

# Decision Notice & Finding of No Significant Impact Park Smith Thin

USDA Forest Service  
Sweet Home Ranger District, Willamette National Forest  
Linn County, OR

T12S, R6E, Sections 22-27 and 33-36; T12S, R7E, Sections 19 and 30-32; T13S, R6E, Sections 1-4, 9-16, and 22-36; T13S, R7E, Sections 4-9, 15-21, 30 and 31; T14S, R6E, Sections 1-5, 8-12, 13-17, 20-23 and 28; and T14S, R7E, Sections 6 and 7, Willamette Meridian

## Introduction

This decision notice documents the decision and rationale for the Park Smith thinning project. The decision is based on the information and analyses found in the *Park Smith Thin Environmental Assessment* (EA), 2008. All citation pages numbers refer to this EA unless otherwise noted.

The **purpose** of the project is to:

- **improve stand health and vigor** and **enhance tree growth** in 30-60 year-old managed stands in both uplands and selected portions of Riparian Reserves
- **encourage species diversity** which more closely resembles that of native plant communities and **reduce the population of off-site ponderosa pine** in three stands where it is present within proposed harvest units
- **increase stand complexity**, where needed, to more closely mimic that usually found in natural stands because of normal disturbance agents. This may include understory development, creation of snag and down wood habitat, retention of minor conifer species and hardwoods, etc.
- **accelerate structural development** in stem-exclusion stands that are adjacent to patches of late-seral forest to ultimately reduce landscape level fragmentation and edge effects.
- **provide wood products** to the local market

In addition to the project purposes outlined above, the following apply to specific parts of the project area:

- **accelerate development of late-successional stand characteristics** in critical habitat<sup>1</sup> for the northern spotted owl
- **improve northern spotted owl dispersal habitat** in the Santiam Area of Concern over time

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<sup>1</sup> This project was published for review prior to the US Fish and Wildlife Service announcement of the final revised designation of critical habitat under the Endangered Species Act for the threatened northern spotted owl (*Strix occidentalis caurina*). Areas of the project that had been designated as **critical owl habitat** no longer fall under that designation although parts of the project area are still within the **Santiam Area of Concern**. The **Area of Concern** was identified to improve connectivity between blocks of suitable habitat for the owls by providing habitat conditions that meet at least minimum dispersal requirements (*page 16*). Changes in designation of **critical habitat** do not affect the need to develop the desired stand characteristics outlined in the project objectives.

- **accelerate development of large trees and structural components** in Riparian Reserves (*page 20*)

This **action is needed** because these stands generally have dense crowns that block out light to the forest floor and limit understory development although portions of these stands also have open, patchy areas. In the densely stocked areas, the trees are competing for growing space, nutrients and light and are beginning to show signs of reduced health and vigor as evidenced by reduced growth; tree mortality; suppression; and insect and disease activity. In addition, a few of these stands were planted with a component of off-site Ponderosa pine which are showing signs of maladaptation and are being damaged and killed by insects.

These dense, young stands are largely single-storied and dominated by Douglas-fir and noble fir with minor tree species scattered throughout. They exhibit a simplified structure in terms of canopy layers and understory species abundance although understory shrub vegetation is more prevalent in the open areas and includes blue huckleberry, Dwarf Oregon grape, vine maple, *ceanothus*, Prince's pine, and rhododendron (*pages 20-22*).

In order **to meet the various project objectives**, these young, managed stands are proposed to be commercially thinned. Studies have shown that “trees grown in dense plantations are most responsive to thinning when they are less than 80 years old” (PNW, 2002). The managed stands identified for treatment in this watershed are between 30 and 60 years old, a time when they are most responsive to thinning. In addition, these stands are showing signs of decreased growth and vigor due to inter-tree competition for sunlight, water and nutrients and some stands are experiencing reduced health from insects and diseases.

Given that the age of the stands is optimal to respond to thinning, the stands show a need for thinning as evidenced by inter-tree competition, and a need has been identified to develop structural diversity in these managed stands, the stands proposed for treatment are good candidates in this area and at this time (*page 9*).

The stands being considered for treatment with this project were established after clearcutting and were planted primarily with Douglas-fir and noble fir. Planting in a few of the stands also included a component of off-site ponderosa pine. In addition to the planted trees, a mixture of other conifer species naturally seeded in making up a minor component of the overstory. These minor species include Pacific silver fir, grand fir, western hemlock, western redcedar, incense cedar, Engelmann spruce, western white pine, and lodgepole pine.

Average stand conditions, as well as the range of stand conditions, are outlined in Table 1.

**Table 1: Average stand conditions**

	Age (total years)	Overstory diameter (inches)	Overstory height (feet)	Overstory trees per acre	Total canopy closure
<b>Average</b>	49	12.6"	66'	239	80%
<b>Range</b>	31-60	9.9-15.4	54-83'	116-374	64-96%

Several insects and diseases were identified in these stands. Root rot diseases, primarily annosus root rot (*Heterobasidion annosum*) and armillaria root rot (*Armillaria ostoyae*), are occurring and resulting in tree mortality. This mortality tends to occur in clumps and has likely contributed to the development of the open patchy areas in some of the stands. Mountain pine beetle (*Dendroctonus ponderosae*) is causing mortality in the lodgepole pine and ponderosa pine and white pine blister rust (*Cronartium ribicola*) is causing damage and mortality in the western white pine (pages 8-9).

The **Park Smith Thin EA documents the analysis of two action alternatives** to commercially thin these young, densely-stock, managed stands in the Parks Creek/Lost Lake; Hackleman Creek and Smith River subwatersheds on the Sweet Home Ranger District of the Willamette National Forest, **as well as a No-Action alternative**. The environmental document discloses the direct, indirect and cumulative environmental impacts that would result from the proposed action as well as alternative ways of achieving project objectives.

This Decision Notice identifies the alternative that the agency has chosen to implement as well as the rationale for selecting that alternative. The Finding of No Significant Impact (FONSI) documents why this action will not have a significant effect on the human environment and documents consistency with applicable management direction, laws, regulations, or executive orders that apply to the decision being made. It also explains why an environmental impact statement is not necessary for this project.

## Decision and Decision Rationale

I have considered the project's purpose and need, the analysis of resource effects for the various alternatives to address the project objectives as discussed in the EA, as well as the comments received during scoping and the 30-day comment period, to help me decide which alternative to select for this project.

I am selecting **Alternative 3**, thinning the stands with a focus on accelerating the development of late successional stand characteristics in critical habitat for the northern spotted owl and increasing time between harvest entries as described on pages 38-56 of the EA with the following modifications:

- The skyline portion (about 19 acres) of unit 20 and the temporary road accessing it will be dropped from the decision.

With this modification, **Alternative 3** commercially thins about 1272 acres of 30-60 year-old, even-aged managed stands in the Park/Lost Lake, Hackleman and Smith subwatersheds to increase growth and vigor of residual trees; accelerate development of structural and compositional diversity.

The modified Alternative 3 actively addresses project objectives, significant issues and input from the public. By treating these stands now, we can accelerate future desired stand conditions (*pages 74-75*). Although both action alternatives accelerate achievement of the identified stand conditions, there are subtle differences between the two action alternatives. Alternative 3 thins 175 acres more intensely than Alternative 2 offering the greatest opportunity to promote structural and natural vegetation species diversity than the other two alternatives (*page 73*). On these acres, wider leave tree spacing allows more opportunity to promote shrub and herbaceous growth in the understory for a longer period of time than Alternative 2. This, in conjunction with the existing openings in these stands, better addresses public concerns for big game forage in summer range in these high emphasis areas. It also allows for a longer period of time between successive harvest entries allowing longer recovery time and minimizing frequency of potential species disturbance.

After considering public input regarding proposed temporary road access, I chose to drop the road and 19 acres of Unit 20 and retain the remaining roads in the project. My decision to drop this portion of Unit 20 at this time addresses some concerns from the public about the road accessing this unit and also allows time for that portion of the stand to develop for future management potential.

Other road concerns<sup>2</sup> on access involve existing non-system roads. Using the identified roads will minimize potential for stand damage by allowing shorter yarding distances. In addition, the roads will have to be improved in order to use them during harvest. The roads will also be identified for closing after harvest. These improvements to the road, and ripping and seeding the road following harvest activities, will make these areas more hydrologically stable in the long-term than they are currently.

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<sup>2</sup> The road to Unit 23 was incorrectly displayed in Table 7 (*page 45*) as a new temporary road. This road already exists and allows for uphill yarding over relatively short distances which results in less potential stand and soils impacts than downhill logging to the main road at the bottom of this unit.

Alternative 3 also represents the most economically viable alternative. The analysis presented in the EA demonstrated that this alternative will produce sales that have historically been economically viable in the local economies.

Although the areas within this project are no longer considered *critical owl habitat* much of the area is still within the *Santiam Area of Concern* and is identified as important areas for connectivity and dispersal habitat for the northern spotted owl. The long term desired conditions for these Areas of Concern include those same elements managed for under critical habitat. Those include: multi-layered, multi-species canopy structure, with trees greater than 30" DBH, and stands typically greater than 120 years old. This alternative meets requirements under the amended Willamette Forest Plan and was prepared in accordance with Forest Plan standards and guidelines and other resource guidance (*pages 10-19*) and applicable laws, regulations and policies (*pages 173-179*).

### **Other Alternatives Considered**

In addition to the selected alternative, I considered two other alternatives in detail: **No Action** and action **Alternative 2**. A description of these alternatives can be found in the EA on pages 32 -36 and 42-56. In addition, a comparison of these alternatives can be found in the EA on pages 57-60. Other alternatives considered but not evaluated further are described in the EA on page 61.

#### **Alternative 1 No Action**

Under the No Action alternative, current management plans would continue to guide management of the project area.

Accomplishing project objectives of increasing growth and vigor of residual trees and accelerating the development of structural and compositional diversity of young, densely-stocked, uniformly-spaced, managed stands under the No Action alternative would be addressed passively, without timber management intervention. Stands would be allowed to advance through the natural growth cycle of competition for growing space resulting in growth reductions and eventual mortality of some trees. At this point there would be an expression of further dominance by some of the remaining trees and eventually a shade-tolerant canopy layer would develop. The rate at which these stands develop the desired stand characteristics would be dependent on growth rates and frequency of natural disturbances such as fire, insects and diseases.

In this alternative the off-site ponderosa pine would persist as a component of the stands where it has been planted. It would continue to exhibit signs of maladaptation through mortality, thinning crowns, bole deformities and susceptibility to insect damage.

Finally, the objective of providing wood products would not be realized at this time (*page 32*).

*This alternative was not selected because it does not address the purpose and need of the project. These stands are managed stands. They will likely take much longer, if ever, to achieve desired stand characteristics without active treatments. Modeling of four late-successional structural attributes (1) large diameter living trees, (2) multiple canopy layers, (3) large dead trees, and (4) large wood material on the forest floor shows that the No Action Alternative only developed three of the four attributes in 100*

years. This alternative did not develop multiple canopy layers when modeled for 100 years. Also, this alternative did not meet one of the project objectives of providing wood products (page 74).

## **Alternative 2**

This alternative (pages 33-37 and 42-56) addresses all of the basic project objectives but focuses on different elements of the purpose and need than the selected Alternative 3. The focus of this alternative is on: a) accelerating development of large trees and structural components in stands with a large component of Riparian Reserves, and b) accelerating structural development in stem-exclusion stands that are adjacent to patches of late-seral forests with the ultimate goal increasing the size of the late-seral patches to more closely approximate historic conditions. Another goal in the Riparian Reserves and stands adjacent to late-seral patches is to minimize the frequency of disturbance to these areas from management actions. The focus for the remainder of the stands is to enhance growth while also meeting other project objectives.

Alternative 2 thins about 292 acres to an average 40% canopy closure to maximize individual tree growth and 999 acres to an average 60% canopy closure with the goal of maximizing stand growth.

For the most part, in this alternative, 40% canopy closure thins are prescribed in stands: 1) with a large component of Riparian Reserves or 2) adjacent to existing late-seral habitat patches with the intent of increasing the size of those patches. In both of these areas, the long-term goal is to develop late-seral stand characteristics. Within the Riparian Reserves, thinning to an average 40% canopy closure not only maximizes individual tree growth but also extends the time period between successive harvest entries in order to minimize the frequency of disturbance here.

Thinning to an average 40% canopy closure in the Riparian Reserves would occur only in the outer portions of the Riparian Reserves that are outside of the primary shade zone. The area adjacent to stream channels would not be harvested. Thinning stands to an average 60% canopy closure in remaining stands would maximize stand growth, allow understory development, and provide future commercial thinning opportunities.

*This alternative was not selected because Alternative 3 addresses the purposes and needs outlined in the EA better including: accelerating the structural development faster by releasing more trees with heavier thinning (allowing more trees to respond during the most critical 30-60 year old timeframe), providing more wood product, and delaying harvest frequency longer in these units.*

## **Public Involvement**

The proposal for Park Smith Thin Timber Sale was first listed in the Schedule of Proposed Actions (SOPA) or “Forest Focus” in the fall of 2007 (July 2007- Sept 2007) and has been listed throughout the project planning process. The Willamette National Forest publishes the SOPA quarterly on the web and sends the document to over 100 individuals, groups and industry representatives. The SOPA provides a way of informing the public about upcoming projects and keeps them abreast of progress of individual projects.

A scoping letter dated May 1, 2007 was mailed to people, organizations or agencies on the district’s mailing list who had expressed interest in district projects or were affected by them. This letter briefly

described the Park Smith Thin Timber Sale project and invited them to a public meeting to discuss it. In addition, a news release was issued on May 8, 2007 inviting the public to this meeting. A copy of the letter and the mailing list can be found in the project record.

### **Federal, State and Local Agencies**

Formal consultation with the U.S. Fish and Wildlife Service was completed and a Biological Opinion was received on April 4, 2008. A Not Likely to Adversely Affect (NLAA) determination was made (USDI, 2008).

Consultation with U.S. Fish and Wildlife Service for fisheries was not required since no bull trout habitat exists in the planning area. In addition, consultation with NOAA Fisheries was not required because this undertaking would have no effect on ESA-listed anadromous fish species.

Under the Programmatic Agreement among the USDA, Forest Service Pacific Northwest (Region 6), The Advisory Council on Historic Preservation, and the Oregon State Historic Preservation Officer regarding Cultural Resource Management in the State of Oregon by the USDA Forest Service (2004) the Forest Heritage Specialist has project review authority, and certifies that the project complies with Section 106 of the National Historic Preservation Act. That certification of this project as “No Historic Properties Affected” was completed in June 2008.

### **Tribes**

The Park Smith Thin Project was included in the Annual Program of Work Review with the Confederated Tribes of the Grand Ronde on February 20, 2008 and the Confederated Tribes of Siletz Indians on April 10, 2008. No comments have been received specific to this project as a result of these meetings.

Government-to-government consultation regarding this project was conducted during the winter of 2008. A letter describing the Park Smith Thin Timber Sale was mailed to tribal contacts at Confederated Tribes of the Grand Ronde. No comments were received from the tribes.

A number of prehistoric sites were identified near the proposed harvest units. Located sites have been protected from ground-disturbing activities by removing them from harvest units or buffering them from mechanical disturbance. No impacts, as outlined in the American Indian Religious Freedom Act, are anticipated with any of the proposed activities.

### **Results**

The following is a brief summary of topics they raised regarding this project:

- Articulating the objectives of seasonal operating restrictions rather than being prescriptive in order to allow for more options/flexibility in how the objectives of the restrictions are met
- Not implementing variable-density thinning in matrix land allocations. Instead do what is silviculturally best of the stands in terms of increasing timber production
- Concern about the health of off-site ponderosa pine in proposed harvest units and others within the planning area

- Concern for removing hazard trees along haul routes to better ensure safety.
- Concern about the economic viability of the project.
- Set fuel treatment standards to attain in the EA rather than being prescriptive about how the standards are met.

The interdisciplinary team reviewed the written comments and incorporated the concerns into the issues where applicable and appropriate. Information related to these concerns was either addressed in the discussion of the issues and environmental consequences or were used in the project design or in various sections of the environmental analysis, analysis file or Decision Notice.

Using the comments from the public and other agencies, the interdisciplinary team identified several issues regarding the effects of the proposed action. The significant issues included: 1) the tradeoffs of improving habitat quality in the Critical Habitat Unit (CHU) for northern spotted owls with the frequency of disturbance to owls, and 2) the tradeoffs of growing large trees and developing structure within Riparian Reserves with the frequency of disturbance to the area and the risk of potential effects to aquatic and terrestrial resources here. To address these concerns, the Forest Service created the alternatives described above.

### **Public Comments**

A legal notice appeared in the Eugene Register-Guard (the newspaper of record) on August 11, 2008 advertising the 30-day public review of the draft environmental assessment. Letters were sent to interested publics and a draft environmental assessment was posted on the Forest Website. This document was available to download from the Forest website or could be viewed directly from the forest website. It was also made available at the District Office or was mailed in hardcopy to those who requested it. Comments were received from three individuals/ organizations during the 30-day public review of the draft EA and responses to those comments follow:

**Comment #1** – *All timber sales should be economically viable and this one is not likely to be. The trees are too small to make an economical timber sale at today's pond values. Removing this small timber, means low volumes per acre and this drives both cutting and logging costs extremely high.*

**Response to Comment #1:** Every effort was made to use appropriate and economical harvesting systems for all units on this project. The most cost-effective system that met these resource objectives was prescribed in both action alternatives. The analysis shows that the sales should be economically viable.

The method used for determining the timing of commercial thinning in the stands proposed for thinning utilizes Curtis' relative density (Curtis, 1982). Relative densities of 50 or greater are indicative of stocking levels sufficient to cause competition mortality in stands. Recommended relative densities to maximize stand growth and vigor is within 35 to 50. Currently, the relative density of most of the stands is well over 50 and the average for all stands is 56 (see Silvicultural Prescription - Appendix A in the project record for relative densities of individual harvest units).



Stands considered for treatment were investigated in the field by a certified silviculturist and received a stand exam using Region Six protocol. Average stand conditions can be found in the table below. Unit by unit descriptions of current stand conditions can be found in the silvicultural prescription in the project record and in the EA - Appendix A.

<b>Average Stand Conditions</b>					
	<b>Age (total years)</b>	<b>Overstory diameter (inches)</b>	<b>Overstory height (feet)</b>	<b>Overstory trees per acre</b>	<b>Total canopy closure</b>
Average	49	12.6"	66'	239	80%
Range	31-55	9.9-15.4	54-83'	116-374	64-96%

Existing and future stand conditions were modeled using stand examination data and the Forest Vegetation Simulator (FVS) model.

The economic viability of the project was evaluated on pages 161 of the EA. Economic Analysis worksheets are contain in EA - Appendix C. The project will be packaged into two timber sales which take into consideration the logging systems, haul routes, and timber volumes to make economical viable timber sales. Recently timber markets have been poor. This project is scheduled to sale in 2010. It is uncertain as to what the timber markets will be like at that time.

**Comment #2** –*The planning area is located in both moderate and high emphasis areas for big game as identified in the 1990 Willamette National Forest LRMP. The Sweet Home Ranger District continues to ignore the direction of the LRMP and look for reasons to make big game habit a non-significant issue.*

**Response to Comment #2:** Units proposed for harvest are located within North Fork Park, Maude and Hackleman high big Game Emphasis Areas (BGEA) and Browder and Frost medium emphasis areas (page 120-125). Although development of big game habitat was not a significant issue in this analysis area does not mean that it was ignored in the project design.

As stated in the environmental consequences section of the EA, not taking action for this project would result in less forage than the action alternatives because the dense canopy closure does not allow light to the forest floor to produce abundant forage. The discussion goes on to state that both action alternatives provide the opportunity to improve big game hiding and thermal cover by reducing tree density and allowing more structural diversity to develop sooner than could be expected in the No Action Alternative. Reducing the canopy cover allows more sunlight to reach the forest floor to promote shrub and herbaceous vegetation growth. The development rate of complexity is greater in action alternatives than would occur naturally under No Action barring any major natural disturbance.

Either action alternative would improve habitat conditions in the long term. In addition, approximately 14 miles of open road would be decommissioned, thus further improving the overall habitat quality for elk (*pages 124-125*).

Gaps are only one treatment in promoting big game forage. In the section of the EA entitled “*Alternatives Not Considered in Detail*” there is an explanation of why gaps in particular were not considered for this project. The following summarizes the logic considered for this project:

*Although forage values are not optimal in either BGEA, there were other resource concerns which also had an influence on harvest prescriptions for these young stands such as:*

- *Meeting Northwest Forest Plan Temperature TMDL Implementation Strategies (Sept. 2005) requirements to maintain at least 50% post-harvest canopy closure in secondary shades zones of Riparian Reserves along 303 (d) listed streams and their tributaries (page 16);*
- *Meeting project objectives to accelerate development of habitat conditions in critical habitat for northern spotted owls which include moderate to high canopy closures 60-80% (page 28)*
- *Requirements for federal agencies to ensure that any actions they authorize, fund or carry out are not likely to jeopardize the continued existence of a listed species, or destroy or adversely modify its designated habitat (EA page 16).*
- *Encouraging the development of dispersal habitat in the Santiam Area of Concern (pages 18 and 21).”*

All of the above reasons were valid when the project was proposed. Even though critical habitat has been dropped from this area, the other concerns still apply to this area (see response to comment #3).

**Comment #3** – *Due to the change in direction for the planning area (no longer critical habitat) and because the project is not economical, a new alternative should be developed that considers new information on northern spotted owl critical habitat and addresses the need to improve big game forage in moderate and high emphasis big game areas.*

**Response to Comment #3** – Although the areas within this project are no longer considered *critical owl habitat* much of the area is still within the *Santiam Area of Concern* and is identified as important areas for connectivity and dispersal habitat for the northern spotted owl. There is the need to improve stand structure in these young, single-storied, managed stands. The long term desired conditions for these **Areas of Concern** include those same elements managed for under critical habitat. Those include: multi-layered, multi-species canopy structure, with trees greater than 30” DBH, and stands typically greater than 120 years old. This alternative meets requirements under the amended Willamette Forest Plan and was prepared in accordance with Forest Plan standards and guidelines and other resource guidance (*pages 10-19*) and applicable laws, regulations and policies (*pages 173-179*).

In the selected alternative there are more acres are thinned to 40% canopy closure. In this thinned area, forage for big game will be improved over current conditions for a time (*page 125*).

The economics of this sale under normal economic conditions would provide a viable offering. The sale is scheduled to be sold in 2010. It is hard to estimate how the economic conditions would change between now and then (see response to comment #1).

**Comment #4** – *Even though temporary roads planned for this project will be closed, ripped and seeded following project activities, they still have a myriad of impacts including acting as vectors for noxious weed dispersal, facilitating destructive OHV routes and trash dump sites, and modifying animal behavior. Concern was raised about specific temporary roads to Units 20, 23, 27 and 36/41.*

**Response to Comment #4** – The environmental analyses took into consideration the issues associated with temporary roads identified above and indicated no significant effects associated with these roads. Sale design criteria such as closing, ripping and seeding these roads help to address some of these concerns. In addition, pre-treating existing weed sites, washing equipment used to log sites, and seeding disturbed areas with native species help to reduce weed establishment along temporary roads (EA page 50-51). In addition, many of these roads currently exist on the landscape and would be closed, ripped and seeded with this project thus improving conditions in the long-term.

**Comment #5** – *Thinning will capture mortality and increase vigor thus reducing dead wood habitat that important for owl prey species. Thinning can delay the attainment of objectives for large snags for decades.*

**Response to Comment #5** – Thinning can delay snag development in harvest units but several methods have been employed in sale design criteria to address this issue including: a) retaining existing snags and down wood where safety permits; b) leaving a minimum of 5 wildlife trees (2 snags and 3 down wood) per acre (EA Page 92) and c), retaining about 1/3 or the original acres in the stands being treated as unthinned (EA page 42). These unthinned areas act similarly to the No Action alternative in snag development, albeit on fewer acres.

In the units proposed for treatment current snag levels are very low (30% tolerance range – DecAid) due to broadcast slash burning which often destroyed any habitat structure that was left after logging activities. Down wood levels are high (80% tolerance range – DecAid) however they exhibit low diameter classes and down wood over 12” is extremely limited (EA page 89).

Thinning these stands will eventually result in improved snag and down wood habitat over current conditions (EA page 91).

All correspondence and full text of the comment letters received during both the initial scoping and the 30-day review are available in the analysis file for Park Smith Thin Timber Sale at the Sweet Home Ranger District office.

I have reviewed the results and findings of the environmental analysis and the supporting appendices, public comments and responses to those comments and considered them in making this decision.

## **Finding of No Significant Impact**

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effects on public health and safety, because various design criteria and mitigation measures will be utilized to minimize potential health and safety risks. Examples include:
  - Minimizing risk of traffic accidents by avoiding timber sale operations during key holiday weekends and the opening weekends of deer and elk rifle hunting seasons (EA page 55).
  - Danger trees along haul routes would be identified, assessed, and treated according to the Forest Service Pacific Northwest Region (Region 6) policy as detailed in FSM 7733, R6/PNW Supplement Number 7730-2005-1, December 12, 2005 (EA page 55).
  - Fuel treatments, which include burning, will be in compliance with the Willamette Forest Plan, the Oregon Smoke Management Plan and the Northwest Oregon Fire Management Plan to ensure compliance with the Clean Air Act (EA page 54).
  - Design criteria, mitigation measures and Best Management Practices utilized in Riparian Reserve prescriptions are consistent with current management direction for protecting water quality including Willamette Forest Plan standards and guidelines, Aquatic Conservation Strategy Objectives at the project level, and the Federal Clean Water Act. Implementation of required Best Management Practices will ensure protection of water quality and beneficial uses (EA page 51-52).
3. There will be no significant effects on unique characteristics of the area, because
  - The areas proposed for ground-disturbing activities have been surveyed and evaluated for the presence of heritage resources. Areas with historic or cultural resources were avoided, buffered, or otherwise protected from the disturbing effects of harvest operations and yet-to-be discovered sites uncovered during project implementation will result in suspension of operations until appropriately addressed by the district archaeologist (EA page 55-56 and 170-173);
  - There are no park lands or prime farmlands within, adjacent to, or affected by the project (EA page 178); and

- Wetlands will be appropriately buffered from disturbance activities (*EA, page 51 and Appendix A*);
4. The effects on the quality of the human environment are not likely to be highly controversial. This project is based on the best available scientific information and site-specific data. The methodologies used to estimate the effects disclosed in the Environmental Consequences section of the environmental assessment are widely used in similar environmental analyses and have been reviewed by the research and academic communities. I am not aware of any credible, peer-reviewed scientific questioning of the methods used in this analysis, nor its results.
  5. Sweet Home Ranger District has considerable experience with the types of activities to be implemented by this project. Similar types of timber harvest activities, fuel treatments, road work and other connected or similar actions have occurred on this district, this forest, and other National Forests. Samplings of these projects on this district and this forest have been monitored and have been shown to meet the amended Willamette Forest Plan standards and guidelines. In addition, the analysis in this document shows the effects of this project are not uncertain and do not involve unique or unknown risk (*EA pages 62-173*).
  6. The action is not likely to establish a precedent for future actions with significant effects, because the proposed thinning is a common land management practice and the effects of this project are within the standards and guidelines outlined in the amended Willamette Forest Plan (*EA pages 62-173*).
  7. The cumulative impacts are not significant (*EA pages 70, 72, 75, 80, 84, 87, 91-92, 106-107, 112, 116, 125, 127, 131-132, 145-147, 157-158, 166, 168, 169, 170, and 173*). The environmental effects analysis section of this EA evaluates the effects of past, present and reasonably foreseeable actions for the various resources affected by this action. The Upper McKenzie Watershed Analysis incorporated by reference in the EA (*EA page 18*) provides a contextual basis for cumulative effects in this area. The analysis showed that there were no significant direct, indirect, or cumulative impacts to the various physical, biological and social resources discussed in the environmental consequences section of the EA.
  8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because an appropriate inventory was conducted for properties which may be eligible for inclusion in the National Register of Historic Places and appropriate avoidance measures taken so no effects to these resources are expected (*EA pages 55-56 and 170-173*). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (*EA pages 55-56 and 170-173*).
  9. The action will not adversely affect any endangered or threatened species or their habitat that has been determined to be critical under the Endangered Species act of 1973, for the following reasons:

- No critical habitat for Endangered Species Act (ESA)-listed threatened or endangered plant species exists within the project area or would be affected by the project (*Botanical Resources Report (January 200) and Botanical Evaluation – (January 2008)* in project record).
  - No critical habitat for ESA-listed threatened or endangered fish species exists in the project area or would be affected by the project (*EA page 181*).
  - After the August 2008 revision of Critical Habitat designations for northern spotted owl, there is no longer critical habitat within the planning area. Formal consultation with the U.S. Fish and Wildlife Service, on this project, was completed and a Biological Opinion received April 2008. A “not likely to adversely affect” determination was made. The terms and conditions of the Biological Opinion are adhered to in this project (*EA pages 49-50*).
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (*EA pages 173-179*). The action is consistent with the amended Willamette National Forest Land and Resource Management Plan (*EA pages 10-13*).

## **Findings Required by Other Laws and Regulations**

This decision to implement Alternative 3 is consistent with the intent of the amended Willamette Forest Plan's long term goals and objectives listed on pages IV-2 to IV-44. The project was designed in conformance with Land and Resource Management Plan standards and incorporates appropriate land and resource management plan guidelines for Management Area 11A (Scenic Modification Middleground); Management Area 11C (Scenic Partial Retention Middleground); Management Area 11F (Scenic Retention Foreground); Management Area 14A (General Forest/Matrix) and Management Area 15 (Riparian Reserves) where activities will occur when this decision is implemented (*EA pages 10-13*). A complete explanation of the Management Area goals and objectives, descriptions of the desired conditions for each area and applicable standards and guidelines can be found in the Willamette Forest Plan, Chapter IV, and the Northwest Forest Plan in Attachment A to the Record of Decision.

It is also consistent with the management requirements in the Santiam Area of Concern for northern spotted owls.

This decision follows all applicable State and Federal laws, regulations and policies including the National Forest Management Act of 1976; the National Environmental Policy Act (NEPA) of 1969; Endangered Species Act (ESA) of 1973; Clean Air Act of 1955 as amended; Federal Water Pollution Control Act (Clean Water Act) of 1972 as amended; Magnuson-Stevens Fishery Conservation and Management Act of 1976; Wild and Scenic Rivers Act of 1968 as amended; Wilderness Act of 1964 as amended; Executive Order 13186 on Neotropical Migratory Birds; National Historic Preservation Act of 1966 as amended; Executive Orders 11988 and 11990 on Floodplains and Wetlands; Executive Order 12898 on Environmental Justice in Minority Populations and Low Income Populations; Executive Order

13112 on Invasive Species; Oregon State Best Management Practices (BMP's); Oregon Smoke Management Plan; Sufficiency Analysis for Stream Temperatures – Evaluation of the Adequacy of the Northwest Forest Plan Riparian Reserves to achieve and maintain stream temperature water quality standards (*EA pages 173-179*).

The environmental assessment also follows guidance in the Upper McKenzie Watershed Analysis which was prepared in 1995 and 2006 in accordance with the Northwest Forest Plan. As directed in the Northwest Forest Plan this watershed analysis was completed prior to the proposed treatments in the Riparian Reserves. The proposed treatments are consistent with findings in the watershed analysis and adhere to Riparian Reserve standards and guidelines at both the project level and at the 5<sup>th</sup> field watershed level. This project will not retard or prevent attainment of Aquatic Conservation Strategy Objectives outlined in the Northwest Forest Plan (*EA pages 18, 158-160, and 179*).

Furthermore, the NW Forest Plan Temperature TMDL Implementation Strategies (September 2005) were followed and an analysis was completed to ensure protection of “primary shade zones” in order to moderate water temperatures on the 303 (d)-listed McKenzie River and its tributaries.

## **Implementation Date**

Plans are to implement this project in fiscal year 2010. Volumes, acreages and mileages discussed in project documents are approximations based upon preliminary project design. Minor adjustments may be made to unit boundaries and unit acreages during unit layout. The Interdisciplinary Team will review any major differences between the proposal in the EA and the final layout to determine if the environmental effects of resulting environmental conditions will be different than those disclosed in the EA. If so, the procedures described in FSH 1909.15, section 18.4, Reconsideration of Decisions based upon an EA, will be followed.

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 15th business day following the date of the last appeal disposition.

## **Administrative Review or Appeal Opportunities**

This decision is subject to appeal pursuant to Forest Service Regulations at 36 CFR 215. Individuals or organizations who provided comment during the 30-day document review period may appeal this decision. The notice of appeal must be in writing and fully consistent with the requirements as described in 36 CFR 215.14.

An appeal may be mailed to Forest Supervisor, 211 E. 7th Avenue, Eugene Oregon 97440. Appeals may also be filed electronically at: [appeals-pacificnorthwest-willamette@fs.fed.us](mailto:appeals-pacificnorthwest-willamette@fs.fed.us). Electronic appeals must be submitted as part of the actual e-mail message or as an attachment in Microsoft Word (.doc), rich text (.rtf), or portable document format (.pdf) only. E-mails submitted other than to the above address will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail. Appeals may be delivered to the Forest Service office at the street address listed above Monday – Friday (other than legal holidays), between 8:00 am and 4:30 pm. Appeals may be faxed to 541-225-6222, Attn. Forest Supervisor.

The appeal must be postmarked or received by the Appeal Deciding Officer (Forest Supervisor) within 45 days of the date the legal notice of this Decision is published in the Register Guard, Eugene Oregon. For further information regarding these appeal procedures contact Environmental Coordinator, Neal Forrester at 541-225-6436. If this project is appealed, the Responsible Official (District Ranger) offers to meet with appellants to attempt to informally resolve the appeal.

## **Contact**

For additional information concerning this decision or the Forest Service appeal process, contact Anita Leach, Planner, Sweet Home Ranger District, 4431 Highway 20, Sweet Home, OR 97386, phone (541) 367-3538

/s/ Melany Glossa

MELANY GLOSSA  
District Ranger

September 19, 2008

Date



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