

## Decision Memo

# District Wide Pre-Commercial Thinning Project

### Heppner Ranger District, Umatilla National Forest Morrow, Grant, and Wheeler Counties, Oregon

Wall Creek, North Fork John Day River-Potamus Creek, Lower John Day River-Kahler Creek, Rhea Creek, Upper Butter Creek, Upper Rock Creek, and Upper Willow Creek watersheds. A list of township and range location of each unit is available upon request.

#### **Background:**

Precommercial thinning of small diameter trees, on average less than 7 inches in diameter at breast height, is being proposed. These trees are all within previously managed plantations. These managed plantations consist of stands harvested between 1978 and 1997 and total 6,301 acres. A majority of these acres were harvested before our current Forest Land and Resource Management Plan (Forest Plan) was implemented. Reforestation has occurred in a majority of the stands (excluding lodgepole pine stands) and has resulted in a species mix which may include ponderosa pine, Douglas-fir, western larch, lodgepole pine, grand fir, and Engelmann spruce, depending on stand characteristics. Stocking of the stands varies by site productivity level, reforestation success, and time since harvest or regeneration effort.

This project includes pre-commercially thinning 6,301 acres for the purpose promoting forest health, creating wildlife habitat, large tree development, and reduce fire intensity and prevent stand replacing fire events. Stocking levels will be based on current stocking levels, plant association as determined on a stand by stand basis (Cochran et al 1994, Powell 1999) in concert with insect/disease control, fuel reduction needs, and management area emphasis. Thinning will be accomplished with manual chainsaw thinning, or mechanical thinning. Size of removed trees will be within the direction of the Forest Plan and will not be, on average within a stand, greater than 7 inches in diameter at breast height (dbh). Species diversity will be maintained if present in current stand with no less than 20% of stock in one or more alternative species.

#### **Location:**

District Wide Pre-Commercial Thinning planning area is located in Morrow, Grant, and Wheeler Counties, Oregon. It consists of 299 pre-commercial thinning units located in the Wall Creek, North Fork John Day River-Potamus Creek, Lower John Day River-Kahler Creek, Rhea Creek, Upper Butter Creek, Upper Rock Creek and Upper Willow Creek watersheds. (See attached map.) A list of township and range locations is located in the project file.

The proposed stands are within the following current Forest Plan management areas: A1 (Non-motorized Dispersed Recreation; 27 acres), A4 (Viewshed 2; 175 acres), C1 (Dedicated Old Growth; 42 acres), C2 (Managed Old Growth; 13 acres), C3 (Big Game Winter Range; 307 acres), C4 (Wildlife Habitat; 2724 acres), C5 (Riparian and Wildlife, 140 acres), E1 (Timber and Forage; 1929 acres), and E2 (Timber and Big Game; 944 acres).

**Decision:**

After careful review and consideration of the analyses by resource specialists disclosed in the project record, I have decided to implement the District Wide Pre-Commercial Thinning Project. Small diameter trees, on average less than 7 inches in diameter at breast height, will be thinned from stands that have been previously managed. Project design includes:

- no mechanical thinning will occur within RHCAs
- trees currently providing shade along any perennial stream will be retained,
- tree densities within RHCAs will be at the upper end of the applicable management zone
- no removal of existing large down wood
- wildlife patches will be created at the rate of 1 to 2 acres for every 30 acres thinned and vary from one tenth to one half of an acre in size
- a 8 to 12 foot buffer will be retained on all open roads
- snags will be preserved
- one pile per acre of slash will be retained for wildlife habitat
- slash treatment may include: lopping and scattering, underburning, mechanical or hand bucking and piling, pile burning, mechanical mulching, or removing off site
- no slash removal will occur from the C1 management area.

**Findings for the Decision:**

My decision to implement this project is consistent with the scale of effects disclosed for a category of actions established by the Chief of the Forest Service which do not individually or cumulatively have a significant effect on the human environment and therefore normally do not require further analysis in either an environmental impact statement (EIS) or an environmental assessment (EA). This category is listed in the Forest Service NEPA Handbook (FSH) FSH 1909.15-2008-1, Chapter 30, Section 31.2, Category 6 (*Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction.*). I find that thinning 6,301 acres of previously managed areas to improve stand conditions to be fully consistent with the intent of Category 6. This project does not include the use of herbicides and does not include the construction of any roads.

In making my decision I considered the following conditions:

1. The project is consistent with the Umatilla Land and Resource Management Plan (Forest Plan) 1990, as amended and all applicable federal and state laws for protection of the environment.
2. There are no extraordinary circumstances that would preclude the use of the category exclusions listed above.

**Forest Plan consistency and other applicable laws:**

For the purpose of pre-commercial thinning, this project will comply with management area direction. The management areas where small tree thinning is proposed are within the nine management areas outlined below (Table 1).

**Table 1. Management areas, activity and acreage of proposed small tree thinning project**

<b>Management Area</b>	<b>Activity</b>	<b>Acres</b>	<b>Forest Plan Page Number</b>
A1 – Non-motorized Dispersed Recreation	Thinning and slash treatment	27	4-96
A4 – Viewshed 2	Thinning and slash treatment	175	4-108
C1 – Dedicated Old Growth	Thinning and slash treatment – <b>no slash removal</b>	42	4-147
C2 – Managed Old Growth	Thinning and slash treatment	13	4-151
C3 – Big Game Winter Range	Thinning and slash treatment	307	4-155
C4 – Wildlife Habitat	Thinning and slash treatment	2724	4-164
C5 – Riparian and Wildlife	Thinning and slash treatment as permitted under Pacfish	140	4-163
E1 – Timber and Forage	Thinning and slash treatment	1929	4-184
E2 – Timber and Big Game	Thinning and slash treatment	944	4-188

This project has been designed to be consistent with the Forest Plan and applicable federal and state laws. The following resource narratives summarize effects and demonstrate consistency with Forest Plan direction described for both management are and forest-wide standard and guidelines and applicable federal and state laws.

**Recreation**

The area in and around project activity provides a wide range of recreation activities, experiences, and opportunities, including but not limited to: developed and dispersed camping; sightseeing; off-highway vehicle (OHV) use; hunting; mushroom and berry picking; and snowmobiling. Small tree thinning is not expected to impact availability of recreation opportunities.

This project will not detract from the semi-primitive non-motorized setting of Non-motorized Dispersed Recreation (A1) management area. Thinning slash should be treated within one year to minimize the evidence of human activity within the A1 area.

Furthermore, this project will not detract from the scenic qualities of the Viewshed 2 (A4) management areas. Thinning slash should be treated within one year to minimize visual impact from small tree thinning along State Highway 207, FS 2100 Road, FS 2103 Road, or FS 5300 Road within the A2 area.

Implementation of project design criteria and management requirements help protect recreation opportunities through forest health promotion and maintenance of visual corridors.

### **Wildlife**

This project is consistent with the Forest-wide and management area-specific standards for the protection of wildlife habitats, including management indicator species and species of interest. The C2, C3, C4, C5, E1, and E2 management areas allow for the thinning of small diameter trees and slash disposal or removal of small diameter trees. Snags would not be cut in this proposed thinning project and efforts would be made to preserve existing snags.

Wildlife patches would be retained in each unit ranging in size from one tenth to one half acre. The goal of these patches would be to achieve a screening effect for wildlife. Additionally, visual buffers will be retained on open roads.

This proposed action would have no impact or effect on any Threatened, Endangered, Proposed, Candidate or Sensitive Species or Habitat. (Project Record – Wildlife Biological Evaluation).

### **Dedicated Old Growth**

Small diameter tree thinning would occur in 42 acres of (C1) old growth habitat management areas. This acreage is composed of portions of timber harvest units harvested in 1983 (pre-current Forest Plan) located near State Highway 207. No slash materials would be removed from this management area. Slash materials may be burned to meet Forest Plan standards in accordance with the Umatilla National Forest Land and Resource Management Plan (pp. 4-144 thru 4-146).

### **Managed Old Growth**

Small tree thinning would occur in 13 acres of (C2) managed old growth management area. This acreage is in the 0-60 year old age class and small tree thinning will be used to develop the large tree component as soon as possible as directed by the Forest Plan. Slash will be treated to meet fuel loading in accordance with the Umatilla National Forest Land and Resource Management Plan (pp. 4-151 thru 4-154).

### **Riparian and Fish**

Small tree thinning will occur in Riparian Habitat Conservation Areas (RHCAs) consistent with Pacfish riparian objectives. Tree density within these areas will be maintained within the upper 50% of the management zone as defined by Powell (1999). Only manual chainsaw thinning will occur in these areas. Slash treatment will be lop and scatter or handpile and burn.

This proposed action is consistent with Pacfish Riparian Management Objectives and protects riparian and fish resources and habitat with implementation of specific design criteria and management requirements (Project Record – Aquatic Species Biological Evaluation). This proposed action would have no impact or effect on any Threatened, Endangered, Proposed, Candidate or Sensitive Species or Habitat. (Project Record – Aquatic Biological Evaluation).

**Timber**

This project has the potential to provide biomass materials to supplement a developing industry in the local area.

**Water**

This proposed action is consistent with the Forest-wide and management area-specific standards for the protection of water resources, and will either meet or result in the satisfactory movement toward the attainment of Forest Plan Goals and Objectives for these resources. The Forest Service complies with the Clean Water Act through the use of Best Management Practices (BMPs). Because of the use of planning and application BMPs, and monitoring the implementation and effectiveness of these practices, the Heppner District Wide Pre-Commercial Thinning Project is in accordance with the Clean Water Act and complies with the Clean Water Act requirements of the 1990 Forest Plan.

**Soil**

This proposed project does not involve any critical or unique soils, geologic, or related resources requiring special consideration due to the proposed activity. Current operating systems selection and contractual controls (including Best management Practices for soil and water quality) will suffice to address potential effects to soil quality and erosion hazard concerns (Project Record – Soil Resources Report).

**Botany**

This proposed project will have no effect on any Federally Listed plants. Additionally, this project will not impact any populations of Umatilla National Forest's sensitive plants because 'no activity zones' will be created around any sites prior to implementation.

**Fuels**

The slash treatment detailed in this project is in compliance with Forest Plan Standards (Project Record – Fuels Evaluation).

**Heritage**

This project complies with Section 106 of the National Historic Preservation Act, under the terms of the 2004 Programmatic Agreement (PA) for the state of Oregon (Project Record – Heritage Resources Report).

***Extraordinary Circumstances*****Federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing, or Forest Service sensitive species**

As required by the Endangered Species Act (ESA), potential effects of this project on listed species have been analyzed and documented in Biological Evaluations for wildlife, aquatic, and plant species. In accordance with Section 7(c) of the Endangered Species Act, the wildlife biologist, fish biologist, and botanist checked for the presence of listed and proposed threatened and endangered species or their habitats, and species on the Regional Forester's (Region 6) sensitive species list that may be present. Cumulative effects were analyzed when making ESA determinations.

Based upon available information, evaluation of direct, indirect, and cumulative effects, and interrelated and interdependent actions, it has been determined that the implementation of the project will have no effect to gray wolf, the only ESA listed species that might occur near the project (Project Record – Wildlife Biological Evaluation).

Implementation of the project will have no direct, indirect, or cumulative effects on the Columbia River bull trout or Spring Chinook Salmon or to Essential Fish Habitat (EFH) for these species (Project Record – Aquatic Species Biological Evaluation).

A determination of No Impact or May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species has been given for Mid-Columbia Steelhead and Redband Trout along with all other Region 6 listed and proposed sensitive species for plants, wildlife, and aquatic species. A determination of No Effect has been given for all federally listed and proposed threatened and endangered plant, wildlife, and aquatic species (Project Record – Plant, Wildlife, and Aquatic Biological Evaluations).

See the following table for a list of threatened, endangered and sensitive species and biological determinations for the species that have the potential to occur or suitable habitat is present in the project area.

**Table 3 – Effect Determinations for Listed and Sensitive Species**

Species	Status	Determination
Gray wolf	Endangered	NE
California wolverine	Sensitive	NI
Peregrine falcon	Sensitive	NI
Mid-Columbia Steelhead	Threatened	MIH
Columbia River Bull Trout	Threatened	NE
Redband Trout	Sensitive	MIH
Spring Chinook Salmon	Sensitive	NE
NE – No effect on a proposed or listed species or critical habitat NI – No impact to Region 6 sensitive or proposed sensitive species individuals, populations, or their habitat. MIH – May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species.		

**Floodplains, wetlands, or municipal watersheds**

The project will avoid all floodplains and wetlands and will be consistent with Executive Order (EO) 11988 and Executive Order 11990. There are no de-facto or designated municipal watersheds in project activity units (Project Record - Hydrology Report).

**Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.**

Project activity units are not located within any congressionally designated wilderness, wilderness study areas, or national recreation areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, Appendix C).

**Inventoried roadless areas**

Project activity units are not located within any inventoried roadless areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, Appendix C).

**Research natural areas**

Project activity units are not located within any research natural areas (Final EIS, Umatilla National Forest Land and Resource Management Plan, p. 4-31).

**American Indians and Alaska Native religious or cultural sites**

Project activity units are within American Indian's ceded lands. Consultation with appropriate tribes has occurred. No religious or cultural sites were identified as a concern resulting from the activities of this project.

**Archeological sites, or historic properties or areas**

All known sites will be avoided. Should any additional sites be identified during ground disturbance activities, contract provisions will provide protection and the Zone Archeologist will immediately be notified.

**Findings:**

This project is consisted with the Umatilla's Land and Resource Management Plan (Forest Plan) and all subsequent amendments, as required by the National Forest Management Act. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines. The project is in compliance with the Endangered Species Act of 1973, as amended, Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 2000, Clean Water Act, Safe Drinking Water Act, Clean Air Act, Executive Order 11988, and Executive Order 11990 as discussed in previous sections of this document. Analysis of resources as listed in FSH 1909.15-2008-1, Chapter 30, Section 30.4 considered the effects of this project on extraordinary circumstances. Based on the documentation in the project file and past experience with precommercial thinning projects I have determined that no further analysis or documentation is required in an EA or an EIS.

Implementation of this project is not expected to have any disproportional effects on consumers, civil rights, minority groups, women, or low income people because there will be no change in the long-term use of the area for these populations (Executive Order 12898). The project will not have unusual energy requirements. This project complies with state and federal laws.

**Public Involvement**

Scoping letters describing the project and analysis and requesting comments were mailed on October 14, 2008 to approximately 115 individuals, organizations, tribes, state, local, and federal agencies. I received two letters in response to scoping. Both Oregon Wild and Oregon Department of Fish and Wildlife proposed design elements and identified areas of interest that are incorporated into the project design. On October 29, 2008 I met with representatives from Blue Mountain Biodiversity Project and Sierra Club, and a private landowner to discuss several projects occurring on the Heppner Ranger District including this project. Documentation of the

scoping process and comments received may be viewed in the project record, on file at the Heppner Ranger District.

The 30 day notice and comment letters were mailed February 5, 2009 to approximately 115 individuals, organizations, tribes, state, local, and federal agencies requesting this type of project information. A legal notice requesting comments appeared in the East Oregonian (newspaper of record) on February 10, 2009. I received one response to our request for comments during the 30-day comment period from one state agency. Comments received included conditions to consider during project implementation. This project and decision contains design elements that respond to all conditions included in the letter: no large wood within Riparian Habitat Conservation Areas would be removed under this project, all trees providing shade along perennial streams would remain, precommercial thinning along all streams would be done with the intent to increase stream shade and large trees in the future, and slash would be pretreated before underburning to ensure low intensity fire within Riparian Habitat Conservation Areas.

### **Appeal Rights**

As no substantive comments expressing concern were received during the 30-day comment period which ended March 12, 2009, the decision for this project is not subject to appeal (36 CFR 215.12).

For further information regarding appeal procedures, contact the Forest Environmental Coordinator, Janel McCurdy at (541) 278-3869.

### **Implementation**

This decision may be implemented immediately pursuant to regulations at 36 CFR 215.9.

### **Contact Person**

This Decision Memo and associated project file may be reviewed at the Heppner Ranger District, 117 South Main Street, Heppner Oregon. For further information contact: Janet Plocharsky, Natural Resource Planner, Heppner Ranger District, 117 South Main Street, Heppner, Oregon 97836, Phone (541) 676-9187.

/s/ Tom Mafera

03/17/2009

**THOMAS MAFERA**

Date

District Ranger  
Heppner Ranger District  
Umatilla National Forest

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