



**United States  
Department of  
Agriculture**

Forest Service

Pacific  
Northwest  
Region



# **Kincaid's Lupine Habitat Restoration Project**

**Umpqua National Forest**

**Tiller Ranger District**

**September 2008**

**Final Decision Memo**







## ***Introduction and Project Location***

The U.S. Fish and Wildlife Service listed Kincaid's lupine as threatened on January 25, 2000, under the authority of the Endangered Species Act of 1973, as amended (USFWS 2000). Kincaid's lupine (*Lupinus sulphureus* Hooker ssp. *kincaidii* (C.P. Smith) Phillips) is a long-lived herbaceous perennial species in the Pea Family (Fabaceae). In a study performed in the Willamette Valley, one excavated Kincaid's lupine plant was found to have 25 annual growth rings, which suggests that some plants could be several centuries old (M.V. Wilson, unpubl. data, as cited in Wilson et. al. 2003). Kincaid's lupine forms a branched crown and is low growing, and is capable of spreading by rhizomes, producing clumps of stems exceeding 33 feet in diameter. Because of this growth form it is difficult to determine where one plant ends and another plant begins.

Critical habitat for Kincaid's lupine was designated on October 31, 2006. No critical habitat units for Kincaid's lupine in Douglas County were designated. In April 2006, the BLM Roseburg District, the Service, and the Umpqua National Forest completed the "Programmatic Conservation Agreement for Kincaid's Lupine in Douglas County" (BLM, USFWS, and USFS 2006). The purpose of the conservation agreement is to formally document the intent of the parties involved to protect, conserve, and contribute to the recovery by implementing recovery actions for Kincaid's lupine and its habitat on Federal lands within Douglas County. A key provision of the Conservation Agreement is the development of a management plan which outlines specific management activities within the federally owned populations of Kincaid's lupine within Douglas County. Three timber companies, whose lands contain habitat for Kincaid's lupine, are working cooperatively with state and federal agencies to implement conservation and recovery activities for this species on their private properties. Lone Rock Timber Management Company, Roseburg Forest Products, and Seneca Jones Timber Company, signed a voluntary agreement with USFWS in August 2006.

The Callahan Ridge site, at the edge of the Callahan Meadow T31S R2W section 8, is the only site managed by the Umpqua National Forest. The Callahan Ridge population occurs at the edge of a California black oak woodland adjacent to a serpentine meadow. The Callahan Ridge population is approximately 0.1 acres in size.

## ***PURPOSE AND NEED, PROPOSED ACTION***

The purpose of the proposal is based on meeting the following needs from the Elk Creek Watershed Analysis (1996) and the Restoration Business Plan (2001) and the Management Plan for Kincaid's Lupine (*Lupinus sulphureus* ssp. *kincaidii*) in Douglas County (2008). In order to achieve desired conditions the project would:

- ❑ Maintain the high level of vegetative diversity in both structure and pattern within the watershed.
- ❑ Manage existing habitat to maintain suitable plant community structure.
- ❑ Promote larger functioning metapopulations of Kincaid's lupine, with increased population sizes and genetic diversity, which in turn would promote long-term population viability and species conservation, and reduce the risk of local extirpation.
- ❑ Approximate natural disturbance processes and patterns.

- ❑ Move area from a high severity fire regime towards a moderate severity fire regime through prescribed fire.

The proposed action is to reduce conifer encroachment by commercial thinning on approximately 3 acres. No trees over 20" DBH will be cut. Trees up to 20 inches in diameter would be removed to create an opening dominated by California black oak and only a few conifers. The primary prescription<sup>1</sup> is to retain 10-12 dominant conifers with crown ratios greater than 40%. Douglas-fir and ponderosa pine are the preferred species. In all thinning areas California black oaks, Oregon white oaks, and Pacific madrone will be left standing. The treatments would occur alongside the existing Kincaid's lupine population, but would not disturb this area. Approximately 30 MBF of incense cedar and Douglas-fir would be removed from the 3 acres using ground based equipment. No new road construction is associated with the project. The primary prescription for the activity fuels is to under burn in all thinning areas. Handpiling or swamper burning may be utilized as a first entry to reduce fire intensity. This may be needed to mitigate other resource concerns such as visual, wildlife or tree mortality. Underburning may occur in stages. It may require more than one entry to meet objectives. It may also be desirable to burn in stages where several low intensity burns are required to mitigate other resource concerns. Underburns would be accomplished when large woody moisture and duff moisture is high to prevent the large material from burning. No material over 8 inches in diameter is targeted for consumption, to help maintain long term site productivity. Best management practices would be implemented to minimize impact to soils. Finally, planting the area to native species including Kincaid's lupine and other native forbs to promote pollinator visitation would be implemented after burning. Maintenance of the treatment area may be required in the future.

### ***Decision and Rationale***

I have decided to implement the proposed action for the Kincaid's Lupine Habitat Restoration Project. I believe that taking action to reduce conifer encroachment by commercial thinning on approximately 3 acres will improve habitat for the Kincaid's lupine. Mitigation measures listed below will help reduce the impacts to the site, which are limited in scope and scale. During the 30-day public comment period, which ran from July 9, 2008 till August 8, 2008, I received no timely comment letters or emails from the public.

Considering the extensive support for the project, I believe my decision balances the need for improvement with the need for resource protection.

### ***Findings as Required by Law, Policy and Regulation***

#### ***Finding of Consistency with Applicable Forest Service Management Direction and the National Forest Management Act***

Based on my review of the interdisciplinary analysis for this project, I find that the project is consistent with the standards, guidelines, and amendments of the Umpqua National Forest Land and Resource Management Plan, as amended by the Northwest Forest

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<sup>1</sup> Leave trees should be free of insects, dwarf mistletoe, galls, cankers, swelling of branches or boles, or mechanical damage. Select preferred species with straight boles. Select preferred species with foliage that is not chlorotic.

Plan and is therefore consistent with the National Forest Management Act. This finding includes all of the following determinations documented in the specialists' reports for this project:

This project will not prevent attainment of the goals and objectives of the Aquatic Conservation Strategy, as documented by the project hydrologist.

This project is consistent with the Standards and Guidelines in the 1994 Northwest Forest Plan, as amended and the 1990 Umpqua National Forest Land and Resource Management Plan, as amended.

Therefore, I find that the Kincaid's Lupine Habitat Restoration Project is consistent with all applicable Forest Service management direction.

### ***Finding of Consistency with State Historic Preservation Office Policies***

Based on my review of the heritage resource report, I find that the project is consistent with the National Historic Preservation Act.

### ***Finding of Non-Jeopardy to Endangered, Threatened or Sensitive Species and No Adverse Effect to Species Covered Under the Fisheries Conservation and Management Act***

The District Fisheries Biologist has determined that this project would have no effect on any threatened species or their critical habitat, no effect on Essential Fish Habitat, and no impact on any sensitive species. This project complies with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

The District Wildlife Biologist has determined that this project would have no effect on threatened or endangered species or their critical habitat, and no impact on Management Indicator or rare and uncommon species. This project would have no impact on species on the R6 Regional Forester's sensitive species list. Therefore, I find that the Kincaid's Lupine Habitat Restoration Project does not jeopardize the continued existence of any endangered or threatened species.

The District Botanist has determined that this project would have a beneficial effect on the threatened species Kincaid's lupine (*Lupinus sulphureus* Hooker ssp. *kincaidii* (C.P. Smith) Phillips) and its habitat. This project would have no impact on species on the R6 Regional Forester's sensitive species list. Prevention measures for noxious weeds shall follow standards 2, 3, 7, and 13<sup>2</sup>. In addition, known high-priority noxious weed sites will be avoided during harvest and burning activities, and equipment will not be staged where weeds are known to occur (coordinate with District botanist for locations). Revegetation of the project will be accomplished with Kincaid's lupine, and other

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<sup>2</sup> Standard 2: Actions conducted or authorized by written permit by the Forest Service that will operate outside the limits of the road prism (including public works and service contracts), require the cleaning of all heavy equipment (bulldozers, skidders, graders, backhoes, dump trucks, etc.) prior to entering National Forest System Lands.

Standard 3. Use weed-free straw and mulch for all projects, conducted or authorized by the Forest Service, on National Forest System Lands. If State certified straw and/or mulch is not available, individual Forests should require sources certified to be weed free using the North American Weed Free Forage Program standards or a similar certification process.

Standard 7. Inspect active gravel, fill, sand stockpiles, quarry sites, and borrow material for invasive plants before use and transport. Treat or require treatment of infested sources before any use of pit material. Use only gravel, fill, sand, and rock that is judged to be weed free by District or Forest weed specialists.

Standard 13. Native plant materials are the first choice in revegetation for restoration and rehabilitation where timely natural regeneration of the native plant community is not likely to occur.

selected native grasses and forbs by the District botanist. A concurrence letter from the USFWS was received on August 14, 2008.

### ***Finding of the Absence of Adverse Effects to Extraordinary Circumstances***

Scoping to determine the presence or absence of potential effects on extraordinary circumstances occurred starting in the April 2008 Umpqua National Forest Schedule of Proposed Actions; eleven statements of interest were received. Based on my review of the interdisciplinary analysis, I find that this project does not adversely affect any of the extraordinary circumstances listed in 1909.15, 30.3(2). Specifically, I find that this project does not adversely affect: (a) endangered or threatened species or their critical habitats, or any Forest Service sensitive species; (b) floodplains, wetlands or municipal watersheds; (c) Congressionally designated areas such as wilderness or National Recreation Areas; (d) inventoried roadless areas; (e) Research Natural Areas; (f) Native American religious or cultural sites, or archaeological or historic properties and sites.

### ***Finding of Consistency with All Applicable Federal Laws and Regulations***

Based on my review of the actions associated with this project and all applicable specialists' reports, I find that the project is consistent with the Clean Air Act, Clean Water Act, Endangered Species Act, National Forest Management Act, and the National Historic Preservation Act. Therefore, I find that the Kincaid's Lupine Habitat Restoration Project is consistent with applicable Federal laws and regulations.

### ***Finding of Exclusion from Further National Environmental Policy Act Analysis***

Based on my review of (1) the actions associated with this project; (2) the environmental consequences documented in the interdisciplinary analysis; (3) the consistency of this project with applicable laws, regulations, and management direction; (4) the non-jeopardy to endangered or threatened species or heritage resources; and (5) the absence of adverse effects to extraordinary circumstances; I find that this project is not significant in either context or intensity (40 CFR 1508.27) and that no extraordinary circumstances are associated with these projects (FSH 1909.15). I also find that this project will produce no adverse environmental effects, individually or cumulatively, on the physical, biological, or social components of the human environment. Therefore, I find that the Kincaid's Lupine Habitat Restoration Project is categorically excluded from analysis in an Environmental Assessment or Environmental Impact Statement (40 CFR 1508.4 and FSH 1909.15, Chapter 30.3, Part 1) and that the category of exclusion is Category 6 and Category 12 as identified in Forest Service Handbook 1909.15, Chapter 31.12.

### ***Appeals***

Pursuant to 36 CFR 215.12(e)(1), this decision is not subject to appeal as no comments were received during the 30-day comment period.

### ***Implementation***

Pursuant to 36 CFR 215.9(c)(1), this decision may be implemented immediately.



**Contact Person**

For additional information concerning this project, contact Roshanna Stone, Tiller District Ranger, 541-825-3107 or by email at [rstone@fs.fed.us](mailto:rstone@fs.fed.us) or Richard Helliwell, Umpqua National Forest Supervisor's Office, 541-957-3337, or by email at [rhelliwell@fs.fed.us](mailto:rhelliwell@fs.fed.us).

/s/ Roshanna Stone

Roshanna Stone

District Ranger

9/03/08

Date Signed

9/09/08

Date Published