenic view allocations.

The effects of eliminating commercial timber harvest and implementing only restoration projects would be similar to Alternative 3 in regards to heritage resources, transportation system access and recreation management. Under this alternative, a total of 1,054 acres would be prescribed burned or mowed, 23.4 miles of road closed and 41 acres subsoiled. A total of 338 acres would have a precommercial thin to accelerate the development of LOS lodgepole and ponderosa pine. The effects on scenic views would be similar to Alternative 1, while the effects on other resources would be a blend between Alternatives 1 and 3. To date an estimated $170,000 has been required to complete the EA. Similar to Alternative 3, additional funding from a variety of sources (with the exception of KV) would be used to complete the restoration work identified in the EA.

To achieve desired density reduction, it has been demonstrated on the District that cutting trees is an effective and feasible method. Commercial fiber removal is an effective means of reducing stand density to meet a variety of treatment objectives. Commercial harvest will not increase fuel loadings, as the purchaser of any commercial timber sale assumes responsibility for the disposal of slash resulting from the purchaser's operation (Forest Service Manual 2436).

- During initial scoping for the Kelsey project, an issue was identified concerning the use of mechanical treatment within Newberry National Volcanic Monument. An alternative was considered that would decrease the amount of mechanical treatment, including commercial harvest, within the Monument. This alternative was eliminated from detailed study. Proposed harvest in the Monument is necessary to reduce fire hazard and move towards reestablishing historic ponderosa pine old growth stands, consistent with the Monument Plan.

- An alternative identified that would make more use of prescribed fire to reduce fuels. With Alternative 3, commercial harvest will occur on 1,758 acres to meet a primary treatment objective of fuels reduction. The feasibility of using only fire (separately or in combination with mechanical shrub treatment) on these acres was considered. Commercial harvest was found necessary to meet the purpose and need for action on all, but 219 of these acres (Unit 313). This was not considered a large enough difference to warrant developing a separate alternative.

  An additional 1,358 acres were proposed for thinning to both reduce fuel loadings and to reduce the risk of bark beetle attack. Reducing the risk of beetle attack requires reducing stand densities. On 62 acres (unit 269), fuel treatment objectives include creating a strategic fuelbreak and a defensible/safe egress route along Cottonwood Road and US 97. To meet the fuelbreak and safe egress objective, stand densities must be reduced.. To achieve desired residual stand densities, a relatively high intensity fire would be necessary. This would result in a greater reduction in stand densities than is desired. Furthermore, use of fire would result in crown scorch heights greater than would be visually desired. Scorch heights associated with this

type of fire would also put surviving trees at risk of bark beetle attack.

Foregoing the use of commercial thinning on 41 acres (unit 42) would not meet fuel reduction objectives in either the short or long term. Use of fire on these acres, a mix of ponderosa and lodgepole pine forest, would likely kill the lodgepole resulting in approximately 18 snags per acre. This would not meet the objective of creating a defensible/safe egress route along Forest Road 9720, the primary access route to Lava Cast Forest. In the long term, as the snags fall, the increase in coarse woody debris would not meet the fuels objective. Mortality levels may not meet visual quality objectives. Snags along Forest Road 9720 would also be a safety concern.

Finally, foregoing commercial thinning on 140 acres (units 78, 206, 224, and 430) in the wildland/urban interface by Sunriver and along the US 97 corridor would pose too great a risk of torching and a crown fire. These stands have not had previous thinning and are characterized by high stand densities and ladder fuels. Use of fire without thinning would result in crown scorch heights higher than is visually desired, would put surviving trees at risk of bark beetle attack, and would continue the increased risk of fire affecting urban areas adjacent to public lands.

Scoping

The Kelsey project was listed in the Summer 1999 edition of the Central Oregon Schedule of Projects. The Schedule of Projects is sent quarterly with the status and descriptions of new, continuing, and completed projects. Approximately 3,200 individuals, organizations, and public agencies receive the summary of projects.

Scoping for the Kelsey Vegetation Management Environmental Assessment (EA) was initiated in October 2001. This letter was sent to approximately 220 individuals, businesses, Tribes, and organizations that expressed an interest in the project and was placed on the Deschutes and Ochoco National Forests web site. The scoping letter included activities that would enhance fish habitat, provide a non-motorized trail, and development of an OHV trail system and play/staging area. These projects were later separated for separate analysis and decision. Subsequently, the Kelsey Fish Habitat Improvement CE and the Kelsey Non-Motorized Trail EA have been implemented. The Kelsey Access EA, which includes OHV use, has been delayed until a larger analysis area is decided on. Thirty-five responses were received, regarding the proposed vegetation treatments. The following is a brief summary of the comments (EA pages 208 and 209).

1) Timber management in Newberry National Volcanic Monument should be designed to be consistent with the goal of returning the area to natural ecological processes. Thinning to allow prescribed burns should not have a commercial orientation to timber prescriptions. Substantial work needs to be done to return the National Monument to a condition where natural ecological processes can proceed. *Prescribed burning is, ultimately, the preferred method*

to reduce natural fuels and maintain a low wildfire risk within Newberry National Volcanic Monument. Initially, mechanical treatments are necessary to reduce the risk of a high intensity prescribed burn that could result in large tree mortality.

2) There is agreement for the need to transition toward an increase in late and old structure, however, commercial logging has never resulted in such a transition. It hasn't been shown that commercial harvest will promote late and old structure. *Commercial thinning is a component of a transition toward an increase in late and old structure. Thinning to reduce density to improve individual tree growth, reduce the risk of insects and disease to trees, reduce the risk of fire, and improve wildlife habitat for both big game and species dependent on late and old structure ponderosa pine would be done through both commercial and precommercial thinning. A reduction in density generally favors increased tree growth, in both diameter and height, with the potential to reach large tree status quicker than without thinning.*

3) An assessment of the social structure over the next 50-100 years is just as important as the desire to restore natural functions/ processes. Manage the forest for existing and future values (out 50 years) instead of historic conditions. *The short- and long-term strategy of proposed vegetative treatments are designed to: provide continued deer winter range; reduce the wildfire risk along the Wildland Urban Interface and within the overal planning area; provide and enhance late and old structure ponderosa pine for wildlife and human aesthetic pleasure; improve overall scenic views; and reduce the risk of insect vectors and disease pathogens.*

4) Encourage more emphasis on commercial thinning – widen tree spacing and reduce fuel loading for prescribed burning, restore vigor to suppressed trees, enhance opportunity for more forage. Seedlings to old growth should be managed together. Dense stands of ponderosa and lodgepole pine are creating forest health hazards. Overall forest health should be your priority. *These comments are addressed within the alternatives.*

5) Size and age should not be the factors you base management decisions on. *Tree size and age are only two of the factors that have been used in developing proposed treatments. The goals of the various resources include size and age in determining the moving toward the desired condition of each resource.*

The Draft EA was made available for a 30-day public comment period in early May 2004. This letter was sent to approximately 265 individuals, businesses, Tribes, and organizations that expressed an interest in the project and was placed on the Deschutes and Ochoco National Forests web site. Comments were received from seven (7) respondents with 102 identified comments. The summary of the comments and the response to those comments is located in Appendix I, page 207 of the EA.

Comments were made regarding off-highway vehicle (OHV) use that was addressed in the Draft Kelsey Vegetation Management EA. The Final Kelsey Vegetation Management Environmental Assessment does not address OHV management. Planning area access, other than described in this EA and including OHV use, will be analyzed separately.

Finding of No Significant Impact

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.

Based on the site-specific environmental analysis documented in the Kelsey Vegetation Management EA, I have determined that this is not a major federal action that will significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. An analysis of the cumulative effects of the 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 short duration adverse impacts and long-term favorable impacts from implementation of Alternative 3. All adverse impacts are limited in scope and intensity and can be considered minor. This determination is based on the mitigation measures designed into the selected alternative (Pages 33-40 of the EA) and the following factors:

(1) Beneficial and adverse direct, indirect and cumulative environmental impacts discussed in the EA 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, fish, wildlife resources, inventoried roadless areas, stands of trees that display late or old characteristics or other components of the environment (EA pages 42-138).

(2) No significant adverse effects to public health or safety have been identified (EA page 135).

(3) There will be no significant adverse impacts to wetlands, wild and scenic rivers, prime farmlands, old growth forests, range and forestland. No significant effects are anticipated to any other ecologically sensitive or critical areas (EA pages 42-138).

(4) The effects of implementation of this decision do not rise to the level of scientific controversy as defined by the Council of Environmental Quality (EA pages 42-138). (5) Based on previous similar actions in the area the probable effects of this decision on the human environment, as described in the EA, are well known and do not involve unique or unknown risks (EA pages 42-138).

(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 page 137).

(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 or natural environment. I find there to be no such cumulative significance (EA pages 42-138).

(8) Based on the pre-disturbance survey and record search of the project area, the project proposal will have "no adverse effect" (as

defined in 36 CFR 800.4 (b)(1)) on any listed or eligible cultural resources (EA page 128).

(9) The biological evaluation and assessment for the area indicates that the proposed project will have no significant adverse impacts on any proposed, endangered, sensitive or threatened plant or animal species. Should any endangered or threatened species be found following the implementation of the project, the environmental analysis will be reviewed and revised if necessary. (EA Wildlife Appendix D, page 163 and Botany Appendix E, page 169).

(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 47, 48, 122, and 136).

Other Findings

- Legislation for the Newberry National Volcanic Monument specifies that the Monument is to be managed in accordance with laws, rules, and regulations pertaining to the National Forest System and to the Deschutes National Forest, to the extent that such laws and regulations are consistent with the Monument legislation. The Monument legislation supersedes any Forest Plan direction that is inconsistent with the purposes for which the Monument was established. The direction provided in the Monument Plan (August 8, 1994) takes precedence over the Forest Plan.

  Land management activities should allow natural ecological succession of vegetation to continue to the maximum extent practical. Where natural succession is not practical, analysis of projects and activities should explain why it is necessary to intervene and how this intervention is consistent with the purposes and provisions of the Monument legislation (M-1).

  Overall, any projects to alter existing vegetation should respond to one or more of the following needs: 1) Protect existing large, old trees and provide for the perpetuation of the genetic heritage they represent, 2) Reestablish conditions that allow natural ecological succession of vegetation to the maximum extent practical, 3) Protect public health and safety, 4) Enhance wildlife or sensitive plant habitat, scenic quality, or recreational values, and 5) Reduce serious threats from insects, fire, or disease to resources outside the Monument (M-8).

  Units 87 and 366 are within late and old structure (LOS) stands within Newberry National Volcanic Monument. LOS stands comprise approximately one (1) percent of the analysis area. These units will incorporate non-commercial and commercial removal of trees up to 21 inches diameter at breast height. The stand structure would remain the same, LOS, in each unit.

  Unit 87 is immediately adjacent to the Benham Falls day use area along the Deschutes River. Thinning will primarily remove lodgepole pine from around large diameter ponderosa pine and smaller ponderosa pine with potential for future growth.

Lodgepole pine will be retained where there is currently no manageable ponderosa pine. T he scenic qualities of the day use area would be enhanced, maintaining or accelerating ponderosa pine development and growth in the Monument. Thinning would also reduce the wildfire risk associated with ladder fuels and allow the successful reintroduction of prescribed fire.

Unit 366 is located in the most southeastern portion of the Monument. This high-density stand is at risk to beetle infestation. T hinning will decrease stand density and increase dominance of ponderosa pine. The existing late or old structural stage classification would not change. B eetle risk will be reduced, ponderosa pine development and growth would be maintained or accelerated, and a strategic fuel break will be created.

The activities within units 87 and 366 are consistent with the Monument Plan.

- This decision is consistent with the goals, objectives and direction contained in the Deschutes National Forest Land and Resource Management Plan (LRMP) and accompanying final environmental impact statement dated August 27, 1990 as amended by the Regional Forester's Forest Plan Amendment #2.
- The alternatives are consistent with the goals, objectives and direction contained in the Newberry National Volcanic Monument Comprehensive Management Plan and accompanying Final Environmental Impact Statement and Record of Decision dated August 1, 1994.
- The alternatives are in compliance with the Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Management Plan and accompanying Final Environmental Impact Statement and Record of Decision dated July 25, 1996.
- This decision is consistent with the seven vegetative manipulation requirements of 36 CFR 210.27(b) (EA pages 49 through 61).
- This decision is in compliance with Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”. No minority or low-income populations will be disproportionately affected from implementation of any alternative.
- No significant irreversible or irretrievable commitment of resources will occur under a Alternative s 2 (Proposed Action) -6 or Alternative 3. There will be some negligible irretrievable losses of dust caused by mechanical operations. There will be an irretrievable loss of firm wood fiber over the long-term under Alternative 1 (No Action), as existing dead lodgepole pine deteriorates in value and is unable to be utilized for commercial firm wood fiber.
- The Newberry National Volcanic Monument contains lands identified as an Inventoried Roadless Area. The planning area is located approximately 2.0 to 2.5 miles northwest of and separated by two (2) roads from the North Paulina inventoried roadless area. The Monument has areas of lava without roads. Treatment units within and outside the boundaries of the Monument are located in previously roaded lands.
- No designated roadless areas, old growth stands, Wild and Scenic Rivers or parkland would be adversely affected by the proposed activities.

- The alternatives are consistent with the goals, objectives and direction contained in the Inland Native Fish Strategy.
- There is no habitat within the planning area that is classified as "Essential" for anadromous fisheries.
- Wetlands, fisheries, water quality and designated floodplains will not be adversely affected by any of the proposed management activities.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15 th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

A 30-day notice and opportunity for comment was published in *The Bulletin* on May 6, 2004 and placed on the Deschutes and Ochoco National Forests Website. The preferred alternative was identified.

This decision is subject to appeal pursuant to 36 CFR 215. Any written appeal must be fully consistent with 36 CFR 215.14 (Content of an Appeal). Two copies of a written notice of appeal must be filed (regular mail, fax, e-mail, hand delivery, or express delivery) with the Appeal Deciding Officer (Regional Forester, ATTN: 1570 APPEALS) at 333 S.W. First Avenue, P.O. Box 3623, Portland, Oregon, 97208-3623. Appeals can be faxed to (503) 808-2255, sent electronically to appeals-pacificnorthwest-regional-office@fs.fed.us , or hand delivered to the above address between 7:45 AM and 4:30 PM, Monday through Friday, excluding holidays.

Appeals can also be filed electronically at: Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. In cases where no identifiable name is attached to an electronic message, verification of identity will be required. E-mails submitted to email addresses other than the one listed above, or in formats other than those listed, or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

Appeals, including attachments, must be postmarked or delivered within 45 days of the publication of the legal notice for this decision in the *The Bulletin,* the newspaper of record. Attachments received after the 45-day appeal period will not be considered. The publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations that submitted substantive comments during the comment period specified in 36 CFR 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements in 36 CFR 215.14.

Contact

For additional information, contact David Frantz, Bend/Fort Rock Ranger District, 1230 NE Third, Bend, Oregon, 97701, (phone 541-383-4721, email dfrantz@fs.fed.us).

Posted to web on 9/29/04

top

Disclaimers | Privacy Policy | Print This Page

USDA Forest Service - Deschutes & Ochoco National Forests
Last Modified: Wednesday, 29 September 2004 at 21:21:57 EDT