

Decision Memo
Wickiup Acres Hazardous Fuels Reduction
USDA Forest Service
Crescent Ranger District, Deschutes National Forest
Deschutes County, Oregon
T. 22 S., R. 8 E., Section 36, T., 22 S., R 9 E., Section 31

I have decided to authorize Wickiup Acres WUI Fuels Reduction Project. Project objectives will be accomplished with a variety of activities that will reduce fuels and restore meadow habitats on approximately 503 acres of National Forest Land southwest of La Pine, Oregon. The project area is located along the northern boundary of the Crescent Ranger District just south of the southeast tip of Wickiup Reservoir (see Figure 1). The area is in Deschutes County, in the Upper Deschutes Watershed and is entirely within the Deschutes National Forest. The focus of the project is in areas that are adjacent to or near private property, particularly where homes are present.

The entire project is within the Wildland Urban Interface (WUI) as identified in the Greater La Pine Community Wildfire Protection Plan. The project area surrounds the subdivision of Wickiup Acres, which is ranked as the third highest treatment priority in the Greater La Pine Community Wildfire Protection Plan. Activities are located within the following management areas (MA) as described in the Deschutes National Forest Land and Resource Management Plan (LRMP): General Forest (MA 8) and Scenic Views (MA 9). The Scenic Views allocation is a very small portion on the southeast tip of unit 7 along the District and Private timber land boundary.

Fuels treatments will be used to reduce the risk of problem fire in the wildland urban interface. From a fire perspective, vegetation can be described in terms of “fuels.” Ground fuels can include grasses, litter, plants, shrubs, and trees, and contribute to the rate of spread of a wildfire. Ladder fuels are vegetative structures that allow a ground fire to move into the crowns of trees; these can include immature trees growing beneath and near larger, more mature trees, low canopy base heights, and dense foliage. The current condition of ground and ladder fuels in the Wickiup Acres Hazardous Fuels Reduction project area is such that risk of high rates of wildfire spread and crown fire initiation exists. This condition presents a risk to the safety of forest visitors and fire suppression personnel, the loss of structures, and the loss of forest resources. Fuels reduction will reduce the fuel loads and create conditions where wildfire would burn at lower intensities and slower rates of spread. Thus, the risk of wildfire is reduced in close proximity to homes within the Wickiup Acres subdivision and privately owned timber lands (Olympic Resource Management LLC).

Project Activities

Project activities include thinning trees up to 8” diameter at breast height, pruning limbs on larger trees (retaining at least 50% of the live crown), hand piling thinned material and activity-generated slash, utilization of thinned material where possible (utilization may include post and pole, firewood or biomass), hand pile burning when necessary, mowing, prescribed underburning, and enhancement/restoration of meadow habitats. Prescribed underburning and pile burning will occur only when environmental factors are conducive and after private citizens have been notified. No roads will be constructed with this project.

Table 1 summarizes units by acres, treatment type, and LRMP management area.

Table 1. Wickiup Acres Hazardous Fuels Reduction Project treatment units and descriptions.

Unit Number	Acres	Treatment Type	Land Use Allocation
1	43	Small-diameter thin, mow, prune, hand pile and burn or utilize.	General Forest
2	16	Small-diameter thin, prune, hand pile and disposal. This allows a condition for reintroduction of prescribed fire.	General Forest
3	49	Small-diameter thin and utilization of forest products such as firewood and post and pole material, hand pile disposal. This allows a condition for reintroduction of prescribed fire	General Forest
5	74	Small-diameter thin, utilization of forest products, prune, hand pile and disposal, and mow N. 1/3 of unit to protect egress.	General Forest
6	58	Small-diameter thin (variable spacing determined with wildlife biologist), utilization of forest products, hand pile and disposal, enhance/restore meadows.	General Forest
7	186	Small-diameter thin (variable spacing determined with wildlife biologist), utilization of forest products, prune 75' along egress road. Hand pile and disposal, enhance/restore meadows.	General Forest and Scenic Views
8	77	Small-diameter thin, prune along approximately 50' and mow 100' along road. Utilize forest products, hand pile and dispose of piles.	General Forest
	503	TOTAL ACRES	

Within units 6 and 7, damage caused by inappropriate motorized vehicle access would be restored by planting grasses using native seed. To discourage further motor vehicle access into the meadows, in addition to the area closure, would be fenced using natural-appearing materials such as wood and rocks. Where appropriate, prescribed fire will be carefully applied to maintain the meadow and encroaching lodgepole pine seedlings and saplings would be removed.

Conditions Related to Implementation

The following conditions are incorporated into the decision:

1. **Area closure to motorized use.** To mitigate the potential effects of this project related to the ability of motorized vehicles to access riparian habitat, motorized access off of National Forest System roads within the project area (Figure 2) will be prohibited by Forest Order. This order does not affect current off-trail access for over-the-snow motorized vehicles.
2. **Seasonal restrictions:**
 - Unit 2 - fuels reduction and restoration activities will not take place March 1-August 31 within 0.25 miles of an active osprey nest unless no nesting is documented by May 15.
 - Units 6, 7, and 8 - fuels reduction activities will not take place between May 1 and June 30 to avoid impacts to calving and fawning big game.
3. A Crescent Ranger District wildlife biologist and hydrologist will assist with the layout and spacing of small-diameter thinning and retention areas in units 6, 7, and 8.
4. Retain all large woody debris and snags that pose no threat to occupational safety.

5. To protect soils in unit 1, the mowing machine will pass only once over the same area/ground and will make no sharp turns.
6. To protect soils in units 2, 3, 5, 6, and 7, access trails for post and pole or firewood will be a minimum of 100' apart.
7. If cultural resources are discovered in activity units, the sites will be protected by avoidance and the Crescent Ranger District archaeologist will be notified.
8. To reduce risk of invasive plant introduction or spread, vehicles will not be driven or parked in weed infested areas, and will be free of soil and plant parts before entering activity units.
9. Prior to implementation, bull thistle in Unit 2 and along Road 44 will be pulled.
10. In unit 7 where scenic views are classified as Partial Retention, timing of cleanup from thinning activities will occur within 2 years.

Relationship to Extraordinary Circumstances and Findings

In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the resource conditions identified in FSH 1909.15 section 30.3(2) must be made. Evaluations are on file at the Crescent Ranger District. The following is the list of the resource conditions and descriptions of potential effects, if any, would result from project activities.

1. Federally listed threatened or endangered species or designated habitat or species proposed for Federal listing or proposed critical habitat

No threatened or endangered wildlife, fish or plant species are known to occupy or have critical habitat within the project area.

2. Forest Service sensitive species

Plant species – Surveys were conducted and no sensitive plants were found in activity units. The Regional Forester Sensitive Species List is periodically updated. Such an update was transmitted to the R6 field units on January 31, 2008. In accordance with options provided by the Regional Forester, in a letter accompanying the new list (USDA/USFS 2008), the Wickiup Hazardous Fuels Reduction Project is using the 2007 R6 Sensitive Species list that was in effect at the date of this project's formal initiation.

Aquatic Species – There are redband trout present in Wickiup Reservoir, which is adjacent to the project area. The project has been determined to have **No Impact** on redband trout.

Wildlife Species – The following R6 special status animal species have habitat or are known or suspected to occur in the project area:

- Northern Bald Eagle, **No Effect** (status changed from Threatened to R6 Sensitive Species on 8/08/07).
- Oregon Spotted Frog, **No Impact.**
- Bufflehead Duck, **No Impact.**
- Horned Grebe, **No Impact.**
- Red Necked Grebe, **No Impact.**
- Yellow Rail, **No Impact.**
- Pacific Fisher, **May Impact Individuals or Habitat, but will Not Likely Contribute to a Trend towards Federal Listing or Loss of Viability to the Population or Species.** The level of disturbance and open nature of the project area limit habitat use potential. Units 6, 7, and 8 are currently dense enough to provide habitat use; however, the amount of human activity in the area

likely precludes fisher use for anything other than incidental foraging or movement across the landscape. Project implementation will reduce the density of stands in these units. Modified prescriptions and areas of retention in an unmanaged condition will be identified by a wildlife biologist. These areas and denser stands will allow fisher to move through the area; however, the more open nature of the stands plus human activity will limit potential use of the project area.

3. Flood plains, wetlands, municipal watersheds

Project activity units are located adjacent to Wickiup Reservoir and wetland/riparian areas. Project design features are incorporated to minimize soil disturbance and introduction/spread of invasive plants. Restoration activities and the area closure to some motorized use would have a long-term benefit by restoring proper function of meadow habitats. The project is not in a municipal watershed.

4. Congressionally designated areas such as wilderness, wild and scenic rivers, and national recreation areas

The project area is not located within or adjacent to a wilderness, wild and scenic rivers, or a national recreation area. The closest wilderness area is 14 miles from the project area; the closest wild and scenic river corridor is four miles from the project area.

5. Inventoried Roadless Areas

There are no inventoried roadless areas in the project area. The project would not construct any permanent or temporary roads.

6. Research Natural Areas

There are no existing or proposed Research Natural Areas in the project area. The closest Research Natural Area is six miles from the project area.

7. American Indian and Alaska Native religious or cultural sites, archaeological sites, or historic properties of areas

Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. The project is in compliance with Section 106 of the National Historic Preservation Act under the terms of the 2003 Programmatic Agreement among the Forest Service, the Advisory Council on Historic Preservation, and the Oregon State Historic Preservation Officer (SHPO) by meeting Stipulation III(B)2 (“Undertaking meets the criteria in the PA for a No Historic Properties Affected determination”).

Consideration of Other Relevant Resource Conditions

Invasive species – Bull thistle was found in the Davis Fire adjacent to the project area in unit 2. The population appears to be stable and not spreading. Project design features as described under “Conditions Related to Implementation” will prevent the spread of weed infestations within the project area.

Neotropical Migratory Birds - The project area contains seasonal riparian habitat in Unit 7. It contains a combination of forest cover and open water, creating habitat for waterfowl and migratory birds for a period of time in the early spring. Seasonal restriction of activities in Unit 7 will reduce the potential of disturbance to birds during the nesting season.

Migratory birds may nest in the conifer stands or in shrub communities in small openings. Mowing activities and prescribed burning will reduce total shrub cover and thus reduce nesting potential on portions of the project area. Project effects to birds are limited to individual birds and/or nests within activity units in the project area. The motorized vehicle closure also will reduce disturbance of nesting birds following project implementation.

Amphibians - Unit 7 provides potential amphibian habitat during the wet season each year. Fuels reduction activities will take place during the dry season. Modified prescriptions in Unit 6, 7, and 8 will help to retain shaded micro climates adjacent to the seasonally wet area. The motorized vehicle closure will reduce the likelihood of individual amphibians being killed by motor vehicles. Although amphibians are present, it is not in critical refugia, so the project would be limited in scope to local populations.

Consistency

This decision is consistent with the Deschutes National Forest Land and Resource Management Plan as amended by the Inland Native Fish Strategy, which provides standards and guidelines for protection of watersheds and riparian habitat conservation areas. The project was designed in conformance with Forest Plan standards and incorporates appropriate guidelines for General Forest and Scenic Views Management allocations. Planned vegetation management is consistent with allowable activities (M9-58, thinning in lodgepole pine) and cleanup of material would occur within 2 years of implementation. The prescribed burning will be done in conformance with the Oregon Smoke Management System to meet smoke management objectives. Safety measures such as warning signs and/or traffic control will be employed when burning and smoke affects the safety of motorists. Adjacent landowners will be notified when burning operations commence.

Conclusion

I have reviewed the physical and biological conditions of the project with resource specialists. My conclusion is 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 activities that may result in a significant individual or cumulative effect on the quality of the human environment.

Reasons for Categorical Exclusion and Findings

This decision is categorically excluded from documentation in an Environmental Assessment or Environmental Impact Statement in accordance with 40 CFR 1508.4 and Forest Service Environmental Policy and Procedure Handbook 1909.15. This action falls within Category 31.2(6) of the Forest Service Environmental Policy and Procedures Handbook 1909.15, established by the Chief of the Forest Service.

I have concluded that the proposed activities for hazard reduction, protection, and restoration of meadow habitats are consistent with the Deschutes National Forest Land and Resource Management Plan as amended. I conclude that no extraordinary circumstances exist which indicate this action could have a significant effect on the quality of the human environment.

Public Involvement

The project was presented at the Greater La Pine Community Wildfire Protection Plan collaborative effort and at a meeting on June 3, 2006, with homeowners within the Wickiup Acres subdivision. Those present were in favor of the project.

Public involvement was also initiated in 2007, with a letter dated July 12, 2007, and a listing on the central Oregon website. Two comments were received in response to the scoping letter. The first was generally in favor of fuels reduction projects, but expressed concern about fuels reduction activities (especially mowing and burning) taking place during the nesting and fledgling periods for native and neotropical migratory birds. The second was also supportive of this type of project within high-priority, high-use wildland-urban interface.

On March 12, 2008, notification for the 30-day comment period on the preliminary Decision Memo was sent to 92 people and organizations who have expressed interest in these types of projects, including the Wickiup Subdivision homeowners. A legal notice was also published in *The Bulletin* on the same date. The following comments were received:

Comment: Do not change the travel management plan in a proposal that is categorically excluded. Allow the forest wide effort to designate roads, trails, and areas to follow its course.

Response: The area closure has been identified as a mitigation for hazardous fuels reduction activities surrounding the subdivision. Inappropriate motor vehicle access is occurring now. Tree thinning has the potential to make the situation worse. Timing of completion of the Travel Management Plan would potentially delay implementation of this project and there is some urgency to fuels reduction activities. Also, the window of opportunity to implement this project is narrow due to seasonal restrictions for calving/fawning big game and osprey. This decision does not close any “open” roads or designated trails and potential for future designated trails has not been eliminated.

Comment: Assure that snowmobile cross country travel will continue to be approved in the area.

Response: The wording on the closure order has been modified to allow this use.

Comment: Consider designating a trail for All Terrain Vehicle users on the road that runs east to west bordering the subdivision.

Response: The road is currently open on Federal land to all users of high clearance motor vehicles. This decision does not change that status. However, the eastern extent of the road terminates on private land.

Comment: Plan the fuels reduction activities so they do not interfere with any regular snowmobile trail grooming in the area.

Response: There are no known groomed snowmobile trails in the immediate area. Also, project activities are mostly non-commercial and would not likely overlap the snow grooming season. Coordination with the local groomer will occur if there is a potential to affect a groomed trail.

Comment: Care should be taken to reduce the potential for introducing and/or spreading invasive exotic plants.

Response: Under the heading “Conditions Related to Implementation”, to reduce risk of invasive plant introduction or spread, vehicles will not be driven or parked in weed infested areas, and will be free of soil and plant parts before entering activity units.

Comment: Provisions should be adopted to protect soils and native vegetation.

Response: There are several provisions listed under the heading “Conditions Related to Implementation” to address soil quality and native vegetation, including an off-road closure order for most motor vehicles.

Comment: Mowing should be limited to that necessary to accomplish reintroduction of fire and risk reduction activities, leaving sufficient cover for wildlife.

Response: Table 1 lists the activities that have been identified as necessary for risk reduction activities.

Comment: Protect riparian areas from adverse impacts that reduce shade on area waterways or cause sedimentation.

Response: This project is adjacent to the Wickiup Reservoir overflow constructed in the 1940s and it is considered a closed system as it relates to surface flow of water. In addition to the numerous design features of the project to minimize sedimentation and potential affect to water quality, the area closure for most motorized vehicles will maintain proper hydrologic function of the area.

Comment: Survey the area to ensure rare and endemic plants are not harmed.

Response: No Threatened, Endangered or Sensitive plants (as listed on the April 2007 R6 Regional Forester's Sensitive Plant List) were found in the project activity units. Prior to implementation, additional surveys will be conducted for new sensitive species on the 2008 list.

Comment: Prohibit or limit thinning and burning activities during nesting and fledgling seasons for native and neotropical migrant birds and other avian species of concern.

Response: Activities will reduce total shrub cover and thus reduce nesting potential on portions of the project area. However, there is abundant habitat found surrounding the project area and in central Oregon. A seasonal restriction of activities in Unit 7 will reduce the potential of disturbance to birds during the nesting season. In addition, if implementation occurs during nesting season, it will not occur all at once. Implementation of the area closure to motorized vehicles would be a considerable benefit to nesting birds and other dependent species. The Wickiup Hazardous Fuels Reduction Project will be limited to individual birds and/or nests within activity units.

Comment: Take care when performing prescribed burning operations to avoid undue resource damage.

Response: No response necessary.

Implementation, Administrative Appeal and Review

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 Appeal Deciding Officer, ATTN: 1570 APPEALS, 333 S.W. First Avenue, P.O. Box 3623, Portland, Oregon, 97208-3623 (zip code for physical address deliveries: 97204-3440), 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 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 *The Bulletin*. The publication date of the legal notice in the *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. It is the responsibility of all individuals and organizations to ensure their appeals are received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender's responsibility to ensure timely receipt by other means.

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 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 Kevin Carlson, Project Leader, Crescent Ranger District, PO Box 208, Crescent, OR, 97733, or by phone at (541) 433-3200.

C. Christine Frisbee
District Ranger

Date

Figure 1. Wickiup Acres Hazardous Fuels Reduction activity units.

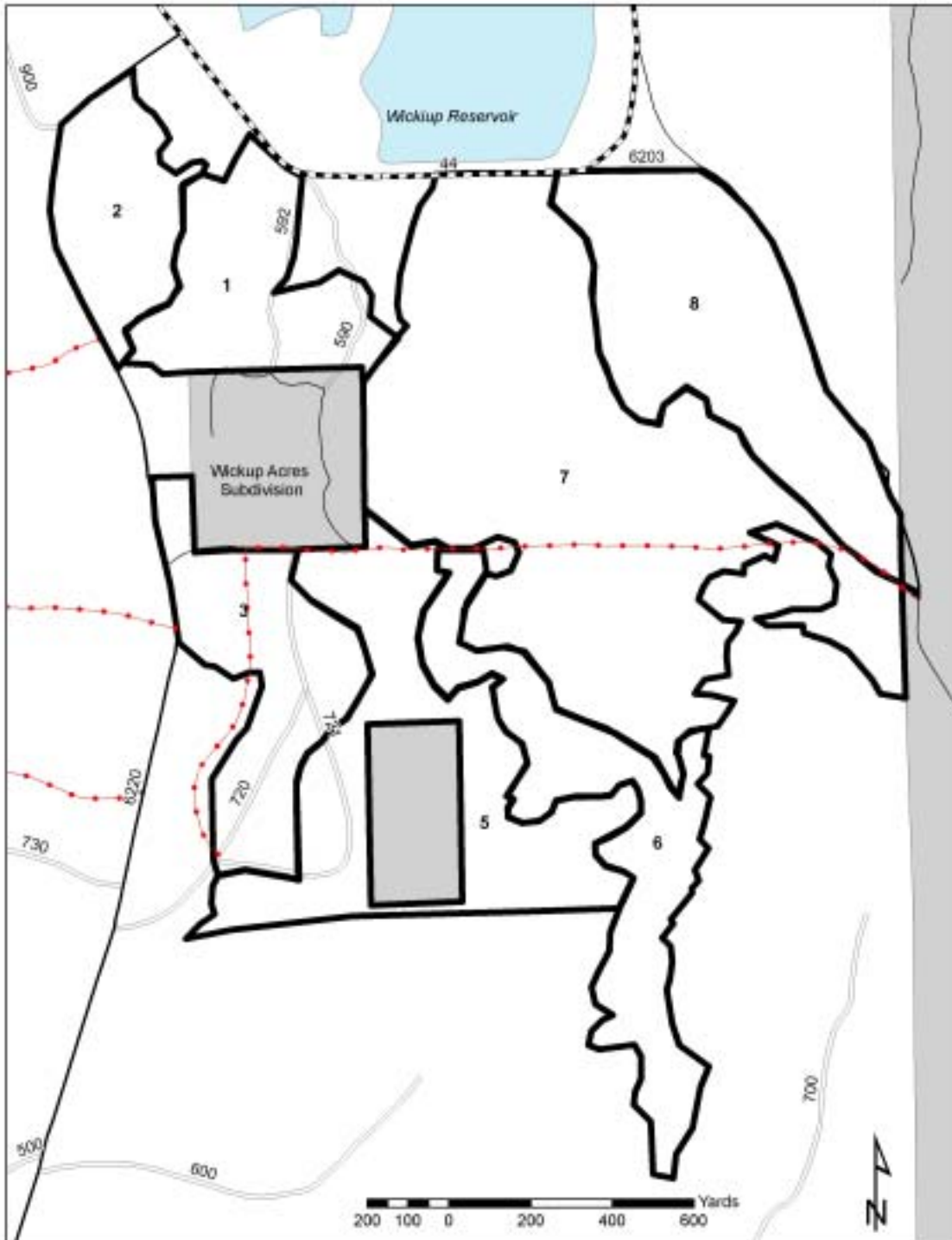


Figure 2. Wickiup Reservoir Overflow Motorized Vehicle Closure Area.

