



United States  
Department of  
Agriculture

Forest  
Service

December 2012



# Environmental Assessment

## Flat Creek Buildings Disposition Project

Middle Fork Ranger District, Willamette National Forest  
Lane County, Oregon



**For More Information Contact:**

Kenneth S. Barbee  
46375 Highway 58  
Westfir, OR 97492  
Work: 541-782-5233  
Fax: 541-782-5306

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDAs TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.

## Table of Contents

Chapter 1: Introduction .....	2
Background .....	2
Purpose and Need for Action .....	4
Decisions to be Made Based Upon This Analysis:.....	5
Decision Framework .....	7
The Proposed Action.....	7
Management Direction and Regulations .....	7
Tribal and Public Involvement.....	8
Tribal Consultation.....	8
Public Scoping.....	8
Issues Development.....	9
Key Issues.....	9
Non-Key Issues .....	10
Chapter 2: Alternatives, Including the Proposed Action.....	10
Alternatives Considered, but Not Given Detailed Analysis.....	10
Alternatives Given Detailed Analysis.....	11
Mitigation Measures and Design Features by Alternative .....	12
Heritage .....	12
Botany .....	15
Soil/ Water.....	15
Chapter 3: Environmental Consequences.....	15
Past, Present and Future Actions .....	15
Heritage Resources .....	16
Wildlife.....	18
Public Safety.....	26
Consistency with Direction and Regulations for Other Resources .....	26
Chapter 4: Consultation and Coordination.....	28
References Cited .....	30

### List of Tables

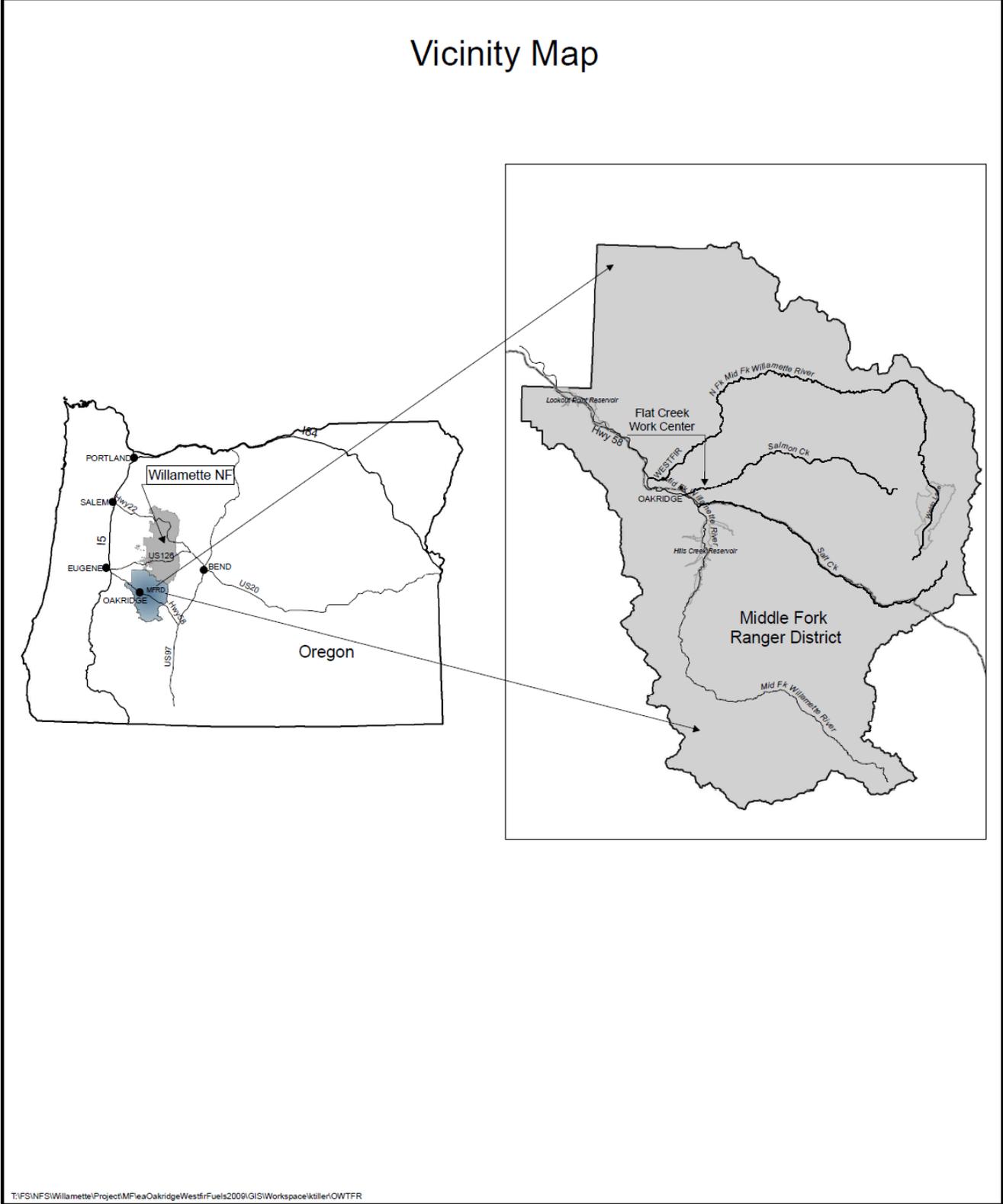
Table 1: Willamette National Forest proposed, endangered, threatened, and sensitive species.....	22
Table 2: Willamette National Forest Fauna associated with potential effects from the Flat Creek Buildings Disposition Project .....	24
Table 3: Survey and Manage Species.....	24

### List of Figures

Figure 1: Vicinity Map.....	1
Figure 2: Aerial Map .....	4
Figure 3: Assistant Ranger's House, Building #1030.....	5
Figure 4: Assistant Ranger's Garage, Building # 1512.....	5
Figure 5: Duplex, Building # 1029.....	6
Figure 6: Ranger's House, Building # 1049.....	6
Figure 7: Ranger's Garage, Building # 1511.....	6
Figure 8: Flat Creek Bat Condo.....	7



Figure 1: Vicinity Map



# Chapter 1: Introduction

## Document Structure

---

The U.S. Forest Service (USFS) has prepared this Environmental Assessment, in compliance with the National Environmental Policy Act (NEPA) and other relevant Federal, State and local laws and regulations. This Environmental Assessment discloses the potential direct, indirect, and cumulative environmental impacts that would result from the proposed action, an alternative to the proposed action, and the no action alternative. The document is organized into four parts:

***INTRODUCTION:*** This section includes information on the history of the proposed action, the purpose and need for the action, and the agency's proposal for achieving that purpose and need.

***ALTERNATIVES, INCLUDING THE PROPOSED ACTION:*** This section provides a more detailed description of the agency's proposed action, as well as the no action alternative. These alternatives were developed based on key issues raised by the agency, public and other agencies. This discussion also includes possible mitigation measures.

***ENVIRONMENTAL CONSEQUENCES:*** This section describes the potential environmental impacts of implementing the proposed action and any other considered alternative. The analysis is organized by environmental category and component. Within each section, the existing condition/affected environment is described first, followed by the effects of the No Action Alternative and the two action alternatives. The No Action Alternative provides a baseline for evaluation and comparison to other alternatives considered.

***CONSULTATION AND COORDINATION:*** This section provides a list of preparers and agencies consulted during the development of the environmental assessment.

## Background

The Forest Service owns five historic structures (three residences and two garages) at the Flat Creek Work Center that are in disrepair, are no longer habitable, are being vandalized, are safety hazards to the public and Forest Service personnel, and need to be disposed of.

The Flat Creek Work Center is located about one mile east of Oakridge, Oregon, off the Salmon Creek road (FS Road 24), in T21S, R3E, section 14, Willamette Meridian. This location is on land managed by the USDA Forest Service and is currently designated as an Administrative Site (Management Area 13b) by the 1990 Willamette National Forest Land and Resource Management Plan. The Flat Creek Work Center warehouse is currently used primarily by Middle Fork Ranger District fire personnel from March to November for equipment storage, engine parking, and employee meetings. In the event of a large wildfire on the district, the compound is used as a fire camp, occupied by up to 400 firefighters with equipment such as generators, trucks and hoses. Two new bunkhouses were built at the work center in 2011 to house seasonal employees on the district. There is also a tree cooler building on the site, used by district silviculture personnel for tree seedling storage. The work center is also a gathering site for high school cross-country running events in the fall.

The five buildings in need of disposition include the Ranger's house, Assistant Ranger's house (both with separate garages) and a duplex (See Figures 3-7). All five buildings were built by the

Civilian Conservation Corp (CCC) in the 1920's and 30's. The Assistant Ranger's house and garage were built in 1925 and the other two residences and garage were built in 1935. These buildings once provided housing for Forest Service employees and their families that worked in the Oakridge/Westfir area.

At one time the Forest Service found it desirable to provide employee housing in this area, both as an enticement to keep employees, and due to a possible lack of suitable rental housing in the community. It was considered desirable to have employees be part of the local community, and until the last several decades, commuting from other communities was not practical nor supported.

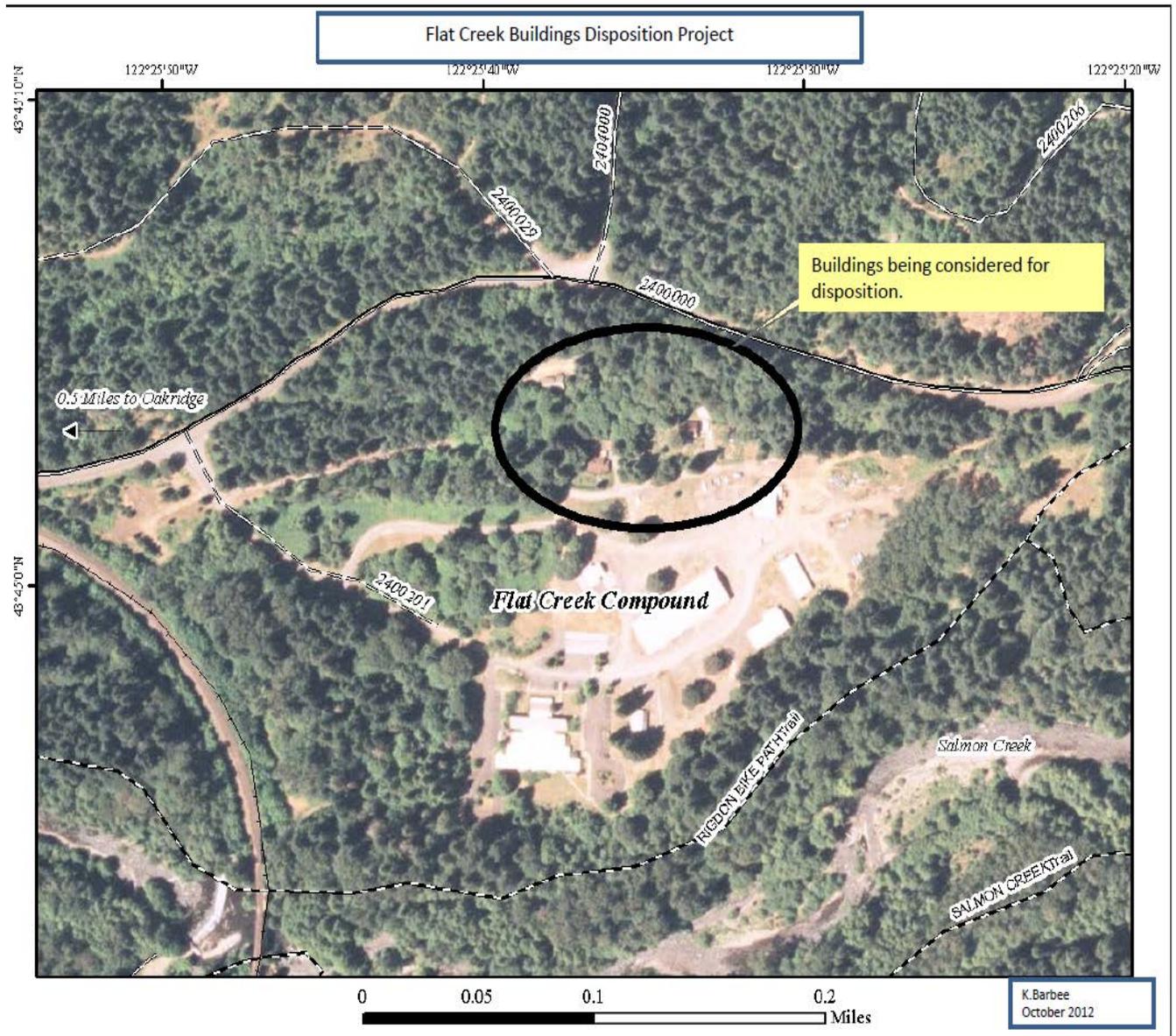
All of the buildings are wood frame construction. For the most part, the exterior of the houses retained their original character but the interiors have been modified over the years, especially the kitchens and fireplaces. The three residences have full basements. None of these buildings are under the Forest Service's Quarters program at this time. The Assistant Ranger's house with garage and the Duplex have not been inhabited for over fifteen years. The Ranger's house and garage have not been used in over a year.

The five buildings are in disrepair and funding for repairs has been limited or non-existent in recent years. The buildings have been found to contain lead paint and asbestos. One residence's septic system collapsed in the late 1980's and was subsequently decommissioned. A hole was ripped in the roof of the Ranger's house by a falling tree branch allowing water to enter the house for a period of time before it could be repaired. Vandalism is an ongoing and chronic problem. The buildings have been broken into several times and are a safety hazard to the individuals doing the vandalism as well as Forest Service employees who need to enter the buildings occasionally for surveys and repairs.

All five buildings are eligible for the National Register of Historic Places (NRHP). They were all determined to be eligible for the NRHP at the secondary level of significance in 1982. The characteristics and configuration of these houses have been formally documented in a Historic American Building Survey (HABS). HABS operates under Congressional authority from the Historic Sites Act of 1935 to document historic structures and make available to the public an archive of records of America's cultural heritage.

The Ranger's house has been found to contain a maternal colony of bats. The Forest Service constructed a "bat condo" near this house in the spring of 2012 to provide an alternate habitat structure for these bats.

Figure 2: Aerial Map



## Purpose and Need for Action

The purpose of this project is to evaluate the future use of the structure and relieve the Middle Fork Ranger District of the financial burden of maintaining these unused structures and protect the public and Forest Service employees from safety hazards associated with the buildings, while protecting historic values and bat populations.

There is a compelling need for action because the buildings are in disrepair, are no longer habitable, are being repeatedly vandalized, are a safety risk to the public and Forest Service employees, and there are not sufficient funds available to repair the buildings to a level such that they can continue to be functional for Forest Service uses.

The five historic Flat Creek buildings are in need of considerable repair and maintenance. It is estimated that an average of \$45,000 to \$50,000 dollars per building would need to be spent on these houses to bring them into acceptable conditions to continue to be occupied. This is the result of a number of years of deferred maintenance due to a chronic shortage of facilities maintenance funding. The annual District facilities budget in Fiscal Year 2012 was only \$14,000.

The intent of this environmental analysis is to analyze methods of disposal and alternative future uses for the Flat Creek buildings in response to the continuing lack of ability to adequately fund maintenance and to eliminate a public safety hazard.

*Decisions to be Made Based Upon This Analysis:*

- How to eliminate the financial responsibility for these historic structures;
- Determination of the optimal method of accomplishing the purposes and needs for this project while resolving issues associated with the proposal.



**Figure 3: Assistant Ranger's House, Building #1030.**



**Figure 4: Assistant Ranger's Garage, Building #1512.**

**Figure 5: Duplex, Building # 1029.**



**Figure 6: Ranger's House, Building # 1049.**



**Figure 7: Ranger's Garage, Building # 1511.**



**Figure 8: Flat Creek Bat Condo.**

## Decision Framework

The Decision Maker for this proposed action will be the Middle Fork District Ranger Duane F. Bishop, and that decision will be documented in a Decision Notice.

## The Proposed Action

The proposed action is to demolish the buildings and dispose of all wood and metal components off-site. A tracked excavator would dismantle the buildings. The concrete foundation walls of the three residences with full basements would be broken off below ground level and placed in basements as fill. Foundation walls from the garages would also be used for basement fill material. Septic systems would be decommissioned to DEQ standards which require pumping the tanks, creating holes for drainage in the tanks and back filling the tanks with a sand or gravel slurry. Additional certified weed free fill material would be brought in to completely fill the basement area as necessary. This would require ground disturbance extending approximately 30 feet around all buildings. The depth of ground disturbance would be less than six inches.

## Management Direction and Regulations

All the buildings in question are currently on land managed by the USDA Forest Service and are designated as administrative sites (MA13b) by the 1990 Land and Resource Management Plan for the Willamette National Forest. These sites have been administrative sites since the 1920's. The three houses were originally constructed to provide employee housing to facilitate the operation of the various ranger districts that have occupied the Oakridge area over the years. This use has continued up to the present time with the exception of the duplex at the Flat Creek compound, which has been used for storage space and as a workshop until fifteen years ago.

The Working Capital Fund (WCF) Initiative and eventual decommissioning of facilities as a result of the Facilities Master Planning process will affect facilities, some of which are historic. In accordance with applicable laws and Executive Orders, every alternative to avoid, minimize, or mitigate the adverse effects of decommissioning significant historic buildings must be considered (data recovery, adaptive reuse, alternative ownership with preservation covenants, retention/preservation of representative sample of historic structures, etc.).

Current National Forest Service direction is for administrative units to divest themselves from rental house responsibilities in areas where there is adequate rental housing provided by the

private sector, due primarily to reduced maintenance budgets and less overall Forest Service funding, as well as to avoid competing with private business.

The primary laws and Executive Orders that affect historic buildings include the National Historic Preservation Act (NHPA) of 1966 as amended; Executive Order 11593 – Protection and Enhancement of the Cultural Environment; and Executive Order 13287 of March 3, 2003 – “Preserve America”. Section 110 of NHPA states that Federal agencies “shall use, to the maximum extent possible” historic properties within the system before acquiring, constructing, or leasing new buildings. Section 111 states that Federal agencies must establish and implement alternatives for historic properties that are no longer needed for agency purposes. The Advisory Council on Historic Preservation (ACHP) considers this provision when reviewing alternatives for the treatment of excess property. The agency may lease historic property to any person or organization or may exchange with comparable historic property or the lease or exchange will adequately endure preservation of the property. The agency may use lease proceeds for other properties eligible for the National Register.

Since funding levels have fallen and the facilities decommissioning process has identified these buildings as being surplus, Section 106 of NHPA calls for any Federal undertaking affecting a resource that is listed in or eligible for listing in the National Register of Historic Places to undergo a review; hence the need for this section of the analysis.

Region 6 direction is to resolve necessary safety, health, accessibility, environmental (including management of lead-based paint, asbestos containing materials, radon, and other hazardous materials present in building systems or utilized in Unit operational processes) and security compliance deficiencies.. Dispose of facilities that are excess, unneeded or underutilized, or that have a Facility Condition Index (FCI) of Poor, as defined by the USDA Asset Management Plan (USDA. 2011).

## Tribal and Public Involvement

The proposal was first listed in the Schedule of Proposed Actions (SOPA) in October 2011, and has appeared in SOPA quarterly since that time. The proposal was provided to the Tribal Councils, public and other agencies for comment in May of 2012. A public notice shall announce the availability of the EA for public review and comment.

### *Tribal Consultation*

Formal tribal consultation occurred before the phases of public scoping. A letter with the proposed action, alternatives, and project information was sent to the tribal representatives (The Confederated Tribes of Grand Ronde Community of Oregon, Confederated Tribes of Siletz Indians of Oregon, Confederated Tribes of Warm Springs Reservation of Oregon, and the Klamath Tribe) on April 28, 2012. The letter explained the purpose and need for the project and asked for comments on the proposed action. The Tribes expressed no interest in this project.

### *Public Scoping*

A scoping letter was mailed to the general public on May 1, 2012. Two letters from the public were received. Both letters advocated full restoration or mothballing and they were from University of Oregon’s Conservation Studies program specializing in “Civilian Conservation Corps (CCC) era” structures. The first letter was submitted Marston Morgan and Noah Kerr. The second letter was submitted by Holly Borth and Hayley Van Hiel.

The EA shall be circulated and coordination shall be conducted as part of this EA Public Involvement process. The agency will send letters to state and federal agencies, federally recognized tribes, public organizations, and individuals that have expressed interest in the project to inform them that the EA is available for review and comment for 30 days.

The public, interested parties and other agencies shall be given the opportunity to comment on the proposed action within the time limits stated within the public notice. Comments and response received during this process shall be taken into consideration and incorporated into a decision document as appropriate.

If no significant impacts are identified during the Public Involvement and EA documentation process, the USFS shall issue a Decision Notice and Findings of No Significant Impact (FONSI). If the Responsible Official determines the action may have significant impacts on the environment the USFS may decide to prepare an EIS for this action.

### *Issues Development*

An identified purpose and need and associated proposed action(s), may cause effects to other resources managed by the Forest Service. The existing environment and certain Forest Plan elements are identified within this document to give an understanding of the potential impacts of the proposed action.

Scoping of the proposed action through various types of coordination activities with Interdisciplinary Team (IDT) Members, Resource Specialists, other Federal and State Agencies, and the public helped to identify key issues and concerns.

These issues and concerns are used to identify and refine the proposed action, mitigation measures, and the effects analysis.

### *Key Issues*

The Forest Service separated the issues into two groups: key and non-key issues. Key issues are those that are used to help develop alternatives.

**Historic significance and public concerns for preservation** - These houses represent part of the cultural heritage of the Oakridge/Westfir community. They have housed a number of past community members. They represent a unique time in history, and embody a quality of design, workmanship, and materials representative of CCC era in which the majority of the structures were built. Section 106 of the National Historic Preservation Act (NHPA) requires the assessment and mitigation of any activity that may adversely affect NRHP-eligible historic structures, and this must be done in consultation with the State Historic Preservation Office (SHPO).

**Maternal Colony of Bats** - For the past 20 years or more, a maternal colony of a common bat species known as long-eared myotis (*Myotis evotis*) has been using the east house as a roosting and breeding site. The colony is estimated at 50-100 individuals. The 2001 Survey and Manage Species Record of Decision states that buildings being used by bats should be protected from destruction where possible, contingent on safety concerns and legal requirements. If protection of the buildings is not possible due to safety and legal concerns, then alternate bat structures and/or other mitigations are recommended.

**Hazardous materials and public safety** - The buildings contain lead-based paint on the exterior and interior surfaces. Soil testing has shown that paint chips have not contaminated the soil. Such lead paint residues would pose a risk to occupants of these houses, especially if small children are present. The Duplex has radon levels above threshold in the basement. The U.S. Environmental Protection agency threshold is 4pCi/l (picocuries/per liter). Past testing has revealed levels from 5.0 to 11.2 pCi/l. These results are based on the Activated Charcoal Radon Test and Alpha Tract Radon methods. There are also safety issues related to repeated vandalism, structural deterioration, and mold.

### *Non-Key Issues*

Non-key issues are those that are : 1) outside the scope of the proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; or 4) conjectural and not supported by scientific or factual evidence. The Council on Environmental Quality (CEQ) NEPA regulations require this delineation in Sec. 1501.7, "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)..." No non-key issues were identified.

## **Chapter 2: Alternatives, Including the Proposed Action**

This chapter describes and compares the alternatives considered for the Flat Creek Building Disposition project. It includes a description of each alternative considered for detailed analysis. This section also presents the alternatives in comparative form, sharply defining the differences between each alternative and providing a clear basis for choice among options for the decision maker and the public.

In addition, this section also identifies alternatives that were considered but eliminated from detailed consideration due to various reasons.

### **Alternatives Considered, but Not Given Detailed Analysis**

**Recreation Rental:** The District would continue to maintain the houses and rent them for recreational weekend and vacation use, with the idea that rental receipts would help maintain the structures. This alternative was not fully analyzed because a preliminary analysis indicated the amount of money generated would still not be enough to maintain the houses, and up-front repair would be very expensive and would be necessary to provide for a pleasant and safe recreational experience. A Bed and Breakfast trade organization representative was contacted to inquire about the feasibility of this kind of use and that individual indicated demand for such rentals would likely be low given the lack of close-by natural attractions. The Flat Creek houses are located on the margin of a large gravel parking lot associated with a large Forest Service work center and still utilized warehouse complex. In addition, management as a recreation rental facility would require administrative and house cleaning personnel and furnishings would have to be provided. The District simply does not have the funding to provide such services, nor to do the required repairs. As mentioned in the Background Section, the Flat Creek work center is occasionally used as a fire camp for hundreds of workers, which would not be compatible with a recreation rental.

**Sell houses and remove them from the properties:** This alternative was originally considered as the proposed action, but further analysis showed this was not economically viable. The houses, generally speaking, are in remote locations on narrow roads with a limited supply of private lots to which they could be moved. Consultations with house moving companies indicate that moving a house is economical when the distance of the move is less than five miles, and other factors

such as the number of power lines that have to be moved can significantly shorten that distance. The removal of the houses to a new location is not physically or economically feasible due to road widths, intervening vegetation, site conditions, or number of power and utility wires along the travel route.

**Totally rehabilitate the houses and continue to use them for employee rentals:** This alternative would require substantial investment to resolve structural and health safety issues. Such funds are not available and the alternative would not accomplish the purpose and need. It is also doubtful there is sufficient demand for employee rentals to keep these houses constantly occupied. This alternative would not comply with current national direction for the Forest Service to get out of the rental business and the Regional Facilities Strategy to reduce excess infrastructure.

**Sell the houses and lease the land (with a special use permit).** This is similar to how the current summer homes were created. Current Forest Service policy is to abstain from the rental business, and provision of new summer home leases is also discouraged. This alternative would not comply with current national direction for the Forest Service to get out of the rental business and the Regional Facilities Strategy to reduce excess infrastructure.

**Land Exchange:** Include these properties in land exchange proposals designed to consolidate Forest Service landholdings across the Pacific Northwest Region. While this concept would meet the purpose and need by removing financial responsibility from the Middle Fork Ranger District and provide for retention of the structures historic and community values. Past experience with land exchanges have shown this method to be unpredictable at best. Land exchanges can take up to a decade to consummate, and have been known to fail. This alternative would not meet the safety concerns if the land exchange takes a long time to complete.

## Alternatives Given Detailed Analysis

### **Alternative 1 - No action (Mothballed)**

This alternative would result in empty, closed houses with minimal maintenance. Primarily actions include maintenance of roof drainage. As considered here, no action means that no restorative maintenance would occur in these structures. While the alternative does not achieve the purpose and need stated above, it provides a benchmark for comparison of effects as a result of implementing one of the action alternatives. It also gives the decision maker an option to choose not to implement any of the action alternatives should their effects be perceived as excessive.

### **Alternative 2 - Proposed Action (Demolition)**

This alternative would demolish the buildings and dispose of all wood and metal components off-site. A tracked excavator would dismantle the buildings. The concrete foundation walls of the three residences with full basements would be broken off below ground level and placed in basements as fill. Foundation walls from the garages would also be used for basement fill material. Septic systems would be decommissioned to DEQ standards which require pumping the tanks, creating holes for drainage in the tanks and back filling the tanks with a sand or gravel slurry. Additional fill material would be brought in to completely fill the basement area as necessary. This would require ground disturbance extending approximately 30 feet around all buildings. The depth of ground disturbance would be less than six inches.

### **Alternative 3 - Re-use under Special Use Permit**

This alternative would allow reuse under special use permit for the houses and the land, with repair and maintenance requirements as part of the lease contract. This alternative could provide for use of these houses as a privately or non-profit funded interpretation center, museum, youth hostel, general recreation rental, or any number of public service oriented uses, should an entity be identified which would be interested in entering into such an agreement and in providing such services in this area. This alternative would consider retention of the buildings, however no provision for residential use would be assessed. Should an interested party be identified, all required repair and maintenance costs would be the responsibility of the permit holder.

## **Mitigation Measures and Design Features by Alternative**

In response to internal, Federal, State and public feedback regarding the proposed action, avoidance, minimization and mitigation measures were developed in order to ease some of the potential environmental consequences from the project (action) implementation and alternative selection.

### *Heritage*

#### **Alternative 1 – No Action (Mothballed) Mitigations:**

If Alternative 1 is implemented, the Forest must take measures to ensure the Flat Creek residences and garages are stabilized for storage in order to minimize degradation of the structures and damage incurred by vandalism. To achieve this, the buildings should be kept in “mothball” status in accordance with *Preservation Brief #31, Mothballing Historic Buildings* (Park 1993) until such time as their final disposition is determined or mitigation measures of the Memorandum of Agreement (MOA) (Hamilton,2011), as required under this Stipulation, Stipulation III and at least one under Stipulation V, area completed (see U.S. Forest Service 2012, Stipulation II).

#### **Alternative 2 – Proposed Action (Demolition) Mitigations:**

If Alternative 2, the Proposed Action, is implemented, the following mitigations shall apply (as described in Hamilton 2011):

- Mitigations for Protection of Features during Demolition. Site protection measures are necessary where heavy equipment is to be employed to demolish the five historic buildings. These measures are designed to minimize ground disturbance and avoid historic features. Despite excellent visibility in previously disturbed soil in the yards, and in garden beds around the duplex, no historic or prehistoric artifacts were identified. This indicates that significant artifact-bearing deposits are very unlikely to occur within the project Area of Potential Effect (APE). This area of the site, however, has not been formally evaluated using subsurface excavations, therefore:
  - Ground disturbance should be avoided.
  - Use of heavy equipment is to be restricted mainly to the graveled drives around the residences and garages.

- As currently designed the septic tank decommissioning action proposes to leave the tanks in place, punch a hole in the bottom and fill them with imported material. The tanks are to be accessed from the adjacent gravel drives.
  - The roadway that goes completely around the duplex is composed mostly of grass, not gravel. To minimize ground penetration, demolition work utilizing heavy equipment should be done in the summer, when the ground is relatively hard.
  - Prior to demolition of the buildings, all historic features in and immediately adjacent to the APE should be flagged for avoidance by heritage resource personnel. Several historic features occur around the two single family residences (Buildings #1049 and #1030) and associated garages (Buildings #1511 and #1512), and one is located adjacent to the APE at the duplex (Building #1029), a retaining wall along the southern edge of the drive.
  - It may not be feasible to completely avoid historic walkways during demolition of the two single family residences. If it is necessary to drive equipment over the walkways, they should be covered with a barrier designed to protect them by redistributing the equipment's weight.
  - When using heavy equipment for demolition, the project should be monitored by heritage resource personnel to ensure the undertaking is implemented without adverse effect to the protected components of the site.
- If Alternative 2, the Proposed Action is implemented, Stipulations III – IV and at least one under Stipulation V (A,B,or C) of the Memorandum of Agreement (MOA) for the loss of the Flat Creek residences and garages via demolition shall also apply (as described in U.S. Forest Service 2012):

The stipulations cited below are unchanged from the Memorandum of Agreement (MOA) but should nonetheless be considered a summary. They deal specifically with the loss of the historic structures and immediate agency responsibilities concerning implementation of the Proposed Action but do not represent all stipulations contained within the document. Those not listed below concern Duration (Stip. VI), Post-Review Discoveries (Stip. VII), Monitoring and Reporting (Stip. VIII), Dispute Resolution (Stip. IX), Amendments (Stip. X) and Termination (Stip. XI).

#### MOA Stipulation III.- Documentation

A. The USDA-FS has ensured that the Flat Creek Complex, comprised of the three residences and two garages has been documented according to Historic American Building Survey (HABS) Standards and Guidelines, as modified by the Oregon SHPO (Pinyerd and McMurry 2002). The general scope of the work for the required HABS documentation consisted of the following:

1. Tier II documentation.
2. Photos of exterior elevations, significant interior spaces and distinctive exterior and interior architectural features of the property.

3. Reproductions of available original drawings or floor plans.
4. Written architectural descriptions of each constituent structure of the property.
5. Written contextual history associated with the property in narrative form.

B. SHPO will review the HABS documentation submittal, and accept or reject 100% of the submittal in accordance with HABS standards.

C. In the event the Flat Creek Complex structures are to be demolished, no demolition of the structures will be undertaken until all of the HABS documentation is accepted in writing by SHPO.

MOA Stipulation IV. - Salvage

In the event the Flat Creek Complex structures are to be demolished, the USDA-FS will ensure as much of the building materials as possible are salvaged by a qualified entity versed in historic building salvage operations. USDA-FS will also ensure the materials salvaged will be used in a manner consistent with their historic nature.

MOA Stipulation V. - Nomination/Interpretation (one of these three would be selected)

The cost of any of these mitigations would come out of the project funds.

A. In addition to the documentation described in Stipulation III, the USDA-FS shall pursue a nomination to the NRHP of a qualified, higher integrity property of similar vintage to the Flat Creek Complex, such as the Horse Creek work center on the McKenzie River Ranger District. The estimated cost of this mitigation would range from \$8,000 to \$12,000. The cost would be dependent on the number of buildings and complexity of the target site and whether nomination is completed by the Forest Service, Enterprise Team or contractor.

B. The USDA-FS will develop a traveling interpretive exhibit on the subject of Depression-era Forest Service development and/or Civilian Conservation Corps (CCC) contributions to the Forest Service during this period. The estimated cost of this mitigation would range from \$7,000 to \$10,000. The cost would depend on the size of the exhibit and amount of Forest Service participation.

C. The USDA-FS will install interpretive panel(s) on site to show what the historic complex was like. Panel design and content is to be reviewed and approved by SHPO prior to production and installation. The estimated cost of this mitigation would range from \$7,000 to \$11,000. The cost would depend on the number of panels, their location, and amount of Forest Service participation.

**Alternative 3 – Re-use under Special Use Permit – Mitigations:**

If Alternative 3 is implemented, the Forest must ensure no alterations to the structures occur without proper heritage review first. Any potential Special use Permits (SUP) issued must include heritage resource protection measures in order to safeguard the historic values and character of the Flat Creek residences, garages, and associated features and archaeological

deposits. Such measures should be developed in consultation with District heritage resources personnel. In addition, any alterations to the structures that may be required under other Federal rules and regulations (e.g. handicap accessibility under the American Disability Act (ADA) so that the buildings may be used under SUP must first be reviewed and approved by the District heritage program in consultation with the SHPO as stated in Stipulation I of the MOA (U.S. Forest Service 2012).

### **Design Criteria**

- All NRHP eligible sites and potentially eligible sites must be protected during all project activities and the potentially adverse effects of the undertaking mitigated as described herein.
- Any changes to the undertaking will require consultation with district heritage personnel in order to assess their effect on known and unknown heritage resources. Should proposed changes introduce additional potentially adverse effects to heritage resources beyond those assessed in this document, additional mitigation measures will be required.
- There remains the possibility that buried prehistoric or historic cultural resources could be uncovered during project activities. If additional cultural resources are encountered beyond those described in this document during implementation of either Alternative 2/the Proposed Action or Alternative 3, any earth-disturbing activities in the vicinity of the find must be suspended in accordance with federal regulations and district heritage personnel notified to evaluate the discovery and recommend a subsequent course of action. A contract clause must be included in all project prospective and contracts. This clause shall outline the procedures to follow in the event heritage resources are discovered during project implementation.

### ***Botany***

**For all Alternatives:** Standards are followed to ensure that equipment is clean on arrival to the site and that any gravel and fill is certified weed free. Disturbed ground should be seeded with native seed.

### ***Soil/ Water***

**For all Alternatives:** Design criteria for erosion control measures will be included in the contract. Cover all disturbed ground with weed free straw and seed with natives.

## **Chapter 3: Environmental Consequences**

This section summarizes the physical, biological, social and economic environments of the affected project area and the potential changes to those environments due to implementation of the alternatives. It also presents the scientific and analytical basis for comparison of alternatives presented in the previous section.

### ***Past, Present and Future Actions***

The following past, present and future actions may contribute to cumulative effects for this project.

- A bat “condo”, or bat habitat structure was built adjacent to the East house in June 2012 to provide alternate bat habitat. This was covered by a categorical exclusion. See Figure 8. The Flat Creek bat habitat structure was developed by the Pennsylvania Game Commission; hence named the “Pennsylvania Bat Condo”. This wooden structure is roughly 8 feet by 8 feet with the bottom elevated 8 feet off the ground. It was originally designed for use by little brown bat maternity colonies, but can accommodate any species of North American bat. This roost could house more than 6,000 mother bats and their young. The Flat Creek bat condo was erected at a location on the compound where it is within easy flight distance of the Flat Creek houses and where it would get sufficient solar exposure.
- Other CCC era structures with the Region have become unsalvageable over time due to either deterioration or demolition.
- Past vandalism has continued to make the Flat Creek buildings less salvageable.

### *Heritage Resources*

#### **Direct and Indirect Effects – Alternative 1 – No Action –Mothballed**

Implementation of Alternative 1 would not directly affect heritage resources since there would be no change to the immediate integrity of any such resource. This alternative would, however, have indirect effects as it does not maintain the historic value of the Flat Creek Residential Complex structures. While the buildings would be retained in a mothball status for a period of time this would no longer be required once their final disposition is determined or the Stipulations of the MOA have been met (see Mitigation Measures). If not maintained properly, the unoccupied buildings would eventually continue to degrade, decay and be the target of vandalism.

#### **Direct and Indirect Effects – Alternative 2 – Proposed Action – Demolition**

Implementation of Alternative 2 would result in the demolition of the Flat Creek Complex buildings. The direct effect resulting from implementation of Alternative 2 is the permanent loss of the Flat Creek Complex structures and the historic values and characteristics contained therein. Indirect effects include the inability of future generations to learn first-hand about the period of Federal, Forest Service and community history embodied by these buildings. Inadvertent damage to the integrity of heritage resources which were not discovered during the initial project inventory represents another potential indirect effect.

As stated by SHPO in the early stages of consultation on this undertaking, demolition of Flat Creek Complex Residences structures represents a significant Adverse Effect to the built component of an NRHP-eligible resource, and has the potential to impact associated archaeological deposits. An appropriate and approved survey has been completed, heritage site mitigation measures put in place, and an MOA stipulating required mitigation measures for the loss of the Flat Creek Complex Residences historic structures has been prepared and signed by the Forest Service and SHPO for this project. The mitigation measures serve to protect any buried archaeological deposits and landscape features of site 18-10-130/Flat Creek Complex Residences, and the stipulations described within the MOA serve to mitigate the loss of the structures in the event Alternative 2 is implemented (see Mitigation Measures).

#### **Direct and Indirect Effects – Alternative 3 – Re-use under Special Use Permit**

Implementation of Alternative 3 would provide for the adaptive re-use of some or all of the Flat Creek Complex structures for a variety of public service oriented uses under a Special Use Permit

(SUP). Implementation of this alternative has the direct and desirable effect of maintaining the historic values represented by the NRHP-eligible Flat Creek Complex structures by avoiding their demolition (Alternative 2, see above). Potential direct effects also include alterations to the buildings that could be required to comply with other Federal rules and regulations, such as the Americans with Disabilities Act (ADA). Potential indirect effects posed by this alternative include general wear and tear on the structures that can be expected to occur under normal use by the permittee.

Use of The Flat Creek Work Center warehouse is currently used primarily by Middle Fork Ranger District fire personnel from March to November for equipment storage, engine parking, and employee meetings. In the event of a large wildfire on the district, the compound is used as a fire camp, occupied by up to 400 firefighters with equipment such as generators, trucks and hoses. This would not be compatible with an interpretive center or museum.

Any potentially negative direct or indirect effects presented by this alternative are generally offset by the retention of the structures themselves. Furthermore, such effects would be mitigated by the requirements put forth in any SUP that might be issued, agency heritage resource management obligations under Section 106 of the NHPA, and stipulations of the MOA prepared in conjunction with this review (see Mitigation Measures).

### **Cumulative Effects – Alternative 1, 2, and 3**

Cumulative effects on heritage resources assess how they are impacted or have become degraded due to policies or actions that are occurring in combination to create the cumulative effect. This includes consideration of impacts not only from the current undertaking but from past actions and those from reasonably foreseeable future actions. Whether or not such effects would be substantial cumulatively is primarily dependent on the mitigation measures put in place by the Forest pursuant to the project approval process.

As indicated in Sections III and IV, the only known heritage resource within the project APE is the multi-component site 18-10-130, or the Flat Creek Complex Residences. Potential remains for previously undocumented subsurface deposits of this site to exist as formal excavations were not conducted as a part of this review.

As discussed in Section V, each individual alternative proposed under this project has the potential to directly or indirectly affect site 18-10-130. Under the No Action alternative (Alternative 1) eventual and progressive deterioration of the Flat Creek buildings is possible which would be a cumulative effect as more of these CCC era and earlier structures become unsalvageable around the Region. If the Proposed Action (Alternative 2) is implemented it would have the cumulative effect of reducing the total number of similar structures around the Region. Potential cumulative effects from retention of the structures for re-use under SUP (Alternative 3) would be the reduction of their historic integrity, feel and character due to alterations that might be required in order to comply with other Federal rules and regulations for re-use. As a limited number of intact buildings from this era remain in the Region such alterations would represent a cumulative effect.

Despite the potential cumulative effects described, the mitigations put in place including the stipulations of the MOA (see Mitigation Measures) serve to minimize and reduce the overall contribution to cumulative effects on heritage resources. Other projects or activities that may be proposed in the future within the cumulative effects study area (project APE) would also be required to comply with the same NHPA regulations and requirements as the current project, and

in so doing potential effects to heritage resources would be mitigated in a fashion similar to those outlined in the Mitigation Measures section. (Depending of course on the nature of the proposed project). Because existing regulations would require adverse effects on heritage resources be adequately mitigated at the project level, it is assumed potential adverse effects would not become cumulatively considerable as a result of future projects.

### **Consistency with Direction and Regulations**

Effects of all alternatives proposed under the EA have been considered and appropriate mitigation measures designed to protect historic features and any potential archaeological deposits of site 18-10-130 within the project APE have been put in place, thereby protecting all components of the site or mitigating the potential loss of its irreplaceable historic structures. The archaeological component of the site has not been formally evaluated and as a result its eligibility for listing in the NRHP has been assumed and protections put in place accordingly (note this statement applies to the archaeological component present within the project Area of Potential Effect (APE) and does not concern the prehistoric component identified outside the APE, for which no mitigation measures are required). The potential adverse effect presented by Alternative 2 (the Proposed Action) to the historic Flat Creek buildings resulted in the preparation of an MOA whose stipulations (see Mitigation Measures) seek to compensate for the possible loss.

Following initial dissent, the Forest completed additional consultation with the SHPO and both agencies reached agreement under the terms of the 2004 Pacific Northwest Programmatic Agreement (PA). A copy of the signed MOA can be found in the project analysis file. The project may proceed as planned with the appropriate mitigation measures in place.

See the Project Review for Heritage Resources Report in the Analysis File. If any cultural sites are found during implementation of any proposed activity within action alternatives, the activity would be discontinued, and contract clauses would be invoked until the site is evaluated for significance and appropriate mitigation measures are performed. Whatever alternative might be implemented (other than no action) the properties' historic characters would be officially documented.

### **Irreversible/Irretrievable Commitments**

Implementation of Alternative 2, the Proposed Action, would result in an irreversible and irretrievable loss of an NRHP – eligible heritage resource. This potential loss would be mitigated by stipulations of the MOA prepared in consultation with the SHPO.

## *Wildlife*

### **Bats**

The following species information and effects analysis applies to *Corynorhinus townsendii* (Townsend's Big-eared Bat), *Myotis thysanodes* (Fringed Myotis), and *Myotis evotis* (Long-Eared Myotis). Townsend's Big-eared Bat and Fringed Myotis are both listed on the Sensitive species list of the Northwest Forest Plan (NWFP). Long-eared Myotis is mentioned as a species of interest in the NWFP.

Despite an overall lack of survey data and poorly documented specific habitat requirements and life-history accounts for these bat species, their presence has been documented on the Middle Fork Ranger District (Ormsbee pers com., Verts and Carraway 1998). For this evaluation, effects

to these species are considered limited to within the Flat Creek Buildings Disposition Project area where proposed activities would occur.

Initial bat surveys at the Flat Creek Buildings Disposition Project area were conducted on 23 April 2008. Each house was evaluated for indications of past, current, and potential bat use. The garages were not surveyed. Results of that evaluation have been reported by Pat Ormsbee, Willamette National Forest Bat Specialist, and are included in this document as Attachment A. Details are summarized as follows:

- Assistant Ranger's House – maternity colony of *Myotis Evotis* (long-eared myotis) originally documented in 1991, still present based on guano in south attic. Colony size estimated as 50-100 individuals.
- Ranger's House – There was a small amount of guano in the attic. The residence probably serves as a summer roost site for small maternity colonies of an unknown bat species, but could be *M. evotis* that have migrated from the main roost in the east house.
- Duplex – There was no evidence of bats and it is unlikely to be used.

There are two wedge style free-standing bat boxes in the vicinity of the east and west residences installed at least 10 years ago. Guano catch screens were added in April 2012, use by bats was verified during Summer 2012.

Additionally, visual surveys of both garages were conducted in May 2012, and one Townsend's big-eared bat was documented day-roosting in the east residence garage. This singular bat was visually observed to be present for only one observance. Other surveys did not reveal any other Townsend's big eared bats

Based on surveys to date, evidence indicates the Ranger's, Assistant Ranger's residences and garages support past and present bat use. Of these structures, the Assistant Ranger's residence shows signs of significant bat use based on the historic *M. evotis* maternity colony.

#### **Direct, Indirect, and Cumulative Effects - Alternative 1 - No Action - Mothballed**

Under the no action alternative, there would be no negative direct, indirect, or cumulative effects since the bats would have access to the mitigation structure and the use of the site would not differ from its current state. There is a chance the number of bats on the site would increase with limited disturbance and access to new habitat. However, there is also the potential for continued vandalism on the existing as well as new structure.

Under the no action alternative, there would be **no impact** to the bats analyzed in this document. Therefore there would be no direct, indirect, or cumulative effects.

#### **Direct, Indirect, and Cumulative Effects - Alternative 2 - Demolition**

Direct effects of habitat loss may result in bats abandoning the site if they do not relocate to the new alternate habitat structure.

Some direct, indirect, and cumulative effects of habitat loss can be mitigated with the project design criteria that prescribes building demolition to occur outside of the critical breeding window. The direct/indirect effects would be that non-breeding roosting bats could still be disturbed/killed during demolition. The cumulative effect would be that if the maternity colony does not relocate to the new bat condo structure, there is the potential for loss of genetic diversity,

if the bats abandon the site completely. The effect would be compounded if the site was confirmed to also be used for fall breeding and winter hibernation for this species.

If the Assistant Ranger's and Ranger's residences and garages are demolished the project **may impact individuals or their habitat, but the action will not likely contribute to loss of viability to the population or species, or a trend towards Federal Listing (MIIH).**

### **Direct, Indirect, and Cumulative Effects -Alternative 3- Re-use under Special Use Permit**

Direct effects of disturbance from constant use of the residences/garages may cause bats to abandon the site.

There would be no Indirect or Cumulative Effects under this alternative.

If the Assistant Ranger's and Ranger's residences and garages are put under a special use permit, it **may impact individuals or their habitat, but the action will not likely contribute to loss of viability to the population or species, or a trend towards Federal Listing (MIIH).**

### **Effects to Survey and Manage Species**

Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement. On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiff's motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011.

The Flat Creek Buildings Disposition Project is consistent with the Willamette National Forest Land and Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

The 2011 Settlement Agreement states:

*"For projects with signed Records of Decision, Decision Notices, or Decision Memoranda from December 17, 2009, through September 30, 2012, the Agencies will use either of the following Survey and Manage species lists:*

- a) The list of Survey and Manage species in the 2001 ROD (Table 1-1, Standards and Guidelines, pages 41-51).*
- b) The list of Survey and Manage species and associated species mitigation, Attachment 1 to the Settlement Agreement."*

The Flat Creek Buildings Disposition Project applies the Survey and Manage species list in the 2001 ROD (Table 1-1, Standards and Guidelines, pages 41-51) and thus meets the provisions of the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001 ROD), as modified by the 2011 Settlement Agreement.

The Willamette National Forest compiled the species listed below from the 2001 ROD (Table 1-1, Standards and Guidelines, pages 41-51). The list includes those vertebrate and invertebrate species with pre-disturbance survey requirements (Category A, B, or C species), whose known or suspected range includes the Willamette National Forest according to:

- Survey Protocol for the Great Gray Owl within the Range of the Northwest Forest Plan – Version 3.0 (2004).
- Survey Protocol for the Red Tree Vole *Arborimus longicaudus* of the Northwest Forest Plan – Version 2.1 (2002).
- Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan – Version 3.0 (2003).

There would be no direct, indirect, or cumulative effects on survey and Manage species on Survey and Manage species under any of the alternatives.

**Table 1: Willamette National Forest proposed, endangered, threatened, and sensitive species**

SPECIES	Known or suspected to be present?	Suitable habitat present?*	Status	Rationale if not carried forward for analysis
<b>Northern Spotted Owl</b> <i>Strix occidentalis</i>	No	No	T	Field visits confirmed no suitable habitat is present; No spotted owl activity centers are nearby; The project is not in Critical Habitat
<b>Northern Bald Eagle</b> <i>Haliaeetus leucocephalus</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>American Peregrine Falcon</b> <i>Falco peregrinus anatum</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Bufflehead</b> <i>Bucephala albeola</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Harlequin Duck</b> <i>Histrionicus histrionicus</i>	No	No	S	Field visits confirmed no suitable habitat is present
<b>Yellow Rail</b> <i>Coturnicops noveboracensis</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Northern Waterthrush</b> <i>Seiurus noveboracensis</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Black Swift</b> <i>Cypseloides niger</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Purple Martin</b> <i>Progne subis</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Lewis' Woodpecker</b> <i>Melanerpes lewis</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>White-headed Woodpecker</b> <i>Picoides albolarvatus</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>North American Wolverine</b> <i>Gulo gulo luscus</i>	No	No	S,P	Field visits confirmed no suitable habitat is present.

<b>Fisher</b> <i>Martes pennanti</i> (West Coast)	No	No	S,P	Field visits confirmed no suitable habitat is present
<b>Fringed Myotis</b> <i>Myotis thysanodes</i>	Yes	B,R,F, D	S	
<b>Townsend's Big-eared Bat</b> <i>Corynorhinus townsendii</i>	Yes	B,R,F, D	S	
<b>Pallid Bat</b> <i>Antrozous pallidus</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Foothill Yellow-legged Frog</b> <i>Rana boylei</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Oregon Spotted Frog</b> <i>Rana pretiosa</i>	No	No	S, P	Field visits confirmed no suitable habitat is present.
<b>Pacific Pond Turtle</b> <i>Actinemys marmorata</i>	No	No	S	Field visits confirmed no suitable habitat is present
<b>Mardon Skipper</b> <i>Polites mardon</i>	No	No	S, P	Field visits confirmed no suitable habitat is present.
<b>Johnson's Hairstreak</b> <i>Callophrys johnsoni</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Crater Lake Tightcoil</b> <i>Pristiloma arcticum crateris</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Cascades Axetail Slug</b> <i>Carinacauda stormi</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Evening Fieldslug</b> <i>Deroceras hesperium</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>Western Bumblebee</b> <i>Bombus occidentalis</i>	No	No	S	Field visits confirmed no suitable habitat is present.
<b>California Shield-backed Bug</b> <i>Vanduzeeina borealis</i>	No	No	S	Field visits confirmed no suitable habitat is present.

<i>californica</i>				
--------------------	--	--	--	--

\* B = breeding habitat R = roosting/cover habitat F = foraging habitat D = dispersal habitat  
 \*S = sensitive T= threatened P= proposed

**Table 2: Willamette National Forest Fauna associated with potential effects from the Flat Creek Buildings Disposition Project**

	<i>Effects Determination</i>		
	<i>No Action Alternative</i>	<i>Building Demolition Alternative</i>	<i>Special Use of Buildings Alternative</i>
<b>Fringed Myotis</b> <i>Myotis thysanodes</i>	No Impact	MIIH	MIIH
<b>Townsend’s Big-eared Bat</b> <i>Corynorhinus townsendii</i>	No Impact	MIIH	MIIH

MIIH = May Impact Individuals or their Habitat, but the action will not likely contribute to loss of viability to the population or species, or a trend towards Federal Listing.

**Table 3: Survey and Manage Species**

Species	S&M Category	Survey Triggers			Survey Results			Site Management
		Within Range of the Species ?	Contains Suitable habitat?	Habitat Disturbing*?	Surveys Required ?	Survey Date (mo/year)	Sites Known or Found?	
<b>Vertebrates</b>								
Great Gray Owl ( <i>Strix nebulosa</i> )	C	Yes	No <sup>1</sup>	N/A	No	N/A	0	No
Red Tree Vole ( <i>Arborimus longicaudus</i> )	C	Yes	No <sup>2</sup>	N/A	No	N/A	0	No
<b>Mollusks</b>								
<i>Megomphix hemphilli</i>	F	Yes	Yes	No	No	N/A	0	No
Evening Fieldslug ( <i>Deroceras hesperium</i> )	B	Yes	No <sup>3</sup>	N/A	No	N/A	0	No
Crater Lake Tightcoil ( <i>Pristiloma arcticum crateris</i> )	A	Yes	No <sup>4</sup>	N/A	No	N/A	0	No

\*\*"Habitat disturbing" and thereby a trigger for surveys as defined in the 2001 ROD S&Gs.  
 N/A = Not Applicable

<sup>1</sup> Pre-disturbance surveys for Great Gray Owls are not required since there is no suitable nesting habitat within the project area or within proximity of the project area that would be impacted by disturbance. The required habitat characteristics of suitable habitat include: (1) large diameter nest trees, (2) forest for roosting cover, and (3) proximity [within 600 feet] to openings that could be used as foraging areas (*Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004; and

mitigation language in the 2011 Settlement Agreement Species List). The stands in the project area do not have proximity to natural-openings > 10 acres and pre-disturbance surveys are not suggested in suitable nesting habitat adjacent to man-made openings at this time (pg. 14, *Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004).

<sup>2</sup> Suitable habitat for red tree voles is stands that meet the definition in *Survey Protocol for the Red Tree Vole Arborimus longicaudus of the Northwest Forest Plan – Version 2.1 (2002)*. This project does not meet that definition.

<sup>3</sup> Suitable habitat for the Evening Fieldslug is “wet meadows in forested habitats in a variety of low vegetation, litter and debris; rocks may also be used. Little is known about this species or its habitat.” Surveys may be limited to moist surface vegetation and cover objects within 30 m. (98ft.) of perennial wetlands, springs, seeps and riparian areas.” (pg. 41, *Survey Protocol for S&M Terrestrial Mollusk Species v3.0*, 2003). There is no habitat fitting this description in the project action area.

<sup>4</sup> Suitable habitat for the Crater Lake tightcoil is “perennially wet situations in mature conifer forests, among rushes, mosses and other surface vegetation or under rocks and woody debris within 10 meters of open water in wetlands, springs, seeps and riparian areas...” above 2,000’ (pg. 43, *Survey Protocol for S&M Terrestrial Mollusk Species v3.0*, 2003). There is no habitat fitting this description in the project action area.

### **Effects to Management Indicator Species (MIS)**

The Willamette Forest Plan has identified a number of terrestrial wildlife species with habitat needs that are representative of other wildlife species with similar habitat requirements for survival and reproduction. These management indicator species (MIS) include spotted owl, bald eagle, peregrine falcon, cavity excavators, pileated woodpecker, deer, elk, and marten. Many of these species have potential to occur in or near the project area. Activity associated with the proposed action is consistent with, or exceeds Willamette Forest Plan Standards and Guidelines as they pertain to MIS management.

No modification of habitat for MIS would occur as a result of this proposal. In addition, proposed activities are considered to have no potential to disturb any MIS that may occur in the vicinity.

The project is considered to have **no direct, indirect, or cumulative effect** on MIS.

### **Effects to Land Birds/ Neotropical Migrants**

The project should have **no direct, indirect, or cumulative effect** on this group of species. No modification of habitat for this group of species would occur as a result of this proposal. In addition, proposed activities are considered to have little potential to disturb individuals that may occur in the vicinity.

### **Effects to Deadwood**

The project would not have any direct, indirect, or cumulative effects on dead wood and would not modify any existing snag or down wood habitat.

### **Effects to Botany Resources**

The project would not have any direct, indirect, or cumulative effects on sensitive or survey and manage botanical species.

### **Effects to Soil/Water Resources**

The project would not have any direct, indirect, or cumulative effects on soil/water resources.

### **Effects to Fisheries Resources**

The project would not have any direct, indirect, or cumulative effects on fisheries resources.

## *Public Safety*

### **Direct, Indirect, and Cumulative Effects - Alternative 1 - No Action -Mothballed**

The direct effects of No Action are that the buildings would continue to be vandalized and the possibilities of injury due to the deteriorating, unsafe condition of the residences or sickness due to exposure to asbestos and lead paint that is present. The cumulative effect would be that constant vandalism would add damage to present condition from past vandalisms making the buildings even more unsafe.

### **Direct, Indirect, and Cumulative Effects - Alternative 2 - Building – Proposed Action - Demolition**

The direct effect of demolition is that the buildings would no longer be a place where vandals would want to break in and likely reduce risk of injury. It would relieve the district of liability due to personal injury stemming from the use of these buildings. There would be no cumulative effects.

### **Direct, Indirect, and Cumulative Effects - Alternative 3: Re-use Under Special Use Permit**

The direct and indirect effect of constant use of the residences/garages to public safety would be minimal because safety concerns would be mitigated during the rehabilitation of the residences and garages. Houses would be repaired to safe conditions and hazards would be reduced as long as they are maintained properly. Vandalism could still take place but at a minimum due to activity in the buildings. There would be no cumulative effects.

## *Consistency with Direction and Regulations for Other Resources*

The action alternatives all comply with the following legal and policy requirements as follows:

### **Federal Laws and Policies:**

*The Preservation of American Antiquities Act, June 1906*---All areas proposed for ground-disturbing activities have been surveyed for the presence of cultural resources. (see the Project Review For Heritage Resource form in the Analysis File).

*The National Environmental Policy Act (NEPA), 1969*---NEPA establishes the format and content requirements of environmental analysis and documentation such as the Historic House analysis. The entire process of preparing an environmental assessment was undertaken to comply with NEPA requirements, as codified by 40 CFR 1501 and the Forest Service Handbook 1909.15, Chapter 40.

Consultation with the *Oregon State Historic Preservation Officer (SHPO)*---SHPO has been consulted concerning this proposal to dispose of historic structures. The Advisory Council on Historic Preservation (ACHP) has been consulted about measures to protect significant archeological sites from adverse effects (see the Project Review for Heritage Resources Form in the Analysis File).

Section 101-57 of 41 CFR (Code of Federal Regulations) specifies how surplus real property may be disposed of, and provides for donation to Public Bodies if other Federal agencies do not express an interest in obtaining surplus properties. Salvage opportunities would be available to public organizations.

Forest Service Manual FSM 5402 provides general direction for disposal of surplus lands.

A July 14, 1997 memo from the USDA Forest Service Pacific Northwest Regional Office to Forest Supervisors on "Administrative Sites Excess to Forest Service Needs" directs that surplus administrative sites are not to be donated to cities or private parties.

### **Effects on Recreational Opportunities**

Recreational trails are within one quarter mile of all the houses in question. None of the alternatives above would have any impacts upon recreational opportunities, other than the possibility that a party interested in a long-term lease (Alternative 3 above) could potentially use the structures as a special use rental, thereby increasing the range of recreational opportunities in the Oakridge and Westfir area.

### **Effects on Irreversible and Irrecoverable Commitments of Resources**

Some irreversible and irretrievable commitments of resources would result from the alternative involving demolition, and to the extent that the No Action alternative results in irretrievable deterioration of the structures, its ultimate effects would be irreversible in terms of the historic values of the buildings.

### **Effects on Consumers, Civil Rights, Minority Groups, Women, and Environmental Justice**

All contracts offered by the Forest Service contain Equal Employment Opportunity requirements. Executive Order #12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, directs Federal agencies to address effects accruing in a disproportionate way to minority and low income populations; the only population within or adjacent to the planning area is the City of Westfir, population 304, is classified as moderate to low income and has very few minority citizens. The City of Oakridge, population 3,400, is also in the vicinity and contains some low income people and some minority persons. No disproportionate impacts to the citizens of Westfir and Oakridge are anticipated.

### **Effects on American Indian Rights**

No impacts on American Indian social, economic or subsistence rights are anticipated. No impacts are anticipated on the American Indian Religious Freedom Act. Several tribal organizations with the State of Oregon which have historic interests in this area have been contacted in reference to this planning effort. The excess buildings list has been shared with tribal government representatives.

### **Effects on Farmlands, Rangelands, and Forestlands**

No farmland or rangeland is near the houses in question, and no forestland would be affected by any alternative.

### **Effects on Wetlands and Floodplains**

The Flat Creek Compound has a small but permanent stream flowing west of the buildings. The Flat Creek Compound is on a 100-year floodplain, but none of the alternatives would affect the function of this floodplain. No wetlands would be affected by the proposed action.

### **Short-term and Long-term Effects**

Over the short-term, the No Action alternative would maintain the eligibility for the buildings in the National Registry of Historic Places (NRHP). Over the long-term, vandalism would continue, the buildings would continue to deteriorate with in adequate funding for maintenance, and would eventually fall to the ground, and they would not be placed on the National Registry of Historic Places (NRHP)

Over the short-term, the Demolition alternative would result in some bats being displaced. However, some bats have been confirmed to have taken up residence in the bat condo, so it is likely that more of them would take up residence. Eligibility for NRHP would immediately be lost (this is also a long-term effect). Over the long-term, public and employee safety would be improved.

Over the short term, the Re-use under the Special Use Permit alternative would improve safety. Repairs would exclude and displace the bats. The district Forest Service budget for facilities would not need to be spent on maintaining these buildings. Over the long-term, budget savings would depend on how long permittees are interested in using and maintaining the buildings.

### **Unavoidable Effects**

Unavoidable effects would include the loss of historic values in the alternatives which do not provide for some sort of conservation of these structures.

## **Chapter 4: Consultation and Coordination**

The Forest Service consulted the following individuals; organizations, and Federal, State, tribal, and local agencies during the development of this environmental assessment:

### **Interdisciplinary Team (IDT):**

*Kenneth Barbee	Forester and Team Leader
Katie Isacksen	Public Affairs
Molly Juillerat	Botanist
*Cheron Ferland	Wildlife Biologist
Doug Larson	Fisheries Biologist
John Dixon	Soils/Hydrology Specialist

*Terry Godin	Archaeologist
Shari Monson	Recreation Specialist
*Dave Sledge	Facilities Manager
Thomas Whitford	DLT Representative
Susan Henry	Realty/Lands

\* Denotes Core Members

**Tribes:**

Confederated Tribes of Grand Ronde

Confederated Tribes of Siletz Indians

Confederated Tribes of Warm Springs

Klamath Tribe

**Agencies:**

US Fish and Wildlife Service

State Historical Preservation Office (SHPO)

**Organizations:**

University of Oregon's Conservation Studies Program

(Marston Morgan, Noah Kerr, Holly Borth, and Hayley Van Hiel)

## References Cited

- Aikens, C. Melvin. 1986. *Archaeology of Oregon*. U.S. Department of the Interior, Bureau of Land Management, Oregon State Office.
- Davis, Carl M. 1988. *Willamette National Forest Cultural Resource Inventory Plan* (update in progress). U.S. Forest Service, Pacific Northwest Region
- Hamilton, Stephen. 2011. *Cultural Resource Inventory Report for the Flat Creek Building Disposal Project* (Project Number 2010061810022), Middle Fork Ranger District, Willamette National Forest. On file at the Middle Fork Ranger District, Willamette National Forest.
- Hyman, Beth, Christian Solfisburg, and Mark Tveskov. 2008. *Cultural Resource Survey for the Oakridge/Westfir Thinning and Fuels Reduction Project*, Lane County, Oregon. Southern Oregon University Laboratory of Anthropology, Ashland, Oregon 2008. Forest Service Project Number 2008061810049. On file at the Middle Fork Ranger District, Willamette National Forest.
- Keeney, Rosalind. 2011. RE: SHPO Case No. 11-0866, Flat Creek Bldg Disposal Proj R2010061810022, CR Inventory/isolates, USDA FS, 21S 3E 14, Willamette NF Middle Fork RD, Lane County. 1 June 2011. Letter.
- Middle Fork District Cultural Resource files and maps.
- Minor, Rick and Audrey Francis Pecor. 1977. *Cultural Resource Overview for the Willamette National Forest*, Western Oregon. University of Oregon Anthropological Papers No. 12., Eugene, Oregon.
- Minor, Rick, Paul W. Baxter, Stephen Dow Beckham, and Kathryn Anne Toepel. 1987. *Cultural Resource Overview of the Willamette National Forest: A 10-Year Update*. Heritage Research Associates Report 60, Eugene, Oregon.
- Park, Sharon C. 1993. *Preservation Brief 31: Mothballing Historic Buildings*. Washington, DC: Preservation Assistance Division, National Park Service, U.S. Department of the Interior.
- Pinyerd, David and Alex McMurry. 2001. *Middle Fork Ranger District HABS Documentation as Modified by the Oregon SHPO (TIER II)*, Willamette National Forest, Lane County, Oregon, Middle Fork Ranger District, North Fork Complex, Two Residences, Two Garages and Flat Creek Complex, Three Residences, Two Garages. Historic Preservation Northwest, Eugene, Oregon. Submitted to Carol Winkler, Willamette National Forest, Middle Fork Ranger District.
- Pouley, John. 2012. RE: SHPO Case No. 11-0866, Flat Creek Bldg Disposal Proj R2010061810022, CR Inventory/isolates, USDA FS, 21S 3E 14, Willamette NF Middle Fork RD, Lane County. 17 April 2012. Letter.
- U.S. Forest Service. 2012. *Memorandum of Agreement Among the USDA Forest Service-Willamette National Forest and the Oregon State Historic Preservation Office Regarding the Disposition of the Flat Creek Complex*, Oakridge, Oregon. On file at the Middle Fork Ranger District, Willamette National Forest.
- USDA. 2011. *Regional Facilities Strategy Plan*. Pacific Northwest Region, USDA Forest Service. September, 2011