

DECISION NOTICE
And
FINDING OF NO SIGNIFICANT IMPACT

NO WHISKY PLANTATION THINNING

USDA FOREST SERVICE
MT. HOOD NATIONAL FOREST
CLACKAMAS RIVER RANGER DISTRICT
CLACKAMAS COUNTY, OREGON

An Environmental Assessment (EA) has been prepared for the No Whisky Plantation Thinning. The proposed action involves thinning plantations. This area is located in T.4S., R.5E.; T.4S., R.6E.; Willamette Meridian. (All section number references are to sections of the EA unless specified otherwise.)

The purpose of this project is to:

- Provide forest products consistent with the Northwest Forest Plan goal of maintaining the stability of local and regional economies now and in the future;
- Maintain health, vigor and growth in plantations that results in larger trees;
- Enhance diversity;
- Enhance selected areas of riparian reserves (45 acres) and accelerate the development of mature and late-successional stand conditions within the riparian reserves. (s. 2.2)

DECISION and RATIONALE

I have decided to implement Alternative B (s. 3.2 & 3.3) by implementing the following:

Thin and harvest wood fiber in plantations from approximately 1678 acres (1633 acres of matrix land and 45 acres of the dry upland portion of riparian reserves) (s. 3.3). Thinning will be designed to enhance diversity by applying variable density prescriptions.

Approximately 1.2 miles of new temporary roads will be constructed. Approximately 2550 feet of existing old temporary roads will be reopened. These roads will be obliterated and revegetated after completion of the project. Several roads that are closed with berms or other devices will be temporarily opened to allow access and will be closed again upon completion (approximately 4 miles).

Best Management Practices (BMPs) and Design Criteria in section 3.6 of the EA are included with this alternative. No significant impacts were found that would require further mitigation.

Alternative B meets the purpose and need discussed in the EA (s. 2.2):

Forest Products – Alternative B will provide forest products consistent with the Northwest Forest Plan goal of maintaining the stability of local and regional economies now and in the future. It will provide approximately 20.1 million board feet of timber. It will also result in vigorously growing stands that would be capable of providing future forest products. (s. 4.3 & 4.11)

Health and Growth – Alternative B will thin 1633 acres of matrix lands that are dense and experiencing a slowing of growth due to overcrowding. Thinning will increase health and vigor and enhance growth that results in larger wind firm trees. (s. 4.3)

Enhance Diversity – Alternative B will introduce diversity in all units through variable spaced thinning. Diversity and variability will be introduced in several ways: 1) Leave tree spacing will vary within units and between units, 2) Leave trees will include minor species and hardwoods, 3) Small gaps and skips would be created, 4) Leave trees will include some trees with the elements of wood decay, 5) Leave trees will include some live trees where their crowns touch certain key snags, 6) Some snags and all existing large down logs will be retained, 7) Leave tree spacing will be wider in riparian reserves, and 8) No-harvest buffers will be included along streams. (s. 3.2.1, s. 4.3, & s. 4.4.3)

Enhance Riparian Reserves – Alternative B will thin 45 acres of riparian reserves. The riparian thinning will accelerate the development of mature and late-successional stand conditions. Riparian reserve widths are 180 feet for non-fish-bearing streams and 360 feet for fish-bearing streams. There will be no-harvest buffers of approximately 30 to 50 feet wide on each side of streams. (s. 3.3.2, s. 4.2.5 & s. 4.3.2)

It is my decision to select Alternative B over the other alternatives considered for the following reasons:

- It fully accomplishes the purpose and need.
- The concern about effects to water quality and fisheries from road construction raised by Key Issue #1 has been resolved to my satisfaction (s. 2.5.1). The chance that measurable amounts of sediment would enter any stream as a direct result of road construction or logging activity is negligible. This is because the proposed roads are located on stable landforms, do not cross streams and would be obliterated (s. 4.2.0.1).
- The concern about thinning in riparian reserves has been resolved to my satisfaction (s. 2.5.2). Thinning is needed in these plantations because current vegetation does not meet the needs of associated aquatic and riparian resources. If no action is taken, stands would have reduced capability to produce the size and quantity of coarse woody debris sufficient to sustain physical complexity and stability of the riparian reserves and associated streams. Plantations can be enhanced by thinning to accelerate the development of mature and late-successional stand conditions (s. 2.2.1). The potential effects of riparian reserve thinning have been minimized by careful selection of logging systems and by the design criteria that prescribe no-cut buffers, seasonal restrictions and erosion control measures (s. 3.6, s. 4.2.5).

- The concern about off-highway vehicles (OHVs) has been resolved to my satisfaction (s. 2.5.3). Design criteria # 6.6 in s. 3.6 describes an effective strategy designed to prevent the expansion of OHVs onto temporary roads, landings and skid trails that are used by the operator in areas of concern on La Dee Flat. These efforts combined with the current legal closure and law enforcement efforts will result in minimal risk to resources (s. 4.2.11, s. 4.5.16, s. 4.6.7). I have considered the supplemental design criteria for OHV (s. 3.7.7) but have decided not to implement it because design criteria 6.6 would be effective and the supplemental measure would be costly to implement due to the construction of additional temporary roads.

Description of Other Alternatives and Reasons for Non Selection:

- **Alternative A** is the no-action alternative (s. 3.1). It was not selected because it would not provide any of the benefits described in the purpose and need and it would not provide any forest products consistent with the Northwest Forest Plan goal of maintaining the stability of local and regional economies. If no action is taken, stands would become overcrowded resulting in trees with reduced vigor, increased mortality and increased wind damage susceptibility. Trees would stagnate and stay relatively small resulting in a period of low structural diversity. If no action is taken in riparian reserves, stands would have reduced capability to produce the size and quantity of coarse woody debris sufficient to sustain desired physical complexity and stability of the riparian reserves and associated streams (s. 4.2.2 & 4.3.3).
- **Alternative C** It would build no new roads (s. 3.4). I have chosen Alternative B over Alternative C because the risk of sediment entering streams from road construction is negligible (s. 4.2.3.1).
- **Alternative D** It would build no new roads and would not thin riparian reserves (s. 3.5). I have chosen Alternative B over Alternative D because the risk of sediment entering streams from road construction is negligible (s. 4.2.3.1) and because the benefits of thinning riparian reserves outweigh any risk (s. 4.2.0.3).
- **Other Alternatives Considered** (s. 3.7)
 - An alternative was submitted by the public that would eliminate the timber sale aspect of this project and reformat it into a restoration only EA that would decommission roads. It was not developed because it would not meet the objectives outlined in the purpose and need.
 - An alternative was submitted by the public that would thin dense stands by cutting trees and leaving them on the ground and chipping the limbs. It was not developed because it would not meet the objective of providing forest products consistent with the Northwest Forest Plan goal of maintaining the stability of local and regional economies now and in the future. Since there is no source of funding for this type of operation it would be similar to the no-action alternative.

- Several options were considered for dealing with OHV issues. They were not fully developed because the strategy described in the design criteria (s. 3.6.6.6) is likely to be effective at much less cost and with much less ground disturbance.
- An alternative was submitted by the public that would delete the units thinned in the past and leave them to grow on their own. This would remove 74% of the acreage. It was not developed because it would not meet the objectives outlined in the purpose and need. If the stands are not thinned they would continue to grow and become more crowded reaching the mortality zone of 55 relative density. The proposed strategy would amount to waiting until it is too late. (EA Appendix E, p. 4). This strategy would also result in future stands with very little diversity because the previous commercial thinning prescriptions emphasized leaving the dominant and codominant Douglas-fir trees with little variability in spacing or density. These stands are currently in a condition to respond to a harvest prescription that emphasizes enhancing both vertical and horizontal diversity, tree species diversity and promoting understory development.
- An alternative was submitted by the public that would eliminate road construction and riparian reserves like alternatives already considered but would also delete the helicopter units due to concerns about costs. This alternative was not developed because it would not meet the objectives outlined in the purpose and need. The analysis shows that helicopter is an expensive logging system but that the helicopter units are viable (s. 4.11).
- An alternative was considered that would fertilize some of the harvest units to enhance growth. This option was not developed because further analysis for these particular stands showed that the increased growth that would occur would not be sufficient to warrant the cost.

FINDING OF NO SIGNIFICANT IMPACT (40 CFR 1508.27)

Based on the site-specific environmental analysis documented in the EA and the comments received from the public, I have determined that this is not a major Federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination is based on the design of the selected alternative and the following factors:

- **THREATENED, ENDANGERED, AND SENSITIVE SPECIES** - Formal consultation with U.S. Fish & Wildlife Service concerning the **northern spotted owl** has been completed for this project. The Biological Opinion written by U.S. Fish & Wildlife Service and dated March 29, 2005 concluded that this project is not likely to jeopardize the continued existence of the northern spotted owl or result in the destruction or adverse modification of designated critical habitat. Alternative B would have an effects determination of “May Affect, Not Likely to Adversely Affect” because of the effect on dispersal habitat.
 - While there would be a short-term removal or degradation of dispersal habitat, in the long term, stands would develop mature forest characteristics sooner.

- I have considered the new information that has been recently published about northern spotted owls. The Biological Opinion also considered this information. The new information has been fully considered and would not lead to a change in the effects determination and no additional analysis is needed for this project.

Consultation with NOAA Fisheries is not required for this project because there would be no effect to threatened or endangered fish or Essential Fish Habitat established under the Magnuson-Stevens Fishery Conservation and Management Act. Recently, NOAA Fisheries listed critical habitat for several fish species, none of which occurs in the project area. (s. 4.2.8).

There will be no significant adverse effects to sensitive species (s. 4.2.10, 4.5.9 & 4.8). The project will not jeopardize the continued existence of any listed species nor will it cause a trend to federal listing or loss of viability for any proposed or sensitive species.

- **CONSISTENCY WITH MT. HOOD FOREST PLAN** – Alternative B is consistent with direction found in the Mt. Hood National Forest Land and Resource Management Plan as amended (Forest Plan).
 - It is consistent with standards and guidelines specific to the relevant land allocation and it is consistent with the applicable Forest-wide standards and guidelines. **Exceptions are noted below.** (s. 2.2.3 & 4.0).
 - **Aquatic Conservation Strategy** - I have considered the relevant information from the watershed analysis (summarized in Appendix E). I have also considered the existing condition of riparian reserves, including the important physical and biological components of the fifth-field watersheds and the effects to riparian resources. I find that Alternative B is consistent with the recommendations of the watershed analysis, is consistent with riparian reserve standards and guidelines, and will contribute to maintaining or restoring the fifth-field watershed over the long term (s. 4.2.11 & EA Appendix E).
 - It is consistent with **late-successional reserve** (LSR) objectives. The project is not in an LSR or any 100-acre LSRs (s. 2.2.5 & 3.2.5).
 - I have reviewed the **survey and manage** reports and have considered the recommendations of resource specialists and concur with their findings. This project is consistent with the 2001 Record of Decision for survey and manage standards and guidelines as amended or modified as of March 21, 2004.
 - It is consistent with the National Forest Management Act regulations for **vegetative management**. There will be no regulated timber harvest on lands classified as unsuitable for timber production (36 CFR 219.14) and vegetation manipulation is in compliance with 36 CFR 219.27(b), (s. 4.6.1 & EA Appendix E).

Exceptions - The Forest Plan describes the process for documenting an exception to “Should” standards and guidelines (p. Four-45). “Action is required; however, case by case exceptions are acceptable if identified during interdisciplinary project planning environmental analyses.”

I approve the following exceptions:

- The project is consistent with Forest Plan objectives for long-term **soil productivity**. However, additional soil impact will occur on areas where there is existing soil disturbance. The analysis shows that 14 units will remain above 15% after project implementation (Units 1, 2, 3, 6, 7, 9, 10, 11, 12a, 15, 16, 17, 19, 20, 21, 37, 39 and 40). I am approving an exception for Forest Plan standards and guidelines FW-22, FW-28 and FW-30. I considered using helicopters to log these units but found the additional cost to be unwarranted. Units that are above 15% will have obliteration of temporary roads and landings that are used by the contractor. Rehabilitation has been considered for old skid trails but the soil scientist and silviculturist do not recommend restoration of old skid trails at this time because of the risk of damaging tree roots and because productivity has not been impaired. The no-action alternative would have areas that remain above 15% with no opportunity for restoration.

The objective of maintaining long-term site productivity will still be met with Alternative B. Surface erosion and runoff from old skid trails is not occurring. Even though there was no standard for long-term soil productivity when the original clearcuts were logged, the stands continue to grow well and are projected to continue to grow well after the proposed thinning. Recent stand exams show that plantations that have detrimental soil conditions above 15% have very similar growth rates compared to nearby similar plantations that are below 15% (s. 4.6).

- The project is consistent with Forest Plan objectives for **snags and down logs**. The standard and guideline for snags is FW-215 and the standards and guidelines for down logs are FW-219 through FW-229. Similar direction for down logs is duplicated in FW-167 and in FW-031 through FW-036. I am approving an exception for these Forest Plan standards and guidelines.

Design criteria have been incorporated into the EA to help retain snags (s. 3.6) but it is likely that some snags would have to be felled for safety reasons. There are few if any large snags in the units because they were felled at the time of the original clear cut. Some medium sized suppressed planted trees have died but they are not large enough to provide cavity nesting snag habitat and they do not last long. None of the alternatives, including no-action, would achieve the snag standard in plantations in the short term. The DecAID advisor is a planning tool for snags and down logs that was considered in the development of design criteria and evaluation of effects (s. 3.6 & 4.5.10). Design Criteria #2 results in leaving live trees with the elements of wood decay which would provide habitat in the interim until trees grow large enough to produce snags of the desired size, (greater than 22 inches diameter). When these trees with elements of wood decay die they would provide medium size snags that would benefit some snag dependent species. Alternative B will accelerate the growth and size of plantation trees and would

eventually provide large snags much sooner than would be expected with the no-action alternative. The objective of providing long-term snag habitat will be met (s. 4.5.10).

In terms of down logs, the project will retain all existing down logs but they are not necessarily at the desired level for quantity, size or decomposition class. Design criteria #3 results in leaving some additional down wood. Alternative B will accelerate the growth and size of trees and would eventually provide large down logs much sooner than would be expected with the no-action alternative. The DecAID advisor was considered in the development of design criteria and evaluation of effects for down logs (s. 3.6 & 4.5.10). The objective of providing long-term down log habitat will be met.

There is potential for an enhancement project that would create additional medium size snags and down logs in the units, if funding becomes available.

- **WATER QUALITY AND FISHERIES** - The analysis shows that the temporary roads used for this project pose minimal risk because they do not cross any streams, and are on stable, dry terrain. The location on gentle terrain, seasonal restrictions, the obliteration after logging, and erosion control efforts combine to reduce risk. Sediment, if any, would not occur in quantities great enough to result in harm to downstream fish or change water quality. The proposed action meets Riparian Reserve standards and guidelines and state water quality standards and the Clean Water Act. All of these objectives, standards and laws were established to ensure there would be no significant reduction to water quality or fish habitats. Thinning in Riparian Reserves is designed to benefit riparian resources by accelerating the development of mature and late-successional stand conditions (s. 4.2).
- **CUMULATIVE EFFECTS** - The analysis considered not only the direct and indirect effects of the projects but also their contribution to cumulative effects. Past, present and foreseeable future projects have been included in the analysis (s. 4.1). The analysis considered the proposed actions with BMPs and design criteria. The EA elaborates on cumulative impacts related to resources such as water quality, soils and wildlife. No significant cumulative or secondary effects were identified.
- **CULTURAL RESOURCES** - Field surveys have been conducted. The heritage resource report concludes that there will be no effect to any properties on or eligible to the National Register of Historic Places (01-05-01). Documentation has been forwarded to the State Historic Preservation Office (s. 4.13).
- **OTHER** –The effects are not likely to be highly controversial and do not involve highly uncertain, unique, or unknown risks. This action will not set a precedent because other similar actions have occurred in the past. The project was not found to threaten a violation of any Federal, State, or local law. The project complies with Executive Order 12898 regarding environmental justice (s. 4.14). No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis and public information process. No significant irreversible or irretrievable commitments of resources were found (s. 4.16). There will be no effect to Wild and Scenic Rivers and State Scenic Waterways, wetlands, wilderness areas, research natural areas or any other areas with unique characteristics. The area is not affected by recent wilderness proposals. The project will not affect public health or safety (s. 4.10). Adverse and

beneficial impacts have been assessed and found to be not significant. No significant effects to consumers, civil rights, minority groups, women, prime farmland, rangeland, forestland, wetlands, or floodplains were identified.

Comments:

The legal notice for the 30-day comment period for this project was published in the Oregonian on February 17, 2006. I have considered the substantive comments that were received. The responses to the comments are contained in Appendix A of the EA.

Appeal Rights:

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Any individual or organization that 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. The Appeal Deciding Officer is Linda Goodman, Regional Forester. An appeal should be addressed to the Regional Forester at any of the following addresses. Postal: ATTN.: 1570 APPEALS, P.O. Box 3623, Portland, OR 97208-3623; Street location for hand delivery: 333 SW 1st Ave, Portland, OR (office hours: 8-4:30 M-F); fax: 503-808-2255. Appeals can also be filed electronically at: appeals-pacificnorthwest-regional-office@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.

The Appeal, including attachments, must be postmarked or received by the Appeal Deciding Officer within 45 days of the date legal notice of this decision was published in the Oregonian. For further information regarding these appeal procedures, contact the Forest Environmental Coordinator Mike Redmond at 503-668-1776.

Project Implementation:

Implementation of this decision may occur on, but not before, 5 business days from the close of the 45-day appeal filing period described above. If an appeal is filed, implementation may not occur for 15 business days following the date of appeal disposition (36 CFR 215.10).

The EA can be downloaded from the Forest web site at <http://www.fs.fed.us/r6/mthood> in the Projects & Plans section.

For further information contact Jim Rice, Estacada Ranger Station, 595 NW Industrial Way, Estacada, OR 97023. Phone: (503) 630-6861 Email: jrice@fs.fed.us

Recommended By:

Responsible Official:

/S/ *Andrei Rykoff*

April 17, 2006

/S/ *Gary L Larsen*

ANDREI RYKOFF
District Ranger

Date Published

GARY L. LARSEN
Forest Supervisor