

***DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT***  
*for*  
**WESTERN ROUTE VEGETATIVE MANAGEMENT**

**USDA FOREST SERVICE**  
**UMATILLA NATIONAL FOREST, NORTH FORK JOHN DAY RANGER DISTRICT**  
**GRANT, MORROW, AND UMATILLA COUNTIES, OREGON**

T4S, R29E sections 22-36; T4S, R30E, sections 19-22 and 27-34; T5S, R29E, sections 1-5, 9-12, 13-15, and 24-25; T5S, R30E, sections 4-9, 16-21, and 27-35; T5S, R31E, section 31; and T6S, R31E, sections 4-9, Willamette Meridian surveyed

**INTRODUCTION**

The Western Route Vegetative Management project is located on the North Fork John Day Ranger District, Umatilla National Forest, approximately 15 miles west of Ukiah, Oregon (see attached map). The analysis area includes the Upper and Lower Fivemile Creek subwatersheds, which drain into the North Fork John Day River via Camas Creek.

Historical data and descriptions, the Camas Ecosystem Analysis, and site-specific analysis conducted for this project indicate that species compositions, stand structure, and fuel loads are outside the range of historic variability. The Western Route Vegetative Management project proposed a variety of mechanical and manual tree thinning methods, applied fire and mechanical fuel treatment, and tree planting to recreate conditions similar to those that occurred historically. Project proposals focused solely on forest vegetation; other restoration opportunities identified in the Camas Ecosystem Analysis may be considered in future environmental analyses.

Activities will occur within the following Forest Plan management areas: A4-Viewshed 2, C4-Wildlife Habitat, and E2-Timber and Big Game. There are no Wilderness, Wild and Scenic Rivers, or Inventoried Roadless Areas in the analysis area. The analysis area does include eight miles of a National and State scenic byway.

Information contained in this document is described in more detail in the EA and analysis file, including site-specific analysis conducted by an interdisciplinary team to determine the potential environmental effects connected to the proposed project and its alternatives. Both the EA and its analysis file are available for public review at the North Fork John Day Ranger District in Ukiah, Oregon.

**DECISION**

After careful review of the public comments and the analysis disclosed in the environmental assessment and project file, I have decided to implement Alternative 1 (EA pages 21-30). Approximately 5,199 acres will be treated as follows (see attached map):

- 2,509 acres of combined commercial/non-commercial thinning/fuels treatment
- 20 acres of conifer removal from aspen stands (intermixed with the above thinning)

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- 29 acres of harvest to treat diseased and insect-infested stands (179 acres of which also include non-commercial thinning)
- 2,661 acres of non-commercial thinning/fuels treatment

Thinning and harvest will be conducted using chainsaws or ground-based equipment, and will involve a mixture of non-commercial and commercial-sized trees as indicated on the map and associated list of units (Appendix A). Thinning will leave a fully stocked stand, while harvest to treat diseased and insect-infested stands will not. Where stocking is deficient, seedlings will be planted. Material that is merchantable (i.e. sawlog, chip, or hog fuel) will be sold, producing an estimated volume of 1,833 hundred cubic feet (Ccf).

Activities that will occur concurrently or in association with thinning and harvest include:

- Maintenance of existing roads as necessary to conduct harvest
- Temporary opening of approximately 18 miles of existing closed roads to access treatment units for the duration of activities. Opening would involve removal of closure devices and blading as necessary. Upon completion of harvest activity, these roads will be returned to their closed status.
- Manual treatment (i.e. handpulling) of five populations of noxious weeds identified since the 1995 Forest Noxious Weed EA
- Mechanical treatment of debris (i.e. grapple piling, skidding, chipping)
- Prescribed burning of debris and 77 miles of tractor or hand constructed fire control line. Burning may occur in either spring or fall for up to five years after thinning or harvest activities are complete.
- Planting of tree seedlings, using Vexar® tubing and gopher trapping to control animal damage to seedlings

As part of my decision, I have chosen to implement the standard operating procedures identified in Appendix B to this Decision. I have also decided to monitor the implementation of this project and, in some instances, to monitor the effectiveness of certain activities or mitigation measures, also described in Appendix B to this Decision. My decision may be implemented as early as the winter of 2005.

### **ENVIRONMENTAL DOCUMENTS CONSIDERED IN MY DECISION**

The Western Route Vegetative Management EA is tiered to the Umatilla National Forest Land and Resource Management Final Environmental Impact Statement and Record of Decision (dated June 11, 1990). This includes applicable amendments such as Amendment #10 "*Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and Portions of California*" known as 'PACFISH' (dated February 24, 1995), and Amendment #11 "*Continuation of Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales*" known as the 'Eastside Screens' (dated June 12, 1995). The EA is also tiered to the Managing Competing and Unwanted Vegetation FEIS, its Mediated Agreement, and Record of Decision (dated December 8, 1988). The EA incorporates by reference the Umatilla National Forest Environmental Assessment for the Management of Noxious Weeds and its Decision Notice (dated May 24, 1995); the Camas Ecosystem Analysis, the project analysis file, and other sources of information, documents, published studies, and books referred to in the EA and its analysis file.

### **PUBLIC INVOLVEMENT**

Scoping is the process the Forest Service uses to identify potential concerns (known as issues) associated with the proposed action, alternatives to the proposed action, and the extent of environmental analysis necessary for reaching an informed decision. Scoping for this EA was initiated when the project was listed in the Winter 2003 quarterly edition of the Umatilla National Forest Schedule of Proposed Activities. Scoping letters were sent on July 23, 2003 to three local Tribes and 108 organizations, individuals, and other agencies that had indicated an interest in this type of project. These efforts produced responses from the following:

- John Edmundson, local resident
- Olney Patt, Jr., Columbia River Inter-Tribal Fish Commission
- Charles Burley, American Forest Resource Council

Comments were evaluated as to whether they presented an issue or alternative, indicated how to conduct analysis, referenced pertinent research, or provided an opinion. This evaluation is contained in the project analysis file at the North Fork John Day Ranger District, along with the original letters. Since public response was so small, the Interdisciplinary Team considered potential issues relying in part on public comments from previous, similar projects (see meeting notes from October 1, 2003 in the project analysis file for further detail).

The 30 day public comment period on the EA ran from June 3, 2004, to July 6, 2004. Letters announcing the availability of the EA for review were mailed to 108 interested groups, individuals, permittees, and local, state, and tribal governments. Thirteen copies of the EA were mailed to those who responded to scoping, both Tribes, and Blue Mountain Biodiversity Project. Three letters were received in response: Assistant Tribal Historic Preservation Officer for the Confederated Tribes of the Umatilla Indian Reservation, Hells Canyon Preservation Council and Blue Mountain Biodiversity Project. Substantive comments from these letters, together with how I considered them, are contained in the project analysis file.

The Western Route project lies within lands ceded to the United States by treaties with American Indian tribes. These treaties established trust responsibilities for the United States that were intended to protect reserved rights and interests of the tribes. This trust responsibility has been facilitated during the development of this proposal by providing information about the proposal to the staffs of the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes of the Warm Springs Reservation of Oregon. There will be no effect on fish species or habitat and insignificant effects on deer and elk; therefore, the reserved rights of these tribes will be protected.

### **RATIONALE FOR MY DECISION**

The criteria I used in arriving at my decision were:

- ◆ Which alternative best achieves the desired forest stocking levels?
- ◆ Which alternative best balances short-term risk of resource impacts from thinning and harvest with the long-term risk of resource impacts from not implementing the proposed treatments?
- ◆ Which alternative decreases fuel loads to the point of lessening the risk of lethal wildfire?
- ◆ Which alternative maximizes the recoverable value of timber?

I selected Alternative 1 because it will balance the needs to change forest species compositions, structure, and stocking and reduce fuel loads and continuity with the significant issue of maintaining big game cover. This alternative will improve stocking and fuel conditions in many stands within the Western Route Analysis Area identified as unhealthy or at risk of fire mortality (excluding Riparian Habitat Conservation Areas, C5, C3, C2, and C1) as discussed in the purpose of and need for action. Alternative 1 does this through:

- ◆ Returning 3,451 acres of Dry, Upland Forest to early successional species to reduce potential for large-scale insect and disease outbreaks and maintain long-term stand integrity (EA at 34)
- ◆ Promoting Old Forest Single Stratum structure on 3,451 acres (although a change in structure will not occur immediately) (EA at 34)
- ◆ Removing most conifer species from 20 acres of aspen stands to sustain this unique vegetation feature (EA at 35)
- ◆ Reducing the amount of overstocked lands within the Western Route Analysis Area by 5,170 acres (EA at 35)
- ◆ Treating 29 acres of root rot or insect-infested Cold Upland or Moist Upland forests to promote the health of remaining trees (EA at 35)
- ◆ Reducing fuel loads on 5,213 acres to an average 9-12 tons/acres, which will change 4,030 acres currently in fuel Condition Class 2 or 3 to Condition Class 1 (EA at 36)

At the same time, Alternative 1 would not reduce big game Habitat Effectiveness Index or satisfactory cover. In fact, the Habitat Effectiveness Index would increase by one point in the E2 management area. I chose this alternative to reserve options for big game cover in this area to allow the maximum flexibility in developing habitat management strategies during our Forest Plan revision.

Based on discussions throughout Chapter 3 of the Western Route Vegetative Management EA, I conclude that the cumulative effects analysis of Alternative 1 does not reveal any measurable increase in effects over those resulting from past, ongoing, and foreseeable future activities. The context and intensity section of the Finding of No Significant Impact further supports that implementation of Alternative 1, together with its standard operating procedures, will provide for protection of resource values identified in the area.

### ***How I Considered the Issues***

I considered the issues and concerns raised by the public during the scoping and comment periods, which influenced my selection of Alternative 1. The environmental effects for most of the resource topics analyzed in the EA varied only by the number of acres affected or only varied in minor ways. This result occurred, in part, because standard operating procedures, mitigation, and forest plan management direction were designed to limit impacts. I carefully considered the comparison of the differences between environmental effects that changed by alternative as discussed in the EA Chapter 2 and Chapter 3. The following discussion focuses only on issues I felt showed important distinctions between alternatives:

### **Future Fire Severity**

This issue relates to continuous vertical and horizontal fuels and high existing fuel loads, an increase in fuel loads due to thinning debris, and an increase in fine fuels (grasses) due to increased light on the forest floor.

I recognize that Alternative 1 would increase fuels and associated fire severity for a short period until treatments are completed (1-3 years). This is a risk that I feel is necessary to achieve our long-term goals of restoring the historic fire characteristics to this landscape. I am convinced that an uncharacteristically large portion of forest, wildlife habitat, and soils in the Western Route Analysis Area will be damaged by severe fire if horizontal and vertical fuel continuities continue along their current path. I base this on fire activity on the south half of the Umatilla National Forest in the past 10 years and my personal observations of fire behavior on a number of large fires in eastern Oregon and Washington. I have seen areas that were previously thinned and/or treated with prescribed fire survive intense wildfire when surrounding untreated areas have not. I also know that these treated areas often provide a break in fuels that serve as anchor points for fire suppression or for applying prescribed fire. Current fuel loads are too high in many areas to achieve our goals with prescribed burning alone. Prescribed fire under current stand conditions would kill more trees than desired and would be more difficult to control, putting my employees at great peril.

I do not agree with concerns that risk of increased fire severity will last beyond the treatment of thinning debris. The treatment prescriptions will leave a fully stocked stand on all but 29 acres, so wind speeds, air temperatures and humidity should not be significantly altered. The studies I am familiar with regarding this concern show changes in microclimate conditions are more associated with regeneration-type harvests that leave a fairly open stand.

### **Big Game Cover**

This issue relates to decreases in tree cover and elk Habitat Effectiveness Index due to thinning and harvest.

I am very concerned about rehabilitating current forest conditions in the Western Route analysis area for future generations. Based on my training and personal experiences, I believe that active management of forests in the Western Route analysis area would most quickly achieve the desired vegetative conditions stated in the Forest Plan. However, after consideration of the public comments and analysis, I selected Alternative 1 because it will maintain the most existing big game cover while treating undesired stocking, species compositions, and fuels conditions. Alternative 1 would actually improve HEI by one point in the E2 management area. Although Alternative 1 will not treat all of the stands that are in poor condition, I believe it is the best balance between the long-term risk of doing nothing and the immediate risk of decreasing big game habitat.

### **Late/Old Structure Habitat and Connectivity**

This issue relates to cumulative loss of habitat as well as reducing the connective corridors between Late Old Structure stands due to past management activities, insect/disease epidemics, and proposed treatments.

Some of the stands in poor condition occur in Old Forest structures outside designated C1 and C2 old growth management areas. Alternative 1 provides a compromise between no treatment and the maximum acres of Old Forest structure that could have been treated. Treatments in Old Forest will involve only non-commercial thinning and fuels reduction, so old growth characteristics will remain intact. No designated old growth (C1 or C2) will be affected.

While the quality of some connective corridors between designated old growth and Old Forest Single Stratum/Multi-Strata structure will be reduced in the short-term where commercial thinning occurs, the retention of full stocking (as defined in the Acting Forest Supervisor's letter of August 14, 1995), retention of trees 21 inches in diameter and greater, and maintaining snags at no less than minimum guidelines will ensure that these stands continue to allow free movement of old-growth dependent wildlife (EA at 89-93). In the future, the decreased stress on remaining trees will improve tree growth and resistance to insects and disease (EA at 54-55). Coupled with reduced fuel loads and continuity this should enhance the longevity of connective corridors and old growth habitat. Also, thinning the understory and commercial thinning in the middle structure follow the recommendations for old growth restoration found on page 114 of the Camas Ecosystem Analysis. Finally, analysis determined that Alternative 1 will be consistent with the Regional Forester's Forest Plan Amendment #2 (known as the Eastside Screens – see EA pages 182-183).

### Treaty Rights

This issue relates to effects of proposed treatments on Tribal treaty rights to take fish, hunt, and gather roots and berries.

Alternative 1 will have little effect on wildlife, fish and plant species that are important to the Tribes (see respective sections above and in the EA). As a result, there will be no affect on Tribal exercise of treaty rights (EA at 157).

Alternative 1 will have the least impact on big game of the action alternatives, yet provides for more protection of habitat in the long-term than No Action (EA at 71-74). While habitat parameters will not change as a result, sediment **May Impact** reproductive success of redband trout (a Sensitive species) if it covers spawning gravels, but would not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species (EA at 39, 142, 144). There will be **No Effect** on Mid-Columbia steelhead (a Threatened species) or essential fish habitat for spring chinook salmon because anticipated sediment will settle out of the water before it reaches downstream habitat (EA at 142, 144). Alternative 1 will be consistent with the Basinwide Salmon Recovery Strategy as well as *Wy-Kan\_Ush-Mi W-Kish-Wit* (The Columbia River Anadromous Fish Restoration Plan of the Nez Perce, Umatilla, Warm Springs, and Yakama Tribes) as a result of following PacFish management direction (EA at 143).

### Visual Quality along the Blue Mountain Scenic Byway

Issue relates to limited viewing for drivers of the Blue Mountain Scenic Byway, existing lack of visual diversity and interest, and reduced visual quality due to treatment (slash, soil disturbance, etc.)

Alternative 1 will not directly address the issue of existing visual quality concerns along the Blue Mountain Scenic Byway in the short-term. While 170 acres of A4 will be thinned, most of these acres do not extend to the byway and will be obscured by the dense band of lodgepole bordering the road. Future options may be considered for treating this area.

### **Economics/Social**

Issue relates to the potential to create jobs and income for local communities and the feasibility of proposed harvest.

Alternative 1 will create the fewest jobs but the greatest income for local communities of all the action alternatives. It would have the greatest negative Present Net Value of all the action alternatives due to the cost of contracting more acres of non-commercial thinning and a large reduction in income from the sale of commercial timber. Even so, I feel the value of Alternative 1 for big game and wildlife habitat outweighs the economic benefits that would be achieved if I selected another action alternative.

### **Wild West Prescribed Underburn**

During the 30-day public review of the environmental assessment, Hells Canyon Preservation Council questioned why the Wild West Prescribed Underburn was not considered as part of the Western Route project. Wild West was conceived in the mid-1990's, with the EA completed in 1999 (before the Western Route proposal) though a decision was delayed. Wild West focused solely on reducing fuel loads using prescribed burning options. Two of the five subwatersheds that would be affected by Wild West coincide with the area encompassed by Western Route.

As the proposed action for Western Route was developed, the interdisciplinary team considered whether to include activities proposed in the Wild West project. The focus of the two projects was slightly different with Wild West concentrating on reintroduction of fire and Western Route focused on improving the vigor and health of trees. The interdisciplinary team recommended that Wild West be considered in the cumulative effects analysis for Western Route.

During analysis for Western Route, it became apparent that some of the Wild West units would need to be modified or dropped due to changes since the inception of Wild West. Additional fuels had accumulated on the ground and in places the higher fuel loads would produce enough heat to scorch the overstory and kill trees intended to survive. Also fuels management techniques had continued to develop since the mid-1990s, shifting from exclusive use of prescribed fire across a broad landscape to mechanical pre-treatment of areas with high fuel loads then applying fire in order to retain the desired forest structures. In some cases, Wild West units overlapped with Western Route units and the treatments proposed in Western Route would create conditions that would allow all the Wild West units to be implemented as planned. Without the Western Route treatments only a small part of the 23,000 acres to be underburned by Wild West would be dropped from implementation. As a result, the IDT determined that implementation of Wild West was not contingent upon implementation of Western Route, so Wild West was not considered as a connected action to Western Route. The results of the overlap were discussed in the cumulative effects analysis and disclosed in the environmental assessment.

Following the 30-day review and comment period, the interdisciplinary team discussed Hells Canyon Preservation Council's concerns and reconsidered the Wild West Prescribed Underburn. The team reviewed maps showing Wild West unit overlap with the Western Route treatments. The fuels specialists pointed out that much of the Wild West underburning units would be treated by Western Route (which includes burning as necessary after fuel pre-treatment). Where units do not overlap, Wild West would treat either grass fuel types to create forage or would treat stands providing satisfactory cover in the C4 management area. The units in C4 contain some of the highest fuel loads in the analysis area, exceeding 60 tons per acre, so burning without pre-treatment would not likely maintain the desired cover for big game.

As a result, I have decided that the Wild West Prescribed Underburn project is no longer ripe for decision due to too many changes in ground conditions and management techniques. Therefore, I am no longer going to pursue a decision on Wild West. After implementation of Western Route we may decide to propose further fuel treatments; I don't anticipate this, but I don't want to eliminate future options either. Furthermore, the Wild West project is included in the cumulative effects analysis of the in the Western Route Environmental Assessment and did not reveal measurable impacts. Therefore, I did not ask the interdisciplinary team to remove its discussion from their documents.

### ***Other Alternatives I Considered***

Eight alternatives to the Proposed Action were considered in the development of the EA. Five of these alternatives were eliminated from detailed study (EA at 19-21). Three alternatives were developed in detail (EA at 22-31) and are compared at the end of Chapter 2 (EA at 33-41).

#### **No Action**

Under this alternative, the Forest Service would take no action to address fuel loading or tree stocking/vigor at this time. This alternative assumes that ongoing activities of livestock grazing, recreation use and maintenance, road use and maintenance, and aggressive fire suppression would continue. This alternative was developed to provide a baseline from which to measure the effects of the action alternatives.

No Action would not address the purpose of and need for action because it would not improve forest species composition or structure, reduce tree densities to improve stand vigor, reduce impacts of tree diseases or insects, or reduce fuel loads and continuity. As a result, the needs to increase sustainability of warm, dry forest, redirect structure toward the range of historic availability, decrease dense stocking, and reduce fuel loads and continuities as identified by the Camas Ecosystem Analysis and this project's resultant purpose and need would not be achieved in an efficient and timely manner.

#### **Proposed Action**

This alternative would treat approximately 6,484 acres as follows:

- 4,133 acres of commercial thinning (including 20 acres of conifer removal from aspen stands)
- 5,825 acres of non-commercial thinning (overlaps with much of the commercial thinning)
- 659 acres of regeneration harvest (shelterwood, seedtree, sanitation, and salvage)

Thinned material that is merchantable would be sold, producing an estimated volume of 4,600 hundred cubic feet (Ccf). No permanent or temporary roads would be constructed, but approximately 25 miles of existing closed roads would be opened to access treatment units for the duration of activities. The Forest Plan would be amended to change the cover and HEI standards in the C4 management area for the duration of this project.

This alternative meets the purpose of and need for action and would treat 1,285 more acres than Alternative 1, however it would not address the issues of retaining big game cover or improving visual conditions along the Blue Mountain Scenic Byway. Short-term risk to big game, water, and fish would be greater than Alternative 1, although the Proposed Action would provide more long-term resource benefits. Also, the Proposed Action would not recover as much value from timber as Alternative 2, providing slightly less revenue to the United States.

## **Alternative 2**

Alternative 2 was designed to address an opportunity not explored by the Proposed Action as defined in the Issue of Visual Quality. Under this alternative, 99 additional acres would be thinned and treated for fuels along the Blue Mountain Scenic Byway. A narrow band of lodgepole pine that borders both sides of the road for most of its length would also have been thinned. Aspen stands would be rehabilitated to the same degree as under the Proposed Action or Alternative 2 (EA at 35).

Alternative 2 would have extended the depth of viewing for motorists touring the Scenic Byway. This alternative would have increased the diversity of color by emphasizing ponderosa pine and larch. It would have created more variety in tree sizes and densities so that overall, visual diversity would have increased. It also would have created views of distant Arbuckle Mountain and an adjacent meadow.

Alternative 2 best meets the purpose of and need for action by treating the most acres, however it would not address the issue of retaining big game cover. Short-term risk of resource impacts would also be very similar to the Proposed Action, and since Alternative 2 treats the most acres my concern about lethal wildfire would be met to the fullest extent. Finally, Alternative 2 would recover value from 84 Ccf more timber than the Proposed Action, providing slightly more revenue to the United States.

This alternative would recover merchantable value of the affected trees, providing local jobs and revenue to the Forest Service from the sale of timber and resulting in the least expense of the action alternatives (EA at 41).

I decided against selecting this alternative because it would have the largest short-term impact on wildlife, particularly big game habitat. I also want to explore additional options regarding improvement of visual quality along the Scenic Byway, which I may direct the interdisciplinary team to do in the future as funding becomes available.

## **APPLICABLE LAWS, REGULATIONS, AND POLICIES**

### ***NFMA Consistency***

Any project proposed for implementation must meet the management requirements of the National Forest Management Act (36 CFR 219). In accordance with these requirements, I

conclude from the results of site-specific analysis documented in the Environmental Assessment and Analysis File that:

- ◆ The selected alternative documented in this Decision Notice is consistent with the Umatilla National Forest Land and Resource Management Plan and Record of Decision (dated June 11, 1990) and all its amendments (EA at 182-183).
- ◆ All alternatives were developed to be consistent with the requirements of the Record of Decision for the Pacific Northwest Region, Final Environmental Impact Statement for Management of Competing and Unwanted Vegetation and the associated Mediated Agreement.
- ◆ Air quality will be maintained at a level that is adequate for the protection and use of National Forest System resources and that meets applicable regulations and standards (EA pages 169-170)
- ◆ Timber harvest will only occur on those lands identified in the Forest Plan as suitable for timber production (EA at 182). Thinning will leave fully stocked stands, so reforestation will only be required to restore species compositions appropriate to the site (469 acres). Another 29 acres of planting will occur in Unit K17, which has some mortality and the prescribed seedtree harvest would leave an understocked stand (EA at 30). The thinning is intended to increase the growth rate of remaining trees and will favor species and age classes that are valuable to wildlife.
- ◆ All units were considered for uneven-aged management. Regeneration harvest was deemed necessary on 659 acres that are infested with insects or disease, although the selected Alternative will only treat 29 of these acres (EA at 35). The identified mitigation will be sufficient for maintaining long-term site productivity (EA at 182).
- ◆ Conifer removal will occur within identified aspen stands which overlap with some Riparian Habitat Conservation Areas (EA at 22) and prescribed fire is mitigated so it will not cause detrimental changes in riparian areas (EA at 27-28 and 181).
- ◆ Soil and water will be conserved through project design, standard operating procedures, and Best Management Practices (EA at 25-28, Appendix B), consistent with Forest Plan Amendment #10 – PACFISH (EA at 143 and 183).
- ◆ There are no unique or isolated populations of wildlife, aquatic life, or plants. There will be no effect on Threatened or Endangered species of plants, fish, or animals or their habitat (Western Route Biological Evaluations, EA at 96, 144, 151, and 177). The Biological Evaluation for aquatic life determined that this project may impact Sensitive redband trout, but effects will be reduced by the associated mitigations (EA at 144).
- ◆ The area will continue to provide a diversity of plant, fish, and animal communities which meet overall multiple-use objectives. Although use patterns may change due to these activities, sufficient habitat remains to ensure viability of all species in the area (EA at 39, 71-74, 80-83, 89-93, 97-99, 105-108, 142-144, 151, and 177).

### ***Consistency with Other Laws***

Alternative 1 will protect endangered, threatened, and sensitive (TES) species and their habitats as required under the Endangered Species Act (EA at 89-93, 142-144, 151, 177, and Biological

Evaluations for aquatic, terrestrial, and plant species in the analysis file). Alternative 1 will comply with the Clean Water Act (EA at 179-180) and Clean Air Act (EA at 177-178). Alternative 1 will not affect cultural resources (EA at 157-158) and so will comply with the National Historic Preservation Act (EA at 177). Floodplains, seeps, springs, and other wetland habitats will be avoided, so Alternative 1 will meet the intent of Executive Orders 11988 and 11990 (EA at 181). No prime farmland, rangeland, or forestland occurs within the analysis area (EA at 184). Alternative 1 will not affect the civil rights, privileges, or status quo of consumers, minority groups, and women (EA at 181 and 185).

### **FINDING OF NO SIGNIFICANT IMPACT**

Considering the analysis documented in the (EA) and the reasons set forth below, I find that implementation of Alternative 1 does not constitute a major Federal action significantly affecting the quality of the human environment. Documents supporting this reasoning include: Western Route Vegetative Management Environmental Assessment (October 2001); the Umatilla National Forest Land and Resource Management Plan FEIS and Record of Decision (June 11, 1990) and the accompanying Forest Plan; the Managing Competing and Unwanted Vegetation FEIS, its Mediated Agreement, and Record of Decision (December 8, 1988); the Umatilla National Forest Environmental Assessment for the Management of Noxious Weeds and Decision Notice (May 24, 1995), and the Camas Ecosystem Analysis. My rationale for this finding follows.

**Context of Action:** The context of the Western Route Vegetative Management project will be local and short-term in nature. Commercial thinning and harvest will occur on 2,538 acres and (about 10 percent of the National Forest System Lands within the analysis area). When added to the 5,774 acres of harvest that has occurred over the last 30 years, the cumulative effect will be harvest on 31 percent of National Forest System Lands within the analysis area, dispersed over time to roughly 1 percent per annum.

**Intensity of Effects:** The environmental effects of the following actions are documented in Chapter 3 of the Western Route Vegetative Management Environmental Assessment: commercial and non-commercial thinning of trees, harvest of disease and insect-infested trees, temporary reopening of existing closed roads, mechanical fuel treatments, prescribed burning of fuels (including building fire control line), and tree planting (together with animal damage control). The beneficial and adverse direct, indirect, and cumulative impacts discussed in the EA have been disclosed within the appropriate context, and effects are expected to be low in intensity because of project design, standard operating procedures, and Best Management Practices. Significant effects to the human environment are not expected. The rationale for this determination of non-significance is based on the environmental assessment, in light of the factors listed in 40 CFR 1508.27(b)(1):

- 1. Impacts that may be both beneficial and adverse** - Beneficial and adverse effects were considered during analysis of the Proposed Action and its alternatives. Beneficial effects of thinning, harvest, and fuels treatments under the Alternative 1 include improved stand health (particularly for large trees), reduced fuel loads and continuity, and increased forage and mobility for deer and elk. Several adverse effects were identified including limited soil exposure or compaction, increased deer and elk

vulnerability and increased risk of noxious weed spread. Alternative 1 has been designed to minimize potential environmental impacts to resource values in the project area, particularly big game cover, water quality, and fish habitat. Alternative 1 includes standard operating procedures to reduce potential environmental impacts from implementation (EA at 25-28).

Irretrievable changes in the natural appearance of the landscape will occur as a result of log landings, however, this will be somewhat reduced by standard operating procedures (i.e. subsoiling and seeding) and will not be significant. Best Management Practices, standard operating procedures, and project design associated with Alternative 1 will avoid irreversible loss of soil productivity due to erosion (EA at 114-117 and 187). No new permanent or temporary roads will be constructed, although an irreversible commitment of mineral resources will occur with placement of rock to stabilize road surfaces. The Western Route Vegetative Management project will be consistent with the Forest Plan (EA at 182-183). In particular, there will be no ground disturbance within Riparian Habitat Conservation Areas (EA at 26-28), so stream shade, water temperature, large woody debris, and bank conditions will not be affected by this project. As a result, the Western Route Vegetative Management is consistent with PACFISH (EA at 183). The Western Route Vegetative Management is also consistent with the Eastside Screens (EA at 182-183). None of the adverse affects of Alternative 1 were identified as significant.

2. **Degree to which public health and safety may be affected** - The project will not significantly affect public health or safety (40 CFR 1508.27(b)(2)). Standard operating procedure #19 will protect the public during harvest (EA at 169), and the reduction in fuels from thinning, mechanical fuel treatment, and prescribed burning will reduce safety issues related to wildfire (EA at 36 and 66-67). Prescribed burning operations will comply with the State of Oregon's Smoke Management Implementation Plan in order to reduce the effects of smoke on public health. As a result, there will be no effect on air quality (EA at 178-179). Due to standard operating procedures and Best Management Practices, effects on water quality (sediment) are expected to be very limited (EA at 129-130 and 180).
3. **Effects to unique characteristics of geographic area** - There will be no significant adverse effects to unique characteristics of the area (40 CFR 1508.27(b)(3)). The project is not in close proximity to any park lands; prime farmland, forestland, or rangeland (EA at 184); or wetlands or floodplains (EA at 181). A portion of the treatments will occur within the Blue Mountain State and National Scenic Byway, though treatments under Alternative 1 will have little immediate affect on visual quality because few units extend all the way to the road and an existing dense band of young trees constricts viewing in many areas (EA at 161-162). There are no inventoried roadless areas or wilderness within the Western Route analysis area (EA at 177).
4. **Degree to which effects are likely to be highly controversial** - Alternative 1 does not involve effects on the quality of the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)). The Umatilla National Forest Land and Resource Management Plan (Forest Plan) permits thinning, harvest, mechanical fuels treatment, prescribed fire, and tree planting in this area, and these activities have historically been conducted in this area. The EA effectively addressed and analyzed all major issues

associated with the project. During scoping, 30 day public review of the EA, and effects analysis, no scientific controversy was identified.

- 5. Degree to which effects are highly uncertain or involve unique or unknown risks -** My decision will not impose any highly uncertain, unique, or unknown environmental risks (40 CFR 1508.27(b)(5)). Thinning, harvest, mechanical fuel treatment, prescribed fire, and tree planting have been implemented successfully on the Umatilla National Forest in the past, meeting regulations concerning these activities and the protection of National Forest resources. Past activities have been monitored and the monitoring results provide a good baseline for predicting future outcomes. Where monitoring indicated potential concerns (e.g. soil disturbance, compaction), the identified standard operating procedures will reduce the possibility of undesired effects.
- 6. Degree to which action may set precedent for future actions with significant effects -** The decision does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)). Thinning and harvest are not new activities within the Western Route analysis area and the proposed mechanical fuels treatment and prescribed burning was successfully demonstrated on the Owens Fuel Reduction project (EA at 60-61 and 64). Harvest, thinning, mechanical fuels treatment, prescribed burning, and tree planting are allowed in this area by the Forest Plan. The Environmental Assessment effectively addressed and analyzed all major issues associated with the project. While sustaining Dry Forest stands at or near historic conditions will require increased use of prescribed fire in the future, this will also reduce fuel loads and continuity so that wildfires would have lower risk of catastrophic effects. Based on this information, implementing the Western Route Vegetative Management project will not set precedent for future actions with significant effects.
- 7. Relationship to other actions with individually insignificant but cumulative significant impacts** The cumulative effects identified in the EA included further reduction in large trees or snags (related to old growth dependant wildlife species), reduced pileated woodpecker reproductive habitat, and reduced pine marten habitat none of which were determined significant. Since I have decided to drop pursuit of the Wild West Underburning project, the cumulative effects will be even less than those discussed in the EA.
- 8. Degree the action may adversely affect historic places or loss of scientific, cultural, or historic resources -** The project area has been inventoried for cultural and historic resources. Seven heritage sites were identified within or adjacent to units. All sites will be protected (avoided) by project activities. If any artifacts or sites should be discovered during project implementation, the North Zone Archeologist will be notified and the area will be protected from disturbance until a determination can be made (Letter to SHPO dated 8/2/04). The Forest has complied with Section 106 of the National Historic Preservation Act for the Western Route Vegetative Management EA. (EA at 158 and 177, and Historic Property compliance form). There are also no scientific resources within the project area.
- 9. Degree the action may affect endangered or threatened species or critical habitat -** The action will have no adverse effects on endangered or threatened species or

critical habitat under the Endangered Species Act of 1973. The Biological Evaluation for Aquatic species indicated implementation of any action alternative would have "no effect " on Mid-Columbia steelhead trout or essential fish habitat for spring chinook salmon (EA at 144). Soil disturbance related to the commercial thinning and prescribed burning will not increase sediment, either individually or cumulatively, due to project design, standard operating procedures, and the buffering effect of Riparian Habitat Conservation Areas (EA at 129-130, and 134-135). The only endangered or threatened terrestrial wildlife species predicted to occur in the area is the gray wolf and a Biological Evaluation determined that activities will have "no effect" on gray wolf (EA at 94-98). The Biological Evaluation for plants found that the proposed project will have "no effect" on *Silene spaldingii*, which is proposed for Federal listing (EA at 151).

**10. Violation of Federal, State, or local laws for protection of the environment -**

Alternative 1 does not threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10). Analysis has determined that Alternative 1 is consistent with the Umatilla National Forest Land and Resource Management Plan and Record of Decision, dated June 11, 1990, including Forest Plan Amendments #10- PACFISH and #11-Eastside Screens (EA at 182-183), and is in compliance with the requirements of 36 CFR 219.27 (EA at 182). Alternative 1 is in compliance with the Clean Air Act (EA at 177-179) and Clean Water Act (EA at 179-180). Though Fivemile Creek is listed by the State as being water quality limited due to high water temperatures, analysis determined Alternative 1 would not further deteriorate conditions that perpetuate the reasons for this listing (EA at 129-130). Implementation of Alternative 1 does not threaten a violation of any federal, state, or local environmental protection law (EA at 177-185).

Therefore, on the basis of the information and analysis contained in the EA and all other information available as summarized above, it is my determination that adoption of Alternative 1 does not constitute a major Federal action significantly affecting the quality of the human environment. As a result, an Environmental Impact Statement is not needed.

**ADMINISTRATIVE APPEAL RIGHTS**

This decision is subject to appeal pursuant to 36 CFR 215.11. Any individual or organization who submitted substantive comments during the comment period may appeal. Any appeal of this decision must be in writing and fully consistent with the content requirements described in 36 CFR 215.14. A written appeal must be postmarked or received by the Appeal Reviewing Officer (the Regional Forester) within 45 days of the date of publication of the legal notice regarding this decision in the *East Oregonian* newspaper. Send appeals to:

Jeff Blackwood, Forest Supervisor  
Umatilla National Forest  
ATTN: 1570 Appeals  
2517 SW Hailey Avenue  
Pendleton, Oregon 97801

Appeals can also be hand delivered at the above address from 8 am to 4:30 pm Monday through Friday, or faxed to: 541-278-3730.

Appeals can also be filed electronically at: [comments-pacificnorthwest-umatilla@fs.fed.us](mailto:comments-pacificnorthwest-umatilla@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 format (.rtf), or portable document format (.pdf) only. E-mails submitted to email addresses other than the one listed above, or in formats other than those listed, or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

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

**IMPLEMENTATION**

If no appeals are filed within the 45-day time period, implementation of my 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 15<sup>th</sup> business day following the date of the last appeal disposition.

**FOR FURTHER INFORMATION**

For further information, contact Janel Lacey, at the North Fork John Day Ranger District, P.O. Box 158, Ukiah, OR 97880 or call (541) 427-3231.

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**CRAIG SMITH-DIXON**  
North Fork John Day District Ranger

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Date

- Enclosures (4)
- Project Area Map
  - Table of Unit Prescriptions
  - Standard Operating Procedures
  - Monitoring Plan

**Table 1: Treatment Prescriptions by Unit**

Commercial/Non-commercial thinning and Fuel treatment

Unit	Acres	Unit	Acres	Unit	Acres	Unit	Acres
TP21	241	TP36	116	L4	58	K4	34
TP22	37	TP37	111	L5	40	K8	24
TP23	57	TP38	107	L6	100	K11	88
TP26	141	TP39	61	L7	53	K12	33
TP27	72	TP40	112	L8	57	K32	65
TP30	81	TP41	84	L9	68	K33	91
TP31	149	TP42	53	L10	62	K34	31
TP32	91	-----		L11	52	K35	44
TP34	36			L21	125	K36	56

Non-commercial thinning and Fuel treatment

Unit	Acres	Unit	Acres	Unit	Acres	Unit	Acres
TP2	34	L3	80	K3	76	K27	63
TP5	105	L12	72	K6	14	K30	122
TP6	15	L15	24	K7	55	K31	138
TP9	58	L18	62	K9	40	K37	52
TP12	50	L19	82	K10	40	K38	171
TP13	54	L20	22	K13	50		
TP24	11	L24	76	K19	19		
TP25	15	L25	116	K20	58		
TP33	168	-----		K22	23		
TP35	67			K24	131		
TP43	147			K25	30		
TP44	64			K26	74		

Commercial harvest that removes a large portion of the canopy to promote seed production, and to create conditions that are conducive to establishment and survival of natural or planted regeneration. This harvest must leave at least 6 acceptable, well-distributed seed trees per acre.

**Acres**  
K17      29

Units that will be planted with seral tree species

Unit	Unit	Unit	Unit
TP5	TP10	TP41	K16
TP7	TP18	TP42	K17
TP8	TP19	-----	K26
TP9	TP39	K7	K27

### **STANDARD OPERATING PROCEDURES**

The following are Standard Operating Procedures that would be applied to activities:

#### ***Layout and Marking***

- Units will be defined to exclude most PACFISH Riparian Habitat Conservation Areas [300 feet on each side of class 1 and 2 (fish-bearing) streams, 150 feet for Class 3 (non-fish bearing perennial) streams, and 100 feet for Class 4 (intermittent) streams and springs, seeps, and bogs less than one acre]. The exception to this is the treatment of aspen stands (which is permitted under PACFISH because it would meet Riparian Management Objectives).
- Special habitats (scabflats and meadows) which occur within or adjacent to harvest units will be treated as follows to protect unique wildlife habitat:
  - Kenney 03, buffer meadow by 100 feet
  - Kenney 33, buffer meadow by 100 feet
  - Kenney 27, buffer scabflat using a 50-foot width
  - Three Prairie 25, buffer meadow by 100 feet
  - Three Prairie 33, buffer meadow by 100 feet
  - Three Prairie 21, buffer scabflat using a 50-foot width
  - Lower Five 09, buffer meadow by 100 feet
- If any goshawk nests are found during layout or implementation, they will be protected by deferring harvest on 30 acres of the most suitable nesting habitat. A 400-acre post-fledging area will be established around the nesting area where late old structure will be retained and younger stands will be enhanced toward late old structure.
- Known or discovered raptor nest trees will be protected from management activities and human disturbances until fledging has been completed. Levels of protection will vary by the requirements of the species involved.
- Snag retention will be achieved on a 40-acre basis with at least 10-15 percent of the snags represented on each 10 acres, if available, (as per Forest Supervisor memo dated 1993 and District Ranger memo dated Aug. 4, 1997). Use Table 1 to identify the amount based on Plant Association Group. Retention trees will be distributed naturally, either individually or in small groups, in all plant association groups. Preferably, all snags retained will be greater than 18-inch diameter at breast height, but if there are not enough snags of this size within the 40-acre unit, all large snags will be left and some smaller snags will be retained to make up the difference. Tree species and soundness at the base will also be considered. The tree species preferred in order of most to least desired are: Douglas-fir, ponderosa pine, western larch, other species, and grand fir. In addition, where safety allows, hollow or partially hollow, broken top snags greater than 15 inches diameter at breast height will be left to provide bat habitat.

**Table 1:** Snag retention per acre by plant association group.

<b>Plant Association Group</b>	<b>Snags per Acre</b>	<b>Green Trees left for Snag Replacement</b>
Warm – Dry	2.3	15.8
Cool – Moist	1.8	9.4
Cold – Dry	1.8	14.4

- Large down wood will be retained as illustrated in Table 2.

**Table 2:** Down wood retention per acre by plant association group.

<b>Plant Association Group</b>	<b>Pieces per acre</b>	<b>Diameter at small end</b>	<b>Length per piece</b>	<b>Total length per acre</b>
Ponderosa pine	3	12 inches	>6 feet	>20 feet
Warm grand fir	15	12 inches	>6 feet	>100 feet
Cool grand fir	15	12 inches	>6 feet	>100 feet
Lodgepole pine	15	8 inches	>8 feet	>120 feet

**Implementation**

- A copy of known noxious weed infestations and identification material will be given to the Forest Service contracting representative. Known infestations will be treated by the Forest Service prior to implementation of activities according to the Umatilla National Forest Environmental Assessment for the Management of Noxious Weeds (1995). On noxious weed sites that have been identified since 1994, hand pulling will occur.
- Off-road equipment shall be certified in writing to be free of weeds prior to moving onto the treatment area. The Forest Service will be notified at least 5 days prior to moving each piece of off-road equipment onto the treatment area so that equipment can be inspected and approved by the Forest Officer in charge of administering the activity. Disassembly of components or the use of specialized inspection tools is not required. Equipment in need of cleaning shall be transported off National Forest land to be cleaned, unless otherwise agreed. During the fire season, the fire truck, as required to be at the worksite, shall be reserved for fire use and not be used to clean equipment, unless otherwise agreed. This requirement does not apply to passenger vehicles or other equipment used exclusively on roads.
- Fences, gates, and cattleguards will be maintained in their existing condition during activities to prevent cattle from passing between allotments or pastures.
- Where conditions and safety permit, trees will be felled away from riparian areas, residual conifers, large broken or hollow top snags, dispersed campsites, fences, landlines, research plots (ecology plot center markers and condition and trend transect markers) and improvements (i.e. stock ponds, section corner monuments, etc.). If a tree is felled into a Riparian Habitat Conservation Area or unique habitat buffer, the portion within the buffer will be left in place, with one exception. Within aspen stands designated for conifer removal,

trees may be removed from the Riparian Habitat Conservation Area as long as no soil displacement<sup>1</sup> occurs. The intent is to avoid disturbance within these areas.

- No ground-based equipment will operate in units where the average slope is greater than 35 percent in order to reduce the potential for soil movement. Skid trails, forwarder trails, other log transportation routes, and landings will be approved by the Forest Service to meet the Best Management Practices and applicable management requirements during timber sale contract administration. All equipment will operate outside of Riparian Habitat Conservation Areas, unless soil disturbance can be avoided.
- Cross-ditches and water-spreading ditches will be installed at locations marked on the ground by the Forest Service as a means of reducing the potential for soil displacement and sedimentation.
- Equipment operation within ephemeral draws will be confined to designated crossings in order to minimize soil disturbance. Debris will be placed into the crossings to reduce soil displacement and compaction.
- Use of ground-based equipment will be suspended when weather conditions (such as intense or prolonged rainfall or winter breakup conditions) would otherwise result in excessive soil displacement. This is to reduce surface erosion and rutting.
- Non-commercial thinning debris will be simultaneously lopped and scattered, mulched, piled, or removed to reduce the risk of high intensity wildfire.
- If any cultural resource sites are discovered during layout or implementation, they will be protected until an archeologist can assess them and determine appropriate actions.
- A screen of small trees (if existing) will be retained along open and seasonally open roads to the extent possible given thinning, harvest, and prescribed burning constraints. This is to reduce big game vulnerability. An exception to this is within Forest Plan areas designated for scenic quality (A4-Viewshed 2 management area).
- Burn prescriptions will be designed to imitate low intensity wildfire effects on soil and dominant tree mortality. Burning will take place when heavier fuels and duff moisture contents are high, such as in the spring or in the late fall.
- Prescribed fire will not be ignited in Riparian Habitat Conservation Areas; however, fire will be allowed to back into them and exposure of mineral soil will not exceed 10 percent.
- Fire control lines adjacent to Riparian Habitat Conservation Areas, on slopes exceeding an average of 35 percent, and on other sensitive areas where soil disturbance is of concern will be constructed by hand. All fire line will be rehabilitated after the burn by returning displaced soil to the line, construction.
- Roads will be kept open to the public where safety permits. Safety signs that comply with the Manual on Uniform Traffic Control Devices specifications will be posted to warn motorists of harvest-related hazards.
- The Forest Service will approve dust abatement on roads before activity begins in order to protect the water and fisheries resources.

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<sup>1</sup> Soil displacement is defined as lateral movement of exposed soil.

- Snowplowing will meet road maintenance specifications as described in the Biological Opinion for the North Fork John Day Sub-basin Multi-Species Biological Assessment for Ongoing and Proposed Activities (2003). In summary:
  - Snowplowing will occur in a way that prevents erosion damage to roads and streams
  - There will be no side casting of snow into Riparian Habitat Conservation Areas.
  - No plowing will occur during winter breakup conditions.
  - To prevent the blade from digging into the road prism, snowplow height will be a minimum of two inches above the road surface.

### ***Post-Treatment***

- Borax will be applied to tree stumps in areas infected with *Fomes annosus* to prevent spread of the disease.
- Upon completion of activities, skid trails, landings, or exposed mineral soil will be treated as necessary and appropriate to the site to reduce soil erosion, soil compaction, or establishment of noxious weeds. This may include seeding, waterbarring, subsoiling of landings, etc. Displaced soil in berms or ruts may be returned to its prior location.
- The Forest Service will provide necessary seed, using seed that has been tested to be free of noxious weeds (list in the State of Oregon). Native grasses and forb seed will be used as available, otherwise non-persistent exotic species will be provided.

### **MONITORING**

1. Units will be spot checked during layout by an aquatic specialist to assure that riparian protection, as delineated by PACFISH requirements and Best Management Practices, is implemented as stated. Boundaries that do not meet mitigation requirements will be adjusted accordingly. This monitoring is considered essential.
2. Number, size, and distribution of snags and down logs within units will be field checked by Forest Service personnel. Layout and treatment practices will be adjusted where mitigation parameters are not met. This monitoring will be done as funding is available.
3. The Forest Service contract representative will spot monitor during and after activities to ensure sediment and soil compaction constraints are met. If constraints are not met, Forest Service personnel will identify and document modifications to be used in future projects. This monitoring is considered essential.
4. The District noxious weed coordinator or crew will conduct noxious weed species surveys prior to initiation of harvest or other ground disturbing activities within the project area. This monitoring is considered essential.
5. Forest Service personnel will spot check activities during implementation to determine whether noxious weed mitigation measures and project risk management plans are implemented. Deviations will be corrected immediately. This monitoring is considered essential.
6. For five years after activities are completed, the District noxious weed coordinator or crew will conduct an annual inventory of the treatment area and access routes to determine if existing noxious weed populations have spread or if new sites have occurred. This monitoring is considered essential.

7. After prescribed fire treatments, Forest Service personnel will field check a sample of burn units to determine whether the prescription and mitigation (i.e. mortality, mineral soil exposure, fuel load reductions, etc.) have been met. If objectives or mitigation have not been met, additional burning may be delayed or the fire prescription and procedures adapted to ensure the mitigation is achieved. This monitoring is considered essential.