

Decision Memo

Sun Forest Fuels Reduction Project

USDA Forest Service

Crescent Ranger District, Deschutes National Forest

Klamath County, Oregon

I. DECISION TO BE IMPLEMENTED

Description of Decision

We have decided to authorize the maintenance and/or restoration of ponderosa pine stands by prescribed burning in the Sun Forest Fuels Reduction Project area. Prescribed fire would be applied by hand or from a helicopter. The project area is located on both the Crescent and Bend/Ft. Rock Ranger Districts near Moffitt Butte and the Sun Forest subdivision along Oregon Hwy. 31. The legal location is Township 24s, Range 11e, Sections 7, 20, 21, 22, 27, 28, 30, and 33, Willamette Meridian. Activities are designed to return an appropriate interval of frequent, low intensity fire in ponderosa pine stands (Fire Regime I) in order to lessen the risk to the adjacent community of Sun Forest. Also, it would result in a safer fire suppression effort if an unplanned ignition occurs in the area.

The primary purpose of careful introduction of prescribed fire would be to reduce ground fuels and the number and density of seedling and sapling-sized trees. It would consist of “low” to “moderate” intensity fire applied within the next five (5) years in both spring and fall burning periods. Roads or natural features would be used (where available), in addition to constructed firelines, along with constant patrol to ensure a safe operation. Prescribed burning would only be initiated when environmental factors are conducive to desired smoke dispersal and fireline intensity. No roads, either temporary or permanent, would be constructed with this proposal.

All activities are located within General Forest (Management Area 8) and Scenic Views (Management Area 9) as described in the Deschutes National Forest Land and Resource Management Plan.

In Management Area 9 (Scenic Views, Foreground), the goal is to provide visitors with high quality scenery that represents the natural character of Central Oregon. Therefore, scorching of trees would be limited to no more than 1/3 of the live crown ratio of dominant or co-dominant trees along Highway 31.

In Management Area 8 (General Forest), the goal is to emphasize timber production while providing forage production, visual quality, wildlife habitat and recreational opportunities for public use and enjoyment. Prescriptions in this management area would be the same as in Scenic Views.

The following table displays activities by acre and Forest Plan allocation:

Unit	Acres	Actions	Land Use Allocation
1	27	Prescribed underburn using hand or aerial ignition.	M9 Scenic View (SV2)
2	81	Maintenance underburn using hand or aerial ignition.	M8 General Forest and M15 Old Growth on south boundary.
3	91	Maintenance underburn using hand or aerial ignition.	M9 Scenic View (SV2) and M8 General Forest
4	102	Maintenance underburn using hand or aerial ignition.	M9 Scenic View (SV2) and M8 General Forest
5	125	Maintenance underburn using hand or aerial ignition.	M9 Scenic View (SV2) and M8 General Forest
6	141	Maintenance underburn using hand or aerial ignition.	M9 Scenic View (SV2) and M8 General Forest
7	153	Maintenance underburn using hand or aerial ignition.	M8 General Forest
8	100	Maintenance underburn using hand or aerial ignition.	M9 Scenic View (SV2) and M8 General Forest
Total	820		

The following Project Design Features would be incorporated into all activity units:

Wildlife

1. In order to maintain and mule deer migration corridors, where bitterbrush cover is less than 30 percent there should be no reduction of the brush component (e.g. Unit 6 along hillside).
2. Protect all rock outcroppings by avoidance of heat and smoke in order to protect bat habitat.
3. Burning activities will not take place within 0.25 mile of any known active raptor nest within the reproductive season for that species. Known nest sites that would be affected and related seasonal restrictions are:

Red-tailed Hawk – March 1-August 31 (Units 3, 5, 6, and 7)

Northern Goshawk – March 1-August 31 (Unit 2)

Golden Eagle – February 1-August 31 (Unit 1)

4. Retention areas designated for wildlife should not be intentionally ignited during prescribed burning. Fire exclusion or a passive backing fire is the desired outcome.
5. Protect or avoid unique wildlife habitats such as rocky ridges, squirrel caches, ant hills.
6. The objective is to retain all mountain mahogany for vegetative diversity. Survey and protect mahogany in Unit 5 prior to prescribed burning activities.

Public Safety

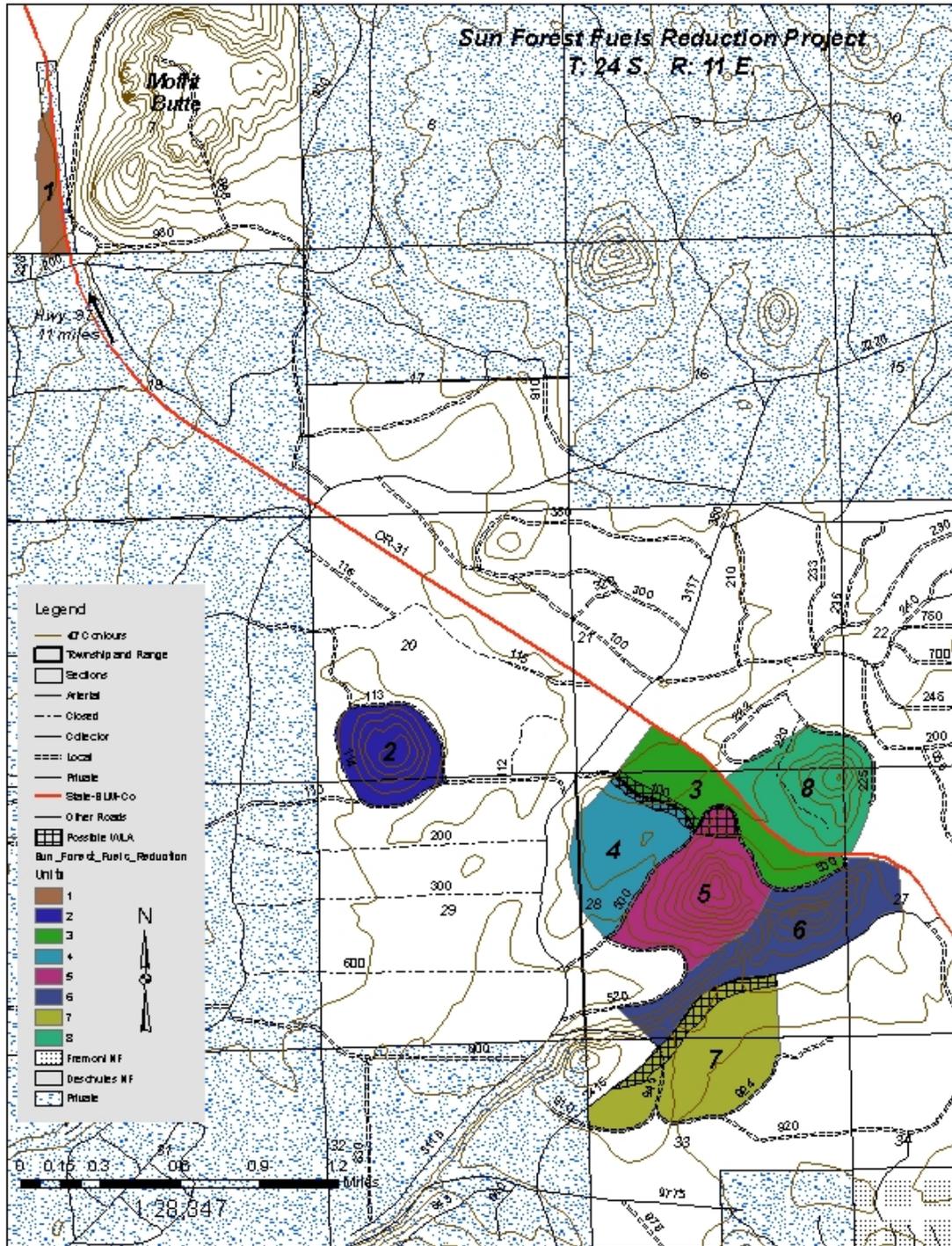
7. Sign Highway 31 to warn drivers of reduced visibility as a result of prescribed burning.

Invasive Plants

8. Utilize the following measures to reduce the risk of noxious weed introduction and

- spread:
- ensure vehicles are clean and free of soil, weed seeds, and plant parts before entering project area;
 - avoid igniting areas where weeds were found to avoid weed establishment or spread due to fire effects and treat weeds that establish or spread as a result of unplanned burning of weed infestations;
 - use appropriate preparation and suppression tactics to reduce disturbances to soil and vegetation
9. Minimize loss of large, dead standing and down logs (soft and hard) through lighting techniques and handlines.
 10. Retain a sufficient number of seedlings and saplings necessary for stocking.

Figure 1. Sun Forest Fuels Reduction Project Activities



II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 section 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. In this case, the appropriate category is 31.2 (6) “ Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56).”

We have determined that this decision is appropriately categorically excluded from documentation in an environmental impact statement or environmental assessment as it is a routine activity within a category of exclusion and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

Relationship to Extraordinary Circumstances

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. The following is the list of the potential effects to the resource conditions from the project activities.

Federally listed threatened or endangered Species or designated habitat or species proposed for Federal listing or proposed critical habitat: Implementation of the project will have no effect on federally listed threatened or endangered plant or wildlife species or critical habitat. No federally listed threatened or endangered plant or animal species or their habitat occurs within the project area.

Forest Service Sensitive plant species:

Sensitive plants – There are no sensitive plant species within the project area, although the habitat exists for *Botrychium pumicola*, *Astragalus peckii*, *Penstemon peckii*, and *Castilleja chlorotica*.

Botrychium pumicola, also known as pumice moonwort. This plant is associated with loose, volcanic soils, especially within frost pockets or comparable areas that retain soil moisture into late spring. On the Deschutes National Forest, pumice moonwort is found in two distinct habitat types; one being open pumice fields associated with subalpine ridges, and the other under lodgepole pine (*Pinus contorta*) canopy in mid-elevation forests. There is no documentation on the effects of fire on the habitat of this species, although it evolved in a landscape where fire was present.

Astragalus peckii - Peck’s milkvetch is a rare plant species that is endemic to central Oregon. The project area can be considered to provide marginal habitat. Known occurrences of this species have only been found in Klamath, Deschutes, and Crook counties. This member of the pea family (Fabaceae) is distinguished by its diminutive size (less than 8 inches tall), cream colored flowers, and its restricted habitat requirements. Peck’s milkvetch is found on sandy or pumice flats within sagebrush/grassland habitats, and occasionally in sandy openings within lodgepole pine forests. The nearest known occurrence of this species to the project area is on private land more than 10 miles away.

Penstemon peckii- Peck's penstemon is another rare endemic to Oregon found only in Jefferson, Deschutes, and Crook counties. It has been found in a variety of habitats that include ponderosa pine/mixed conifer openings, moist meadows, ditches, springs, vernal pools, streambanks, and intermittent stream channels. This species has been found extensively within the Sisters Ranger District, and most recently (in 2008) at the Crooked River National Grasslands. No occurrences of this species have yet to be found on the Crescent Ranger District.

Castilleja chlorotica- Green-tinged Indian paintbrush is another endemic species in Oregon that has been found in Klamath, Deschutes, Crook and Lake counties. It is found in openings within ponderosa pine, lodgepole pine, and mixed conifer forests. Although this species has been found on the Bend Ft. Rock Ranger District, this plant has yet to be found on the Crescent Ranger District.

Wildlife Species: The project area contains mule deer migration routes, bat habitat, and raptor nesting sites. It also consists of aspen enclosure fencing in Unit 6. Project Design Features are incorporated to address these resources.

Flood plains, wetlands, or municipal watersheds: There are none within the project area.

Congressionally designated areas such as Wilderness, Wild and Scenic Rivers, and National Recreation Areas, Inventoried Roadless Areas, or Research Natural Areas: There are none within or near the project area.

American Indian and Alaska Native religious or cultural sites, archaeological sites, or historic properties of areas: In 1989, surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties for areas that may be affected by this decision. At that time, it was determined that no resources were found that would be affected. Therefore, the project was considered exempt from case by case review and a SHPO (State Historic Preservation Office) consultation was not required.

Heritage Program review has determined that this undertaking is exempt from case-by-case review under the 2003 Programmatic Agreement (PA) using Appendix B, Items 16 & 17. Exemption 17 provides for prescribed burns where burning, line construction, or mop-up will not impact historic properties that consist of wooden structures or other fires sensitive features, or where special and proven protective measures are taken to preserve such features from fire effects. The PA documents program level consultation with the State Historic Preservation Office (SHPO), anticipating recurring projects such as this. No additional consultation with SHPO is necessary. Heritage Program documentation was finalized on 26 January 2009.

PUBLIC INVOLVEMENT

During the public scoping period, a comment was received regarding the issues of smoke within the Sun Forest subdivision and how this would impact the health of elderly persons within the subdivision.

Prior to burning, a representative of the homeowners in the Sun Forest subdivision would be notified. Prescribed burning would occur when environmental conditions are favorable and smoke is dispersed away from the subdivision. All burning would conform to the State of Oregon Smoke Management Plan.

A legal notice announcing the availability of the preliminary decision notice for public review

appeared in *The Bulletin* on February 25, 2009. The 30-day public comment period ended on March 27, 2009. No comments were received.

OTHER RELEVANT RESOURCE CONDITIONS CONSIDERED

Invasive species – During field surveys, two isolated patches of cheatgrass (*Bromus tectorum*) were found in Units 2 and 5. These two sites were recorded using GPS units, and flagged for identification and avoidance. Cheatgrass is a common, invasive species that is known to be stimulated by fire. Although common throughout the western U.S., however it is considered uncommon on the Crescent Ranger District.

BEST AVAILABLE SCIENCE AND CONCLUSION

Our conclusion is based on a review of the record that shows a thorough review of relevant scientific information, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. There were no identified opposing viewpoints. 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.

FINDINGS REQUIRED BY OTHER LAWS

This decision is consistent with the Deschutes National Forest Land and Resource Management Plan (Forest Plan) as required by the National Forest Management Act. Activities are consistent with Scenic Views by limiting tree scorch. Seasonal restrictions have been incorporated to protect known raptor nests. Consistency with the National Historic Preservation Act is demonstrated by documenting compliance with the Programmatic Agreement which is a program level consultation with the State Historic Preservation Office (SHPO).

All prescribed burning will be done in conformance with the Oregon Smoke Management Plan and therefore consistent with the Clean Air Act. Safety measures such as warning signs and/or traffic control will be employed when burning and smoke affects the safety of motorists along Highway 31.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is not subject to appeal pursuant to 36 CFR 215.12(1). Actions for which notice and opportunity to comment have been published and on which all comments received during the comment period were in favor (215.6), and on which the Responsible Official's decision does not modify the proposed action; and decision for actions that have been categorically excluded from documentation in an environmental assessment or environmental impact statement in FSH 1909.15, Section 31.1 and 31.2, except as noted in 215.7(b). The proposed actions of the project have not been changed since the preliminary Decision Memo comment period. This decision may be implemented immediately and likely will begin operations in the spring of 2009.

CONTACT PERSONS

For additional information concerning this project, contact Beccie Sakraida (Project Leader) at the Crescent Ranger District, 136471 Hwy. 97 N, Crescent, OR 97733 or via telephone at 541-433-3250.

/s/ Holly Jewkes

4/13/09

HOLLY JEWKES
Crescent District Ranger

Date

/s/ Shane Jeffries

4/15/09

SHANE JEFFRIES
Bend/Ft. Rock District Ranger

Date