DECISION MEMO
DB Cooper Fuel Reduction Demonstration Project

April 2008

USDA Forest Service, Mt. Hood National Forest
Hood River Ranger District
Hood River, County

The area proposed for fuels reduction treatment lies within the 2723 acre Tilly Jane watershed on the foothills of the north side of Mt. Hood. The stands proposed for treatment are adjacent to Forest Road 3512, near the Cooper Spur ski area. The stands consist of mature grand fir, lodgepole pine, Douglas-fir, western larch, Engelmann spruce, and a small number of ponderosa pine. The current stands are overstocked and in recent years have experienced some mortality to the lodgepole and ponderosa pine due to mountain pine beetle. Current canopy cover is approximately 80 percent and current ground surface fuel loadings are estimated to be 25 to 30 tons per acre.

A need to reduce the hazardous fuel loading, as well as overstocked trees on National Forest System land in close proximity to private lands in the Cooper Spur are was identified and considered by a collaborative working group. The collaborative working group was composed of local landowners, special interest groups, residents, and representatives from state and local firefighting agencies along with the US Forest Service. Although a need for fuels reduction on National Forest System lands adjacent to private land exists on a much wider scale in this area, the collaborative group preferred to start with a demonstration project at a smaller scale.

PROPOSED ACTION

The treatment area is divided into two units which total approximately 17 acres and is adjacent to Forest Roads 3512 and 3512-640(see Project Map in Appendix 1). An unnamed tributary to Doe Creek flows between the two units. The objective of the treatment is to demonstrate the reduction of fuels in the area by removing ladder fuels, reducing crown closure to reduce the risk of crown fire, and treating surface fuels for the Cooper collaborative group which is contemplating developing recommendations for treatment of a larger area in the wildland urban interface.

The fuels reduction treatment would include removing smaller diameter trees and reducing the overlap of overstory trees to 45 percent canopy cover; reducing ladder fuels to lower the probability of torching and crowning; and either piling and burning or mechanically treating fuels with methods such as slash busting or grinding. A second entry of pile burning would reduce the fuel loadings to approximately 10 tons per acre and reduce the fire hazard to a moderate/low category. If the treated area exceeds 10 or 15 tons per acre (depending on location

and stand type), burning of piled residual and activity fuels would occur as per Mt. Hood National Forest Land and Resource Management Plan (Forest Plan) Standards and Guidelines (FW-033 thru FW-038). All burning would be scheduled in conjunction with the State of Oregon to comply with the Oregon Smoke Implementation Plan to minimize the adverse effects to air quality. Pile burning would be conducted when smoke dispersion conditions are favorable to minimize the potential for adverse effects. All Forest Wide Standards and Guidelines for Air Quality FW-039 thru FW-053 (LRMP-MTF, 4:51-52) would be followed to minimize problems of Forest burns affecting air quality in local communities.

The project area is in land allocation B2 (Scenic Viewshed); however, the area is not visible from a designated viewer position (as determined by the scenic area analysis in Hwy 35 Viewshed Study); therefore, a visual quality objective of Modification is prescribed for the area. On page Four-113 of the Forest Plan FW-561 states that "Harvest Units should blend with the natural landscape character where Visual Quality Objectives (VQO's) of Modification are prescribed". The planned partial cut and fuels reduction of this project would meet the standards for Partial Retention (more restrictive than the standards for Modification). In conclusion, this project is consistent with the Visual Quality Standards in the Forest Plan.

No more than two-tenths of a mile of temporary roads would need to be constructed.

DESIGN CRITERIA AND/OR MITIGATION MEAURES

Design features and mitigation measures are used to minimize the environmental impacts of the proposed actions. Included are regional and Mt. Hood National Forest standards, guidelines and policies designed to address resource management concerns.

Heritage Resources:

- All heritage resource sites within harvest units would be flagged with a protective buffer zone prior to implementation. If additional cultural sites are discovered during implementation, provisions to ensure cultural resource protection would be enacted.

Soils and Water Quality:

- A 60-foot undisturbed vegetative buffer would be maintained in the primary shade zone along Doe Creek and the unnamed tributary between the two units. A 30-foot undisturbed vegetative buffer should be left along intermittent streams and wetlands.

- Any felled trees which fall into the 60-foot vegetative buffer area of perennial streams, seeps and springs and 30-foot vegetative buffer area of intermittent streams, seeps, springs or wetlands would be bucked at the vegetative buffer edge and only the portion of tree outside these areas can be removed.

- Hand piling slash in Riparian Reserves is permitted up to the 60-foot undisturbed vegetative buffer, or the 30-foot undisturbed vegetative buffer boundary or the actual primary shade zone.

- Ground based equipment would not be operated when soils are at or exceed field moisture capacity.

- No ground based mechanized equipment such as tractors or skidders would be allowed within 60-feet of Doe Creek and the unnamed intermittent stream that is located between both treatment areas.

- Fueling of gas-powered machinery would not occur within 150-feet of any live waters to maintain water quality. Each fueling area should have a Forest Service approved spill kit on site.

- Use erosion control measures (e.g., silt fence, native grass seeding) where de-vegetation may result in delivery of sediment to adjacent surface water. A soil scientist or hydrologist would assist in evaluation of sites to determine if treatment is necessary and the type of treatment needed to stabilize soils.

- Minimize construction of new temporary roads and landings inside of Riparian Reserves. Any encroachment into the Riparian Reserve should be limited in size and utilize a resource professional for assistance in location to minimize potential effects. Use of existing facilities within Riparian Reserves may be allowed if erosion potential and sedimentation concerns can be sufficiently mitigated as determined by a qualified soil scientist or hydrologist. All temporary roads and landings would be decommissioned immediately after harvest activities are completed.

- All road construction and/or road closure should be completed prior to onset of the rainy season. Any roads (skid roads, temp roads, system roads) planned for over-wintering should have functioning drainage and erosion control mitigations in-place.

- Log haul during very wet periods should be evaluated on Road 3512-640 to determine erosion and sedimentation risk, especially at the riparian crossing if it is used. Modify operations to address potential problems and reduce the risks before damage occurs.

- Prior to operation, install waterbars on the Road 3512-640 between the end of the unit and the actual crossing of Doe Creek to divert potential runoff should it occur unexpectedly.

Noxious Weeds:

- Cleaning and Inspection of Machinery and Equipment before entering the Mt. Hood National Forest: In accordance with FSM #2080.44-10, include Engineering Special Project Specification R6/SPS 171 and logging contract clause BT6.35 as standard provisions in the contract.

- Any rehabilitation of obliterated or partially obliterated roads, landings, or temporary skid trails for erosion control work should be completed immediately after project completion or as recommended by a soils scientist. If revegetation is needed, consult a botanist or soils scientist for an erosion control seed mix that is native to the Hood River and/or Barlow

Ranger Districts, or a seed mix of non-persistent non-natives. Straw mulch should be certified weed-free.

- A map of know noxious weed sites should be provide to the contractors for the project area. Request that the contractors avoid walking and parking in pullouts and roadsides that are designated on the map as known sites.

Recreation:

- The 3512 road should be kept open during operations to recreational traffic.

Wildlife:

- To minimize impacts to nesting Northern spotted owls, no timber harvest activities would take place during early nesting season of March 1 to July 15.

Transportation:

- Restrict commercial haul when soil moisture is high enough for subgrade material to be in its plastic limit (Best Management Practice, or BMP).

- Rehabilitate temporary roads and skid trails, which includes ripping, revegetation, and water barring as necessary (BMP).

- Time construction activities to minimize erosion (BMP).

- Control surface road drainage to disperse runoff and minimize erosion and sediment from the road (BMP).

LOCATION

The proposed action is located on the north side of Mt. Hood approximately 1 mile from the Cooper Spur Ski Area and approximately 5 air miles south west of the Hood River Ranger Station located near the community of Mt. Hood, Oregon. The legal location for the project is T.2 S., R. 10 E., N ½ sec 7 & S ½ sec 6. Enclosure 1 displays the location of the proposed action.

PUBLIC INVOLVEMENT – SCOPING AND COLLABORATION

A collaborative approach was used to bring interested parties together for a chance to discuss the need to reduce overstocked trees as well as reduce fuel created by beetle-killed lodgepole pine in the area. The collaborative group included local landowners, environmentalists, special interest groups, residents, state and local firefighting agencies, along with the Forest Service. The group gathered for a series of meetings and fieldtrips from October of 2005 through July of 2006. The group agreed that although a need for fuel reduction on National Forest System lands adjacent to

private land exists on a much wider scale in the Cooper Spur area; their desire was to see a smaller project completed first. At that time, the collaborative group would reconvene, review the results of that effort, determine if any changes needed to be made in project design or implementation, and then move forward with recommendations to treat, if appropriate, at the larger scale.

The Forest Service conducted public scoping to identify any concerns with the proposed activity. DB Cooper Fuels Reduction Demonstration Project was listed in the Mt. Hood National Forest quarterly planning newsletter (Schedule of Proposed Actions [SOPA]) in October of 2005. No comments were received through that effort. Scoping notices were sent to federal and state agencies, the Confederated Tribes of the Warm Springs, and interested individuals on February 7, 2008 and requested that comments be received by March 7, 2008 (see project file located at the Hood River Ranger Station in Parkdale, Oregon for the complete mailing list). Five letters associated with the project were received by the comment period closing date. Two of these letters were from organizations: Oregon Wild and American Forest Resource Council. The other three letters were from private individuals. The interdisciplinary team and the decision maker reviewed these comment letters. The comments were in support of the project. There were no comments received that opposed the project.

DECISION

I have decided to approve the proposed action. The rationale for my decision is based on: 1) the proposed action fully meeting management objectives; 2) the project's consistency with regulatory framework; 3) on-the-ground review and discussion with district resource specialists, 4) review of the Biological Evaluations (BE) and specialist reports, and 5) review of projects on the district with similar prescriptions.

REASONS FOR CATEGORICAL EXCLUSION

The Council on Environmental Quality (CEQ) regulations at 40 CFR 1508.4 provide that agencies may, after notice and comment, adopt categories of actions that do not normally have significant impacts on the human environment and that do not require preparation of an environmental assessment (EA) or an environmental impact statement (EIS). It is my determination that this action may be categorically excluded from documentation in an EA or EIS as it is within Forest Service Handbook (FSH) 1909.15-2007-1, 31,12, 2/15/07, Category 12.

Category 12 was approved in February of 2007 and allows harvest of live trees not to exceed 70 acres, requiring no more than half mile of temporary road construction. This category excludes the use for even-aged regeneration harvest or vegetation type conversion. The proposed action may include incidental removal of trees for landings, skid trails, and road clearing. This project fits entirely within the parameters of category 12 and can be excluded from documentation in an EA or EIS. The project is on approximately 17 acres and would not need the construction of more than one-half mile of temporary road. Also, the project does not use even-aged regeneration harvest or vegetation type conversion.

EXTRAORDINARY CIRCUMSTANCES

According to Forest Service Handbook 1909.15, Section 30, a proposed action may be categorically excluded from further analysis and documentation in an environmental impact statement (EIS) or environmental assessment (EA) only if there are no extraordinary circumstances related to the proposed action. Resource conditions that should be considered in determining whether extraordinary circumstance related to the proposed action warrant further analysis and documentation are listed below (A-G). As stated in Section 30.3 of the handbook, "the mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist" (FSH 1909.15).

After review of the biological evaluations, documents in the project file, and specialist reports, I have determined that there are no extraordinary circumstances that indicate a presence of possible significant effects. This analysis is summarized below.

a. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species designated critical habitat. Biological Evaluations (BE) were prepared for sensitive, threatened or endangered wildlife, botanical and fish species. These are available in the project record.

Findings in the Wildlife BE show implementation of the proposed action "**may effect, and is not likely to adversely effect**" Northern spotted owls and their habitat, due to sound disturbance and the degradation of 17 acres of dispersal habitat. To minimize impacts to nesting owls, no timber harvest activities would take place during early nesting season of March 1 to July 15. Forest Plan standard FW-175 (habitat for threatened, endangered and sensitive plants and animals shall be protected and/or improved) would be met at the site specific project scale, as the proposed action would maintain habitat for spotted owls in compliance with the conservation strategies in place for spotted owl and mature forest associated species. Historic owl territories would continue to maintain adequate levels of suitable habitat within a 1.2 mile radius of their activity centers for continued reproductive capability. At the larger watershed scale, this project would maintain the continued viability of spotted owls and other late successional associated wildlife species. The proposed action would have ***no effect*** on the bald eagle or Canada lynx,

Findings in the fish and aquatic species BE show there would be no effect to any ESA listed fish species downstream of the action area. Likewise, there would be no effect to designated critical habitat for steelhead trout, Chinook salmon, or bull trout as this habitat is all well downstream of the action area. For the same reason, essential fish habitat would not be adversely affected, therefore a ***no effect*** determination is made.

Findings in the botanical species BE show ***no effect*** to vascular plants, lichens, bryophytes and 5 species of fungi. A finding of ***may impact individuals or habitat, but will not likely contribute to a trend toward Federal listing or loss of viability to the population or species*** for 14 species of fungi.

No species proposed for listing or Forest Service sensitive species are expected to be affected by this project.

b. Floodplains, wetlands, or municipal watersheds. Analysis for the effects of the project on floodplains, wetlands, or municipal watersheds is included in the Aquatic Conservation Strategy (ACS) objective analysis contained in the project record. In summary, this project would maintain and in some cases improve the function of both wetlands and floodplains. The project does not include any municipal watersheds.

c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas. The proposed harvest site is not located within any of the congressionally designated areas.

d. Inventoried roadless areas. The proposed harvest site is not located within any inventoried roadless areas.

e. Research natural areas. The proposed area does not include land designated as Research Natural Areas.

f. American Indians and Alaska Native religious or cultural sites/Archaeological sites, or historic properties or areas. Archaeological sites within the proposed thinning units include a possible historic structure site and a historic ditch. The historic structure site would be flagged with a 30 meter buffer zone and protected from harvest activities. The historic ditch would be flagged with a buffer zone 50 feet wide on both sides of the ditch and protected from harvest activities. The proposed project would have **no effect** to historic properties.

No significant effects to extraordinary circumstances have been identified.

Findings Required by Other Laws

National Forest Management Act: The interdisciplinary team reviewed the applicable Standards and Guidelines of this proposal. The analysis demonstrated that this decision is consistent the Mt. Hood Land and Resource Management Plan (Forest Plan), as amended by the Northwest Forest Plan, as required by the National Forest Management Act.

Aquatic Conservation Strategy: I find that this project is consistent with the Aquatic Conservation Strategy objectives. 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 the proposed action is consistent with

riparian reserve standards and guidelines and would contribute to maintaining or restoring the fifth-field watersheds over the long term. The Aquatic Conservation Strategy objectives analysis was prepared for this project and is contained in the project record.

Clean Water Act and State Water Quality Laws: The District Hydrologist has determined that this project complies with the Clean Water Act and state water quality laws, which would protect beneficial uses. With design features, mitigation measures, and Best Management Practices, water quality would be maintained through implementation of this proposed action.

Invasive Plants: By considering the prevention of invasive plant introduction, establishment and spread of invasive plants, the planning process is consistent with the Pacific Northwest Invasive Plant Program Preventing and Managing Invasive Plants Record of Decision issued in 2005. A noxious weed risk assessment was prepared for this project and is contained in the project record. Project design criteria are consistent with the Mt. Hood National Forest- Strategic and Collaborative Prevention Measures.

Other Laws or Requirements: Findings associated with the Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act and National Historic Preservation Act are discussed under the Extraordinary Circumstances section of this document. The proposed action is consistent with all other Federal, State, or local laws or requirements for the protection of the environment and cultural resources.

APPEAL OPPORTUNITIES

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 Gary Larsen, Forest Supervisor. An appeal should be addressed to the Forest Supervisor at any of the following addresses. Postal: ATTN.: 16400 Champion Way, Sandy, OR 97055-7248; Street location for hand delivery: 16400 Champion Way, Sandy, OR (office hours: 8-4:30 M-F); fax: 503-668-1423. Appeals can also be filed electronically at: appeals-pacificnorthwest-mthood@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.

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 days following the date of appeal disposition (36 CFR 215.10).

CONTACT PERSON

Detailed records of this environmental analysis are available for public review at the Hood River Ranger District. The file includes scoping information/comments, biological evaluations, and specialist reports. For further information about this decision, please contact Steve Jones at the Hood River Ranger Station, 6780 Highway 35, Mt. Hood-Parkdale, OR, 97041, or phone; 541-467-5103.

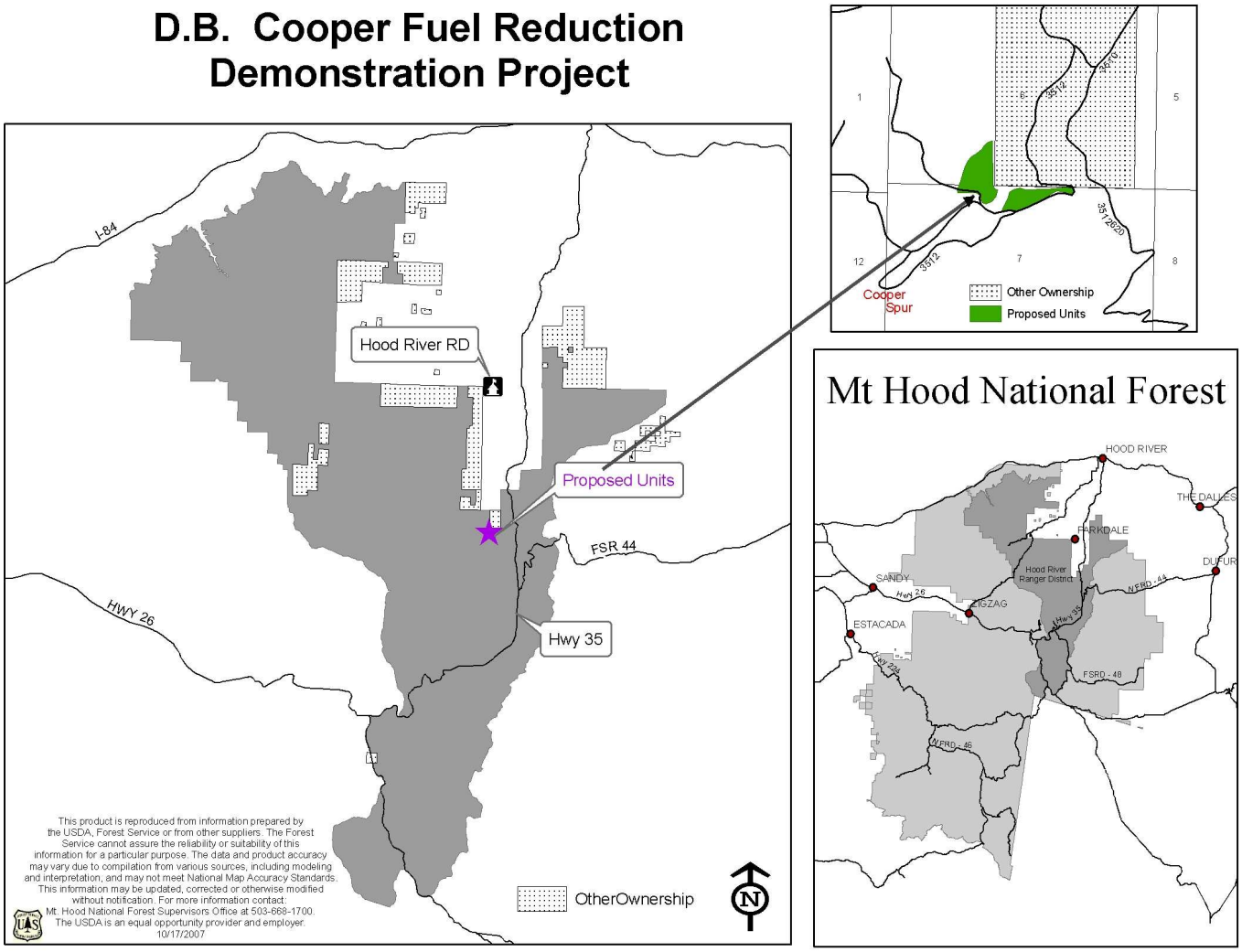
SIGNATURE OF DECIDING OFFICER

/s/ DAINA L. BAMBE April 11, 2008_

DAINA L. BAMBE Date
Hood River District Ranger

Enclosure

Appendix 1



Project Map