



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

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June 23, 2004

Gary Larsen  
Mt. Hood National Forest  
16400 Champion Way  
Sandy, OR 97055-7248

RE: Request for concurrence on Tamarack Quarry Expansion Biological Assessment. (Log # 1-7-04-I-0427)

Dear Mr. Larsen:

This letter is in response to your April 29, 2004 request for concurrence with your determination of effects for the proposed action, Tamarack Quarry Expansion Project. On May 3, 2004, the U.S. Fish and Wildlife Service (Service) received your biological assessment (BA) evaluating the impacts of the proposed project on the federally threatened northern spotted owl (*Strix occidentalis caurina*) listed under the Endangered Species Act (Act) of 1973, as amended, (16 U.S.C. 1531 et seq.). On May 25, 2004, the Service, along with Mt. Hood National Forest and David Evans and Associates (DEA) representatives visited the project location. DEA prepared the Tamarack Quarry Expansion Project BA. From this visit, the Service determined that additional information was needed in support of the BA. On June 3, the Service received the requested information (Log # 04-2998) from DEA.

Your BA correspondence provides the conclusion that the proposed project may affect, but is not likely to adversely affect the northern spotted owl. The following discussion provides the Service's concurrence on your effects determination in accordance with Section 7 of the Act.

### **Description of Project Location and Proposed Action**

The proposed project is located approximately 6 km (4 miles) south of Government Camp and US Highway 26, in Section 2, Township 4 South, Range 8.5 East, Willamette Meridian, Clackamas County, Oregon (Figure 1). The proposed project encompasses approximately 19 ha (48 acres) adjacent to (generally north and east of) the existing 9 ha (22 acre) Tamarack Quarry. The project area also includes a corridor, approximately 5 km (3.1 mile) long, along the existing haul route to the quarry from Highway 26. The haul route is on Forest Service (FS) roads 2656 and 2656-955. The Northwest Forest Plan land use allocation is Matrix.

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The proposed action is to expand the existing Tamarack Quarry to encompass a total area of approximately 28 ha (70 acres). Rock would be excavated from the existing quarry and the expansion area. The excavated material would be used by Oregon Department of Transportation (ODOT) and the FS for road maintenance and construction, including improvements to Highway 26 and Oregon Highway 35.

To date, a quarry excavation plan has not been developed. According to the BA, the amount of material to be removed each year could range from less than 40,000 cubic yards to more than 100,000 cubic yards.

Detailed reclamation plans would be developed and implemented as expansion occurs. Overburden soil has been and would continue to be saved for use during the later reclamation of the quarry. The soil would be returned into the quarry benches and floors and plated with erosion-preventing, native grasses and other vegetation when the excavation is completed. Portions of the quarry could be reclaimed in stages, depending on the final quarry excavation plan.

Specific activities of the proposed project would include the removal of northern spotted owl dispersal habitat, blasting, rock crushing, screening, batching, loading and hauling, importing excess materials (e.g., from slides and ditch cleanings) for reprocessing or quarry reclamation, and stockpiling of excavated rock and soils. The effects of these activities on the northern spotted owl are addressed below.

### **Status of the Species within the Project Area**

#### **Northern Spotted Owl**

There is one known spotted owl nest site located near (west of) the project area and is within the Mud Creek drainage. This site is over 0.8 km (0.5 mile) but within 1.6 km (1.0 mile) of the project area. Northern spotted owl surveys were not conducted for this project.

The project area is not in a designated Critical Habitat Unit (CHU). The nearest CHU (OR-1) location is over 3.2 km (2 miles) to the north of the proposed project area.

Based on aerial photograph interpretation, the FS has mapped suitable spotted owl nesting, roosting, and foraging (NRF) habitat across the Mt. Hood National Forest. DEA analyzed this map for the project area and determined that the habitat proposed for removal is best characterized as dispersal habitat. According to the USDA and USDI Willamette Programmatic Biological Assessment for Habitat Modification Projects FY 2005-2006, dispersal habitat consists of "...mid-seral stage stands between 40 and 80 years of age with canopy closures of 40 percent or greater and an average dbh of 11 inches...., spotted owls use dispersal habitat to move between blocks of suitable habitat..." The Service concurs with DEA's conclusion, as determined from the May 25, 2004 field visit.

NRF habitat is not within 0.4 km (0.25 mile) of the quarry. However, NRF habitat is within 1.6 km (1 mile) of the quarry and 0.4 km (0.25 mile) of the haul route.

## Effects of the Proposed Action

No northern spotted owl NRF habitat or designated Critical Habitat will be removed in association with the Tamarack Quarry Expansion Project. However, approximately 19 hectares (48 acres) of owl dispersal habitat is proposed for removal. This habitat would most likely be removed over several years as expansion is expected to occur slowly over the 20 year project period. Given the current condition of the habitat and physical factors of the site (i.e., very slow growing and low productivity), it is unlikely that within 20 years, dispersal habitat would transition into NRF habitat (personal communication with David Kennedy, DEA, and Alan Dyck, USFS, May 25, 2004).

The Service evaluated the context of the removal of dispersal habitat for the project. This was accomplished by analyzing the connectivity of habitat (dispersal and NRF) within the project area's watershed and immediately adjacent 5<sup>th</sup> field watersheds. This analysis showed that each of the watersheds support the quantity of connectivity habitat intended by the Northwest Forest Plan. Based on this analysis, it is the Service's opinion that connectivity will not be limiting as a result of the removal of 19 hectares of dispersal habitat. According to the USDA and USDI Programmatic Biological Assessment with the Potential to Modify Habitat for the Northern Spotted Owl, Willamette Province, FY 2005-2006 (Table 14), removal of dispersal habitat in the context of the Tamarack Quarry project may affect, but is not likely to adversely affect the northern spotted owl.

Human caused noise will be associated with the following project related activities: blasting, quarry operations, and hauling. Each activity is addressed below. The duration of these activities will depend on the need for rock over the next 20 years. Noise associated with these activities can potentially negatively impact breeding northern spotted owls. These effects could include: nest abandonment, egg mortality due to exposure, and increased predation of eggs and hatchlings.

Blasting will occur > 0.4 km (0.25 mile) and < 1.6 km (1.0 mile) from NRF habitat and outside the northern spotted owl critical breeding period (March 1 to July 15). Blasting outside the critical breeding season minimizes disturbance to nesting owls. According to the USDA and USDI Willamette Programmatic Biological Assessment for Disturbance Projects FY 2004 to 2005 (Table 1), this type of activity is determined to may affect, but not likely to adversely affect the northern spotted owl.

The quarry operations of drilling, moving, crushing and intra-quarry hauling will generate noise above ambient levels when the quarry is in operation. These activities could occur during the breeding season, however, they will occur > 0.4 km (0.25 mile) from NRF habitat. According to the USDA and USDI Willamette Programmatic Biological Assessment for Disturbance Projects FY 2004 to 2005 (Table 1), this type of activity is determined to be no effect to the northern spotted owl.

The third disturbance activity, hauling, will occur on the main access road (FS Road 2656) to and from the quarry. Most haul trucks would have a 20-yard capacity. NRF habitat occurs within 0.4 km (0.25 mile) and along nearly 5 km (3 miles) of paved FS road 2656. Northern spotted owl surveys were not conducted for this project, therefore, adjacent NRF habitat is assumed to be occupied for the purpose of determining disturbance impacts. During the summer and fall seasons, this road receives a large volume of traffic from recreational vehicles, diesel powered

motor-homes, as well as aircraft occasionally landing at a nearby airstrip (personal communication with D. Kennedy, DEA). Hauling associated with the quarry operations is not likely to exceed existing ambient noise levels for the area (personal communication with D. Kennedy, DEA). The Service concurs with this assessment and is of the opinion that the hauling traffic will not likely disrupt the breeding behavior of owls that may occupy NRF habitat along FS road 2656.

### **Conservation Measures proposed by the Forest Service**

- Blasting will only take place after July 15.
- Blasting and quarry operations (including hauling) will be limited to daylight hours.
- Mufflers will be placed on equipment during operation to minimize noise.
- A blasting and quarry operation plan will be developed that outlines the hours of operation and blasting times.
- A reclamation plan will be developed and native vegetation will be used.

### **Concurrence**

In consideration of the current status of the northern spotted owl in the proposed project vicinity and an analysis of the project effects and proposed conservation measures, the Service concurs that the Tamarack Quarry Extension Project and related activities, as currently planned, **may affect, but are not likely to adversely affect** the northern spotted owl. We have no additional information at this time to provide which would alter your determination of effects to the northern spotted owl. The requirements established under section (7)(a) and 7(c) of the Act have been met, thereby concluding the informal consultation process. If new information reveals the proposed project may affect species in a manner or to an extent not considered in your correspondence, or new species or critical habitat is designated that may be affected by the proposed activity, work on the project should be halted and consultation should be reinitiated within one business day.

If you have any question or need more information, please contact Jim Thrailkill or Bob Progulske at (503) 231-6179.

Sincerely,

Kemper M. McMaster  
State Supervisor

cc: Mt. Hood National Forest *Attn:* Alan Dyck  
FWS-RO; *Attn:* L. Salata  
FWS-OSO; *Attn:* B. White