

United States
Department of
Agriculture

Pacific Northwest Region

Forest Service

February 2006



RECORD OF DECISION

TAMARACK QUARRY EXPANSION PROJECT

ZIGZAG RANGER DISTRICT

MOUNT HOOD NATIONAL FOREST

Record of Decision

Tamarack Quarry Expansion Project

USDA Forest Service Mt. Hood National Forest Clackamas County, Oregon

Decision and Reasons for the Decision

Background

The purpose of this project is to secure a long-term, economical source of rock material for the Forest Service (FS) and the Oregon Department of Transportation (ODOT) to use on highways and forest roads near Mt. Hood. Current and near-term demand by ODOT and the FS is projected to exceed supply from ODOT and FS sources and commercial sources are generally more expensive. ODOT and the FS estimate that more than two million cubic yards of rock would be needed over the next 20 years for highway and road maintenance, construction, and emergency repairs, as well as for road closures and stream and other site restoration projects in the Mt. Hood area.

ODOT has been faced with a nearly constant need for highway construction and maintenance materials on US 26 and OR 35 near Mt. Hood. This need became especially apparent after the October 2000 flood, which washed out portions of OR 35. During the emergency repair work it was estimated the cost of the material needed for riprap would total almost \$240,000 if secured from the closest commercial source. The FS agreed to supply the rock material but recognized that expansion of existing sources would be necessary to meet future demand. ODOT has expressed that, in order to provide a safe and cost-efficient highway system near Mt. Hood, a secure, long-term source of material near Mt. Hood is essential. The need for sanding material has also become critical since the previous primary source of material (White River) is no longer available.

Through analysis, (FEIS section 2.3) ODOT and the FS have determined that the site of the Tamarack Quarry is preferred over other quarry sites in the vicinity of Mt. Hood. Tamarack Quarry has the potential to be a relatively large quarry. It has been excavated and managed in a manner that facilitates continued excavation and appears to have reserves of quality source rock. The quarry has a relatively short haul route (approximately 3.1 miles) to US 26. However, the size of the existing quarry is inadequate to provide the amount of rock material needed over the next 20 years. The final environmental impact statement (FEIS) documents the analysis of a proposal to expand the existing Tamarack Quarry to meet this need.

Public Involvement

The National Environmental Policy Act (NEPA) scoping process (40 CFR 1501.7) was used to invite public participation, to refine the scope of this project, and to identify preliminary issues to be addressed. The Forest Service sought information, comments, and assistance from Federal, State, and local agencies, the tribes, and other groups and individuals interested in or affected by the proposed action. The public was provided several opportunities to participate in the Tamarack Quarry Expansion Project.

As described in the background, the need for this became evident in 2000. A proposal to expand the tamarack quarry was published in a Notice of Intent in the *Federal Register* on January 15, and May 2, 2002. The proposal was provided to the public and other agencies for comment during scoping. In addition, as part of the public involvement process, the agency published the proposal in the Mt. Hood National Forest schedule of proposed actions. This newsletter is a quarterly publication that is mailed to a wide audience. The proposal appeared in this quarterly schedule from fall 2002 thru summer 2005. Notice of the proposed action was also posted on the Mt. Hood National Forest website, *www.fs.fed.us/r6/mthood*. No comments were received following these notices.

The project was presented at a public open house on December 5, 2002, at the Mt. Hood National Forest Headquarters in Sandy, Oregon. Several people provided verbal comments at the open house, and the FS received one written comment. An open house with the proposed project and other projects was also held on May 13, 2004, at the Lions Club in Welches, Oregon. No public comments on the proposed project were received.

Using the comments from the public and other agencies, several issues regarding the effects of the proposed action were identified. Main issues of concern included:

- 1. Scenic Resources: What are the potential project effects on views from key viewpoints on the Mt. Hood National Forest? Timberline Lodge, a National Historic Landmark, is located at the tree line of the south flank of Mt. Hood. Removing additional vegetation and rock material from the Tamarack Quarry may make the quarry visible from Timberline Lodge. The lodge is one of the most visited sites in Oregon and offers visitors panoramic views of the Cascade Mountains. If the rock quarry were visible it could have the potential to degrade this view.
- 2. Transportation/Access: What is the potential for increased traffic conflicts between commercial vehicles (i.e., trucks hauling rock) and recreation use (e.g., vehicles entering/leaving Trillium Lake Campground)? This area of the Forest is a popular recreation area in both the summer and winter. Expanding the quarry could have the potential to increase vehicle traffic in this area and thereby increase vehicle conflicts between commercial users and recreation users.
- 3. Recreation: What effects would the project have on cross-country ski trails in the vicinity of the quarry? This area is a popular cross-country skiing in the winter.

Expanding the quarry could impact some cross-country trails and alter that recreation use.

4. Threatened and Endangered Species: Would the project result in adverse effects to any species listed or proposed for listing under the Endangered Species Act? Several federally listed species occur on the Mt. Hood National Forest, including the northern spotted owl, bald eagle, chinook salmon, and steelhead. The quarry expansion would clear several acres of forest, and quarry activities would generate noise.

To address these concerns, alternatives were considered and developed as well as several design features that have been included as part of the proposal. Several mitigation measures were also identified that would further address these issues.

Decision

Based on my review of all the analysis, I have decided to implement Alternative 1 which will expand the existing Tamarack Quarry (formerly known as the Mud Creek Quarry) to encompass up to 70 acres of National Forest System land. Rock will be excavated from the existing quarry and the expansion area. The excavated material will be used by ODOT and the FS for road maintenance and construction, including improvements to US 26 and Oregon Route (OR) 35. Other uses may include road closures and watershed restoration projects.

Vegetation removal and rock excavation will occur in stages over the next 20 years, as rock is needed. ODOT anticipates removing 40,000 to 90,000 cubic yards of rock per year, although needs will vary with annual road and weather conditions. The FS will extract 10,000 to 15,000 cubic yards of rock per year for project work other than emergencies. The rock extraction will initially focus on the existing quarry and expansion into the new area will occur in increments to facilitate the most efficient use of the resource.

Activities will include clearing vegetation, blasting, rock crushing, screening, batching, loading and hauling, importing excess materials (such as from slides and ditch cleanings) for reprocessing or quarry reclamation, and short-term stockpiling of excavated rock and soils. Materials will be stockpiled on-site either for reprocessing or for use in reclamation. Rock for sanding roads will be hauled out of the quarry and stockpiled at various existing stockpile locations: the junction of US 26 and OR 35, the Government Camp maintenance station, Bennett Pass, Parkdale, and the junction of OR 216 and US 26.

Activities will be subject to timing restrictions, as described in Section 2.2 of the FEIS. Blasting will be allowed after July 15 only. No noise-generating or hauling activities will occur at night, on weekends starting at noon Friday, during holidays, or any time between the first measurable snowfall and mid-April, except for emergencies. ODOT will be responsible for plowing two lanes with turnouts on the haul route, as needed, as early as the second full week of April. Typically the FS opens the road a week or two prior to Memorial Day weekend.

The haul route from its junction with US 26 to the quarry is approximately 3.1 miles long, entirely on National Forest System lands, and includes FS roads 2656 and 2656-955. FS road 2656 is surfaced with asphalt. FS spur road 955 is gravel surfaced. Improvements to the haul route will consist of routine maintenance which may include resurfacing and structural repairs, and will include striping, placement of safety reflectors, and placement of additional traffic signs at intersections. ODOT will pay for a commensurate portion of haul route maintenance. Traffic control, which may include flag persons and signs, will be implemented during hauling. Typical hauling trucks have a 20-cubic-yard capacity. No culvert replacements, road widening, pull-out or turnaround construction will occur as part of the proposed action.

A FS geologist estimated the remaining volume of good quality rock to be at least two million cubic yards. The geologist estimated the volume of the remaining in-place rock based on the topographic information, the location of surface outcrops, and limited drill hole information. Additional drilling will be completed to verify the presence of good quality rock before expansion occurs.

A reclamation plan has been developed by the FS and ODOT, and will be implemented and updated as expansion occurs (Appendix G of the FEIS). A reclamation plan is a required condition of any approved plan of operations. The reclamation plan provides details about how the FS and ODOT expect to accomplish reclamation objectives. A diagram showing how waste rock will be arranged in the mine and the final grade of the reclaimed area is a mandatory part of the reclamation plan. Reclamation includes filling and stabilizing the quarry, spreading waste rock across the quarried area, adding any topsoil and vegetation removed during excavation, and planting native vegetation. Overburden soil has been and will continue to be saved for use during later reclamation of the guarry. The soil will be pushed back into the guarry benches and floors and planted with erosion-preventing, native grasses and other vegetation when the excavation is completed. The slope of the reclaimed guarry area will be between zero and ten percent. The reclamation plan will follow the water and erosion control, soil salvage and replacement, and land shaping and re-vegetation best management practices described in the Oregon Department of Geology and Mineral Industries (DOGAMI) Mineral Land Regulation and Reclamation Program's manual aggregate mines (Open-File Report O-96-2). DOGAMI requires a reclamation plan to be submitted as part of the Division 30 Operating Permit application.

Forest Service special use authorizations will be issued to ODOT for quarry development and expansion. ODOT will be responsible for obtaining a DOGAMI Division 30 Operating Permit for the expansion area and for assuring their contractors obtain and maintain the appropriate air quality permits for their equipment.

Mitigation Measures and Monitoring

Mitigation measures are site-specific management practices that are designed to reduce the adverse impacts or project activities. Mitigation measures will be applied to quarry development plans and permit requirements. Mitigation measures will be implemented through project design, permit specifications, permit administration, and monitoring by Forest Service officers.

As part of my decision, I am adopting all practical means to avoid or minimize environmental harm, by choosing to implement all of the mitigation measures identified in Section 3 of the FEIS. I am confident these mitigation measures will be effective in reducing adverse effects because the selected mitigation measures are practices we have used successfully in the past, they are State-recognized best management practices for protecting water quality, or they are based on current research. Forest Service permit administrators will monitor the implementation of these mitigation measures. Appendix A to this ROD describes the various design features and mitigation measures of the selected alternative.

Rationale

Purpose and need

I have decided to select Alternative 1 because it best meets the purpose and need as identified in Section 1.5 of the FEIS. Alternative 1 will meet the need of securing a reliable, long-term, economical source of rock material for the FS and ODOT to use on Highways and forest roads near Mt. Hood for the next 20 years. Alternative 1 best meets this need because it provides more economical material for a longer period than any of the other alternatives.

I have decided to select Alternative 1 because it best meets the management objectives for quarry development in the Mt. Hood National Forest Land and Resource Management Plan (LRMP). In addition to complying with the standards and guidelines for quarry development, Alternative 1 best meets the objective of utilizing existing sources before developing new ones (LRMP page Four-93). Alternative 1 utilizes more of this site than the other alternatives which would require new sources to be developed sooner. Fully utilizing this quarry before developing new sites is appropriate because the site is preferable to any other sites in the vicinity and has been excavated and managed in a manner that facilitates continued excavation.

I have selected Alternative 1 because I believe it best fulfills our important partnership with the ODOT in providing safe, reliable public access to the many uses of this part of the Forest. The FS has had a long successful partnership with ODOT in providing public access to the Mt. Hood area. This partnership is important because a significant portion of the traffic in this area is from the public utilizing the many year round recreational opportunities in this portion of the Forest. Providing a dependable source of rock material for highway construction and maintenance helps meet the goals of both agencies. This is especially true for sanding material where a significant portion of the winter time traffic is for snow related recreation. By providing more material over a longer period of time alternative 1 fulfills this partnership better than any of the other alternatives.

Issues

I have also selected Alternative 1 because it addresses all of the public issues that were raised during scoping. Through project design criteria and mitigation measures Alternative 1 will protect resources and public safety.

Scenic resources: Although computer simulation models in Section 3.3 of the FEIS have indicated alternative 1 will meet visual quality objectives as seen from Timberline Lodge and other identified viewpoints, I am adopting mitigation (Section 3.4.3 of the FEIS) to ensure that the viewshed from Timberline Lodge is protected and that visual quality objectives are met. Expansion will take place over an extended period of time and will occur in relatively small phases. By monitoring the actual expansion footprint from the lodge as expansion occurs will determine actual visual impacts, the success of reclamation efforts, and where the limits of visibility occur before further expansion is allowed. This will ensure visual quality objectives will not be exceeded.

Recreation: My decision will minimize potential conflicts between quarry activities and recreational use in this area. Alternative 1 addresses these potential conflicts by not allowing rock hauling, blasting, crushing, screening and batching on weekends starting at noon Friday or on federal holidays. Potential traffic conflicts will also be reduced by requiring traffic control measures (such as flag persons and signing) during hauling operations. My decision eliminates potential conflicts with trail users near the quarry by relocating the quarry connector trail. The relocation will be planned by the FS and will be implemented by ODOT thru their contracting requirements, prior to the expansion that would impact the trail.

In addition to these design features of Alternative 1, I am also adopting additional mitigation to further reduce potential conflicts between quarry generated traffic and pedestrians/bicyclists along the haul route from Government Camp to Trillium Lake. As part of my decision ODOT will be required to contribute funding (\$30,000) toward the construction of a pedestrian/bicycle trail along this route. Planning for this new trail is completed and the decision to construct this trail was approved in January 2006. This contribution by ODOT will help make this new trail a reality and will provide for safer hiking/biking in this area.

Threatened and Endangered Species: My decision also minimizes any conflicts between quarry activities and species listed under the Endangered Species Act. By limiting blasting until after July 15th potential noise disturbance to the northern spotted owl during the critical breeding season will be eliminated. Based on these restrictions the US Fish and Wildlife Service concurred with our determination that quarry activities may affect, but are not likely to adversely affect northern spotted owls. Alternative 1 will not adversely affect any other threatened, endangered, or proposed species.

Other Alternatives Considered

In addition to the selected alternative, I considered 2 other alternatives in detail, which are discussed below. Five other alternatives were also considered but were eliminated from further study. In 2002 I asked professional engineers and geologists from the FS and ODOT to evaluate other existing quarry sites within an economical hauling distance of highways US 26 and OR 35. Five potential quarries were identified. These alternate

sites were then evaluated for their ability to provide adequate quantity of rock, the quality of the rock material, and the presence of any environmental constraints. These sites were eliminated from further study because four are small and do not contain an adequate quantity of material and are constrained by environmental factors. The one quarry that is large enough was eliminated because of the poor quality of material and the environmental constraints of the municipal watershed and the potential visual impacts along Road 17. Although these quarry sites were eliminated as a long-term source of rock material, they will continue to be used to some extent and would be available as a source of rock in emergency situations. A summary of this analysis is contained in Section 2.3 of the FEIS.

Alternative 2

Alternative 2 is a limited development alternative. Under this alternative the Tamarack Quarry would be expanded by approximately 21 acres over the currently permitted 29 acres, for a total area of approximately 50 acres. This is approximately 20 acres less than Alternative 1. Alternative 2 was developed to protect the Timberline Lodge viewshed by not expanding the portion of the quarry that could potentially be visible from Timberline Lodge. The amount of material removed and duration of use would be less under Alternative 2 than under Alternative 1. I did not select this alternative because it would not supply as much material as the selected alternative, would require new sites to be developed sooner, and because the viewshed from Timberline Lodge will be adequately protected with the selected alternative.

Alternative 3

Alternative 3 is the No Action alternative. Under the No Action alternative the existing development plan would remain in place and the quarry would not be expanded beyond the current permit boundaries. Under the No Action Alternative the existing situation would continue where FS would be the primary user of the quarry and ODOT would use the quarry in emergency situations. I did not select this alternative because it would not meet the purpose and need of the proposal. I did not select this alternative because it would not supply ODOT with an economical and long-term source of rock. I did not select this alternative because it would result in ODOT having to find other less secure and more expensive sources. This alternative would limit the ability of ODOT to provide a safe and cost efficient highway system near Mt. Hood.

Identification of the Environmentally Preferred Alternative

The Council on Environmental Quality (CEQ) regulations (40 CFR 1505.2) requires an agency to identify in the Record of Decision, the alternative(s) which were considered to be environmentally preferable. The environmentally preferable alternative is defined by the (CEQ) as the alternative or alternatives that promote national environmental policy as expressed in NEPA Section 101. This section of the law declares it is the policy of the Federal Government, "...to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can

exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans."

I have considered all alternatives in this analysis and have identified Alternative I as the environmentally preferable alternative. I believe alternative 1 best meets the national environmental policy as expressed in Section 101 of NEPA. Alternative 1 embraces "productive harmony" by providing a greater amount of rock resource for the benefit of the public than the other alternatives, while at the same time taking all practicable means to avoid or minimize environmental harm. Alternative 1 will help fulfill the social, economic, and other requirements of present and future generations of Americans. This alternative will provide a wide range of beneficial uses and meets the need to provide a secure source of quality rock material better than the other alternatives. Millions of people annually use these roads for accessing a variety of uses on these public lands. This economical and long term material source will help provide for a safe and cost efficient highway system near Mt. Hood. I believe Alternative 1 best achieves a balance between meeting the needs of people and protecting the environment.

Findings Required by Laws and Regulations

I have determined that my decision is consistent with relevant laws, regulations, and agency policy. The following summarizes findings required by major environmental laws.

National Forest Management Act, 1976

The FEIS sets forth the Forest Plan direction and the goals for the Management Areas within the project area (Section 1.7 of the FEIS). Based on review of the EIS and analysis file, I have determined that Alternative 1 is consistent with the goals and objectives of the *Mt. Hood National Forest Land and Resource Management Plan* (LRMP, 1990) as amended by the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (NFP, 1994).

The Standards and Guidelines contained in the Forest Plan are designed to provide the desired effects of management practices on other resource values. Alternative 1 provides the desired effect on water quality, wildlife and fish habitat, recreation uses, aesthetic values, and other resource yields. My decision, including required mitigation, is consistent with Standards and Guidelines established in the LRMP, as amended.

Alternative 1 is consistent with direction in the Northwest Forest Plan (NFP) and the Standards and Guidelines established in the NFP. My decision is consistent with the 2004 Record of Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy. There are no Riparian Reserves in the quarry expansion area. Alternative 1 is consistent with the 2001 Survey and Manage Record of Decision. Surveys for Survey and Manage wildlife and plant species were conducted to FS protocols prior to the completion of the 2004 Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standard and Guidelines. No Survey and Manage species were found in the project area (Section 3.6 of the FEIS).

The FEIS complies with the Mediated Agreement and the 1988 *Record of Decision for Managing Competing and Unwanted Vegetation FEIS* (USDA-FS 1988). The activity in this project that falls within the scope of the FEIS is noxious weed control. The objective of the Mediated Agreement is to manage competing and unwanted vegetation under the preferred "Prevention" and "No Action" strategies. The Tamarack Quarry Expansion Project will utilize Prevention, Early Treatment, and Correction Strategies to control noxious weeds. My decision is also consistent with the direction contained in the October 2005 *Record of Decision for the Pacific Northwest Region Invasive Plant Program, Preventing and managing Invasive Plants FEIS*. This direction will become effective on March 1, 2006. The mitigation measures for controlling invasive plants in Appendix A are consistent with the standards contained in this new direction.

National Environmental Policy Act

My decision is consistent with the National Environmental Policy Act (1969). The FEIS was completed under the guidelines outlined in 40 CFR Part 1500, and the USDA Forest Service NEPA Policy and Procedures in Forest Service Manual 1950 and Forest Service Handbook 1909.15. I believe sufficient information was included in the FEIS for me to make a reasoned and informed decision.

Clean Water Act

This project is consistent with the Clean Water Act (1982). Mitigation measures for this project will meet the requirements outlined in *General Water Quality Best Management Practices* (PNW Region Nov. 1988). This report and the Salmon River Watershed Analysis were used as a source of management direction for establishing recommendations for this project in relation to water quality issues.

National Historic Preservation Act, 1966

My decision is consistent with the National Historic Preservation Act. A cultural resource inventory has been completed for the project area. All field surveys, certified by an Archaeologist, were completed and a heritage resource report has been completed. Alternative 1 would have no effect on any heritage resources.

The Endangered Species Act of 1973, as amended and Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 2000:

My decision is consistent with the Endangered Species Act (December 1973). A Wildlife Biological Evaluation determined that the project *may affect, and is not likely to adversely affect* Northern spotted owl, and would have *no affect* on bald eagles (Section 3.6 of the FEIS). There is no designated critical habitat or suitable nesting, roosting, and foraging habitat for the Northern spotted owl in the project area. A Biological Assessment was prepared for the Northern spotted owl (FEIS Appendix D) and consultation was completed with the US Fish and Wildlife Service (USFWS). In a letter of June 23, 2004 the USFWS stated:

"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."

My decision will have no effect on any other listed wildlife, fish, or plant species or designated critical habitat (Section 3.6 and 3.7 of the FEIS). There is also no Essential Fish Habitat (under the Magnuson-Stevens Act) in the project area (Section 3.7 of the FEIS).

Executive Order 11990, Protection of Wetlands

Pursuant to Executive Order 11990, there will be no loss of wetlands from any of the actions associated with my decision. There are no Riparian Reserves or wetlands in the project area (Section 3.10 of the FEIS).

Executive Order 11988, Floodplain Management

Pursuant to Executive Order 11988, actions associated with Alternative 1 are not located on floodplains and the direct, indirect, and cumulative effects of the actions associated with my decision will not result in conditions that would affect floodplains.

Executive Order 12898. Environmental Justice

There will be no disproportionate adverse impacts to human health or environmental effects from the Selected Alternative to low-income populations, minority populations, or Indian tribes (Section 3.17 of the FEIS).

Administrative Review Opportunities and Timing of Implementation

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Individuals or organizations who submitted substantive comments during the comment period specified at 36 CFR 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Any appeal of this decision must be in writing (regular mail, fax, email, hand-delivery, or express delivery). 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 hrs: 8-4:30 M-F excluding holidays), or 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. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification. Appeals 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.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in *The Oregonian*, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in *The Oregonian* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact Mike Redmond (503) 668-1776 or e-mail mredmond@fs.fed.us.

GARY L. LARSEN

Forest Supervisor

Ph 29,2006

DATE

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