



File Code: 2670

Date: August 22, 2014

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Dear Mr. Henson:

*Pursuant to Section 7 of the Endangered Species Act of 1973, as amended (ESA), the Mt. Hood National Forest is updating the information that was included in two biological assessments for the North Fork Mill Creek Restoration project that would modify the habitat of the northern spotted owl and would cause associated disturbances to this species during its nesting period (reference number 01EOFW00-2013-F-0149 and 1-7-06-F-0179). As a result of the Government Flats Fire there has been a significant reduction in nesting, roosting, and foraging habitat within the territories of four spotted owls. In addition to habitat loss, critical habitat for the northern spotted owl has been designated within the project boundary. These changes triggered the need to reinitiate consultation for the proposed project.*

### **Introduction**

The Government Flats Fire started from lightning strikes on August 16, 2013 on Oregon Department of Forestry lands. On August 21, the fire burned onto National Forest System (NFS) lands. Approximately 2,200 acres burned on the NFS lands and the total fire covered 11,354 acres on a variety of land ownerships. The fire occurred in an area with a complicated mix of land allocations and objectives from the Mt. Hood Land and Resource Management Plan, Northwest Forest Plan, Tier 1 Watershed, and northern spotted owl critical habitat. The fire burned two integrated resource timber contracts that were sold (Roan stewardship and Eques stewardship) as well as several unsold and planned units. In addition, several planned under burn units were severely burned in the fire. All of the stewardship, unsold and under burn units were analyzed as part of the North Fork Mill Creek Restoration Opportunities Environmental Assessment (2008).

Within the fire perimeter on NFS lands, approximately 27 percent of the lands were classified as low severity burn, 29 percent as moderate severity, and 30 percent as high severity burns. The moderate severity areas represent a broad range of burn characteristics with much of the moderate severity burn on the high end of the moderate severity class. The overstory tree and shrub mortality was often greater than 50 percent, but needle-cast has been covering the ground since burning has ceased. It is possible that many of the stands that experienced moderate to high severity burns would not have an adequate natural seed source to regenerate the forest to the desired future conditions. Also, the fire burned along approximately six miles of roads. Many of the trees along these roads pose a safety hazard along these routes.



The Decision Notice and Finding of No Significant Impact (DN/FONSI) for North Fork Mill Creek Restoration Opportunities (signed December 19, 2008) authorized fuels reduction activities on 2720 acres. Fuel reduction activities include 1896 acres of commercial thinning to open dense stands and reduce fuel ladders, 153 acres of non-commercial treatments, 61 acres of aspen cottonwood enhancement, and 610 acres of under burning. The overarching objective of the treatments in the North Fork Mill Creek Planning area was to reduce fuels and restore stands to their historical species composition while also providing for wildlife habitat needs. The prescriptions were designed to move treated areas toward the appropriate condition class based on the fire regime classification and to address fuels reduction needs in the treated areas. Stand treatments were designed to reduce the vulnerability of the area to uncharacteristic fires.

To implement this decision, the project area was broken into six stewardship sales (Appy, Buckskin, Clyde, Roan, Eques, and Lokai Stewardship Sales). Of the six stewardship sales, two sales have been fully implemented (Appy and Buckskin Stewardship Sales) and three other sales are partially completed (Clyde, Roan and Eques Stewardship Sales). The last sale (Lokai Stewardship Sale) was scheduled to be awarded in the first quarter of fiscal year 2014. The Government Flats Fire burned 89 percent of Roan, 54 percent of Eques and 9 percent of Lokai Stewardship Sales (see Table 1).

**Table 1: Stewardship Sales Impacted by Government Flats Fire**

Stewardship Sale	Total Sale Area	Acres Burned	Acres Harvested	Percent of Sale Impacted
Roan Stewardship	273	243	92*	89%
Eques Stewardship	304	165	0	54%
Lokai Stewardship	336	30	0	9%
* some of the units burned post thinning treatment.				

The fire area includes the stewardship units under Integrated Resource Timber Contracts (Roan and Eques Stewardship). As time progresses fire-killed trees lose economic value due to staining, insects, and checking (cracks in the wood that occur as the burned wood dries). By the early summer to late fall 2014 up to 60% of the economic value of these trees could be lost. Both of these stewardship sales were determined to have catastrophic damage as defined by the stewardship contract. The contract defines catastrophic damage as: “major change or damage has affected the value of trees or products within the Contract Area and is estimated to total either: More than half of the estimated timber volume or more than 2,000 CCF or equivalent (1,000 MBF).” Therefore, there is a contractual obligation to analyze the changed conditions resulting from the Government Flats fire. These changed conditions would be utilized to provide the necessary context for contract modifications.

**Purpose and Need for Action**

The overall purposes of this project are to meet the existing contractual and economic obligations within the existing Roan and Eques stewardship sales, to conduct a changed condition analysis to determine if changes to the original decision are required, and to improve safety on National Forest System roads within the burned area of the Government Flats Complex Fire. In order to meet these two primary purposes, the underlying needs of the North Fork Mill Creek Revised project are to:

- Modify the existing stewardship contracts, including salvaging dead and dying trees<sup>1</sup>;
- Improve the health and vigor of forested stands, including within Riparian Reserves;
- Reforest the desired tree species (where natural, on-site, seed sources are lacking) to aid in the accelerated development of forest conditions consistent with management plan objectives; and,
- Improve public, administrative and operational safety along Forest Service roads.

The contractual obligations require the Forest Service to assess the changed conditions, including the value and condition of the timber that has been affected and whether damaged undesignated timber in the contract area can and should be salvaged together with the designated timber. The resulting contract modification includes: any changes to the prescriptions; any undesignated timber that can be salvaged and should be cut concurrently; eliminated areas that should not be cut or have lost their value; and, rate re-determination for all of the volume. Overall, the Forest Service has the obligation (if possible) to make the timber purchaser whole in the existing contracts based on the economic value of the timber.

The Surveyors Ridge Late Successional Reserve (LSR), as designated by the Northwest Forest Plan, runs along the western boundary of the project area and does not fall within any treatment units. The Dalles Watershed is located on the southeastern boundary of the project area. Private lands border the project area to the north. All treatments being reinitiated are in Matrix, Riparian Reserve and Administratively Withdrawn land use allocation.

**Table 2:** Proposed Action Treatment Acres by Northwest Forest Plan Land Use Allocation (AW = Administratively Withdrawn Areas)

Treatment	Matrix	Riparian Reserves	AW	Total Acres
Restoration Thin (Unburned to Low Severity)	106	1	0	107
Restoration Thin (Moderate to High Severity)	146	0	0	146
Hazard Tree	80	11	43	134
Reforestation	536	85	1	622
<b>Total Acres</b>	<b>868</b>	<b>97</b>	<b>44</b>	<b>1009</b>

All the treatment units are located at T1S, R11E, Sections 4-9 in Wasco County. Some of the haul route extends into T1S, R10E in Hood River County. The project is on the Hood River and Barlow Ranger Districts.

### **Changed Condition Analysis**

All activities outside the fire perimeter as well as completed activities (e.g., seasonal and year-round road closures) regardless of location do not have a changed condition and may proceed under the original consultation. Table 3 summarizes the changed condition analysis for the units that are currently under contract in the Roan and Eques Stewardship Sales.

<sup>1</sup> A dying tree is any tree that would die as a result of Government Flats Complex Fire. The Scott's Species Specific Guidelines (Scott, Schmitt and Spiegel 2002) would be used to assess individually dying trees. These guidelines are available in the project record located at the Hood River Ranger District. See Section 2.2.1 for more information.

**Table 3: Changed Condition Analysis for Roan and Eques Stewardship Sales**

<b>Action</b>	<b>Acres</b>	<b>Rationale</b>
No Changed Condition	169	Continue with original proposed treatment
Thinning Completed	91	Reforestation only
Late Successional Reserve Acres Dropped	25	Dropped to meet requirements in Northwest Forest Plan (Units 49A & 49B)
Riparian Reserves Acres Dropped	7	Dropped to meet requirements for Riparian Reserves in Northwest Forest Plan (various units)
Pileated Woodpecker/Pine Marten Habitat Dropped	10	Dropped to meet Forest Plan Standard B5-021 (Unit 41C)
Consider Other Treatments in Changed Condition Analysis	22	Thinning does not meet Forest Plan Standard FW-129 in Units 56C & 70 and does not meet Riparian Reserve requirements in Units 48A, 106A, 107A, and 108A)
Changed Condition Analysis	253	Proposed Action Restoration Thin Units
<b>Total Acres Under Contract</b>	<b>577</b>	<b>Includes Roan and Eques Stewardship</b>

**Revised Proposed Action**

Overall, the revised Proposed Action includes treating 1,009 acres within the Mill Creek watershed. This represents approximately 50 percent of the NFS lands burned by the Government Flats fire in August and September 2013. The Proposed Action includes restoration thinning (253 acres – 146 acres in moderate to high severity burn and 107 acres in low severity burn), hazard tree removal (134 acres), and reforestation treatments (which include snag removal on 622 acres), see Table 4. In addition to these treatments, the Proposed Action includes less than one mile of temporary road re-construction as a connected action. There is no impact to habitat from road construction.

Restoration Thinning treatments would harvest timber from 253 acres within the Government Flats Complex Fire perimeter. These units are all under existing stewardship contracts (Roan and Eques), and the Forest Service has a contractual obligation to analyze continued operations on these lands in order to make the purchasers whole and/or to provide the necessary context for contract modifications. Fire-killed and dying trees would be harvested and removed from areas of high to moderate severity burn (146 acres). The dying trees are trees that experienced damage as a result of the fire activity. Snags would be retained to meet habitat requirements for the Northern spotted owl and snag and down log associated species, as much as possible. If additional trees are needed for soil stability or soil productivity, these trees would be retained and limbed as needed. A minimum of 10 snags per acre would be retained. Restoration thinning would also occur on the unburned to low severity burns with minor changes to the prescriptions (107 acres). These changes would focus on the gaps; in large part, the gaps would no longer be needed due to the fire activity within the units.

Restoration thin units in all burn severities may be made available for firewood and/or restoration log removal, if the harvest operations are not able to be conducted while the product is viable. Vegetation treatment over most of the area would involve the use of available roads

and skid trails existing from past activities. Less than one mile of temporary roads would be constructed for removal of vegetation in some stands, but these roads would be rehabilitated at the end of the project.

Hazard trees would be removed on 134 acres. These treatments would remove any tree that is classified as a hazard tree and that is predicted to strike or damage the road up to 200-feet from either side of the center line of the road. All hazard (danger) trees evaluation and identification must follow the “Field Guide for Danger Tree Identification and Response” (Toupin et. al. 2008). Any slash exceeding Forest Plan standards and guidelines would be machine and/or hand-piled to reduce the resulting fuel loading. If additional trees are needed for soil stability or soil productivity, these also would be felled and left on site. Approximately 125 hazard trees have already been felled along Forest Service Road 1711-630 as part of the Burned Area Emergency Response (BAER) work. These trees would be removed, if they exceed Forest Plan standards and guidelines. On lands within Riparian Reserves (Units 87A, 106A, 107A, and 108A), the hazard trees would be felled and left on-the-ground in order to comply with the Northwest Forest Plan.

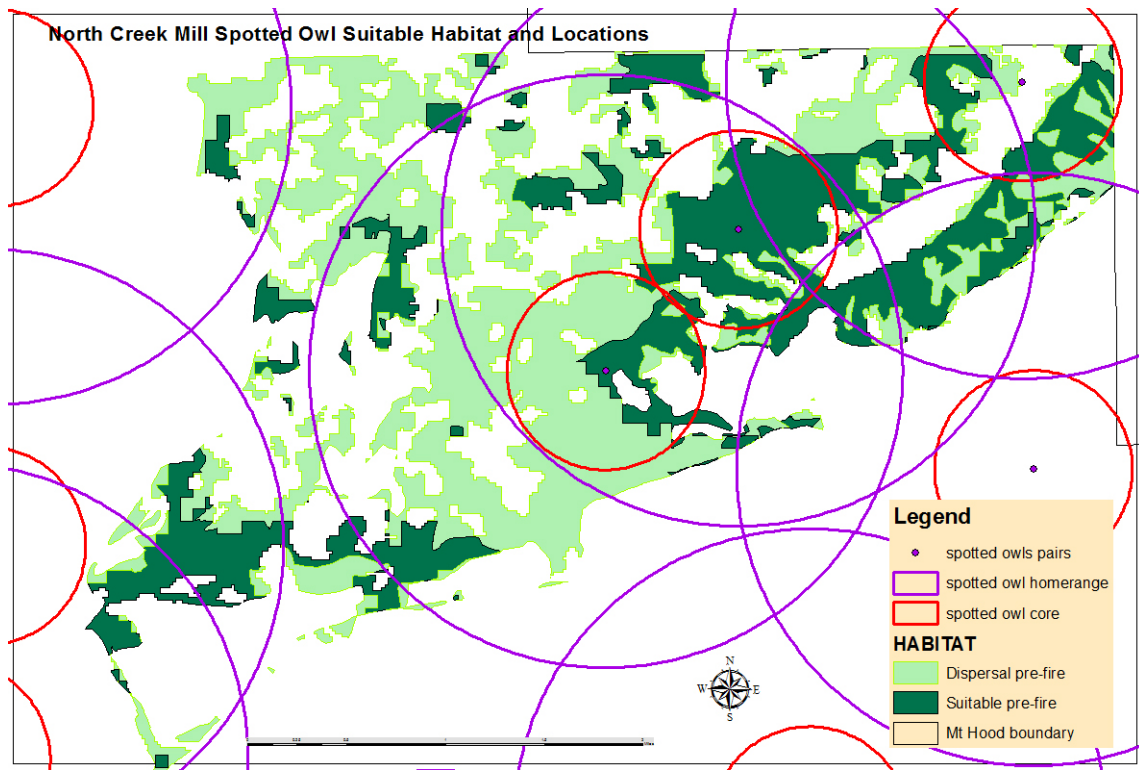
Approximately 622 acres would be planted to reforest moderate to high severity burn areas in naturally forested areas and not in grass or meadow plant communities. Hazard trees within the stand would be hand-felled in order to facilitate safe tree planting operations. These trees would be left on-the-ground and used as contour trees whenever possible. These trees would be used to provide micro-siting for planted tree seedlings as well. All other treatment areas would be reforested as needed in order to establish slow growing, shade intolerant, rot resistant species, such as ponderosa pine, western white pine and western larch. Any slash along the roads within these units that exceeds Forest Plan standards and guidelines and that are not needed for soil stability or soil productivity would be piled to reduce the resulting fuel loading. These units were all originally analyzed under the North Fork Mill Creek Restoration Opportunities EA, but they have not met the desired future condition given the severity of the burn and anticipated natural regeneration.

**Table 4. Proposed action:**

<b>East Side Cascades, Matrix and Critical Habitat subunit East Cascades North, ECN-7</b>	Acres within low severity burned area	Acres within moderate to high severity burned area
Restoration thin (nesting and roosting habitat – removed)	15	0
Restoration thin (dispersal only habitat – removed)	70	0
Restoration thin (non-habitat)	22	
Restoration thin that (In non- habitat that was nesting and roosting habitat – removed)		146

Hazard tree removal within 200 feet of roads and predicted to strike or damage the road (non-habitat - removed)		134
<b>Subtotal affecting habitat: 346 acres</b>	107	280
<b>Reforestation acres (non-habitat – will improve habitat function)</b>		622
<b>Total treatment acres: 1009</b>	107	902

**Revised Environmental Baseline**



**Figure 1. Spotted owl analysis area.**

Figure 1 shows the spotted owl analysis area for the project. The figure shows the spotted owl habitat prior to the Government Flats Fire.

The amount of suitable habitat within the proposed project boundary was reduced by 248 acres and the amount of dispersal habitat was reduced by 257 acres (Table 5). There are currently 689 acres of suitable nesting habitat and 269 acres of dispersal habitat within the proposed project boundary.

Table 5. Suitable and Dispersal Habitat Pre and Post Fire

Acres	Northern Spotted Owl Habitat	
	Dispersal	Suitable
Pre Fire	526	937
Post Fire	269	689
<b>Total Acres Lost</b>	<b>257</b>	<b>248</b>

There are four spotted owl home ranges affected by the fire. There was a reduction of 1214 acres within these home ranges from the fire. All of the home ranges are currently below the threshold of 40 percent suitable habitat in the home range and below the threshold of 50 percent suitable habitat within the core area as a result of the fire and pre-existing condition (Table 8). The proposed treatments would further reduce the amount of suitable habitat within the home range of two of the territories and may affect and likely adversely affect spotted owls and their habitat. There would be a reduction of dispersal habitat in one of the core areas (6038P90) as well as the home ranges of three territories. The treatments to spotted owl suitable and dispersal habitat are necessary to meet the contractual obligations of the Forest Service to the purchasers prior to the fire.

### Mt. Hood Spotted Owl Baseline

Table 6 Status of the spotted owl and its habitat on the Mt Hood National Forest, FY 2014.

MT HOOD NATIONAL FOREST	Total Acres	Protected <sup>1</sup>		Unprotected <sup>2</sup>		Non Forest Service land within administrative unit boundary	
		Total Acres	% of Total	Total Acres	% of Total	Total Acres	% of Total
Acres within Boundary <sup>3</sup>	1,067,017	500,685	47%	566,332	53%	46,662	4%
Acres of Ownership <sup>4</sup>	1,020,355	500,685	49%	519,670	51%		
Suitable Habitat – Capable Acres <sup>5</sup>	272,694	87,262	32%	185,432	68%		
Suitable Habitat – Current Acres <sup>6</sup>	399,905	227,946	57%	171,959	43%		
Spotted Owl Sites	Number of Sites	Protected Sites	Protected % of Total	Unprotected Sites	Unprotected % of Total		
Spotted Owl Sites <sup>7</sup>	279	216	77%	63	23%		
Spotted Owl Sites with > 40% suitable habitat in the provincial home range	206	160	78%	46	22%		

<sup>1</sup> Acres in this column are comprised of: Late Successional Reserves (LSR) and associated Riparian Reserves, 100-acre LSRs, Congressionally Withdrawn Areas.

<sup>2</sup> Acres in this column are comprised of: Matrix, Adaptive Management Areas, and Administratively Withdrawn Areas including associated Riparian Reserves. Administratively Withdrawn Areas are included in the unprotected column because technically these areas are not designed to provide spotted owl habitat but rather to serve some other function such as “recreation and visual areas, back country, and other areas where management emphasis precludes scheduled timber harvest” (USDA, and USDI 1994a, p. A-4). The administrative land and resource management plan may protect

and/or reduce the likelihood that spotted owl habitat located within Administratively Withdrawn Areas would be modified.

<sup>3</sup> Acres include both private and federal lands within administrative boundaries (in this row only). Acres are derived from corporate GIS data. **Unprotected column includes all non-FS acres.**

<sup>4</sup> Does not include approximately 3,042 acres (total) of Mt Hood NF land managed by the Willamette NF (for this and subsequent ROWs). These acres are included in the Willamette NF data, Appendix D.

<sup>5</sup> Federal land that is capable of producing suitable spotted owl habitat, regardless of its current habitat.

<sup>6</sup> Suitable habitat is defined as nesting, roosting, foraging habitat.

<sup>7</sup> Spotted owl sites represent pairs or resident singles 1990-2011. Location of site center is shown either in protected or unprotected Land Use Allocations.

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Data has been updated to reflect changes due to the Government Camp Fire, past harvest, land exchanges, GIS updates or new locations of spotted owl sites.



**Revised Effects to Spotted Owls**

Table 7. Effects of the Government Flats Fire on Suitable Habitat in the Spotted Owl Home Range and Core.

Owl Pair	Suitable Habitat Acres in Home Range Before Fire	% Suitable in Home Range Before Fire	Suitable Habitat in Home Range Post Fire	% Suitable in Home Range Post Fire	Suitable Habitat in Home Range Post Harvest	% Suitable in Home Range Post Harvest	Suitable Habitat Acres in Core Before Fire	% Suitable in Core Before Fire	Suitable Habitat in Core Post Fire	% Suitable in Core Post Fire	Suitable Habitat in Core Post Harvest	% Suitable in Core Post Harvest
1031T96	623	22	495	17	495	17	111	22	111	22	111	22
6030P95	474	16	218	8	203	7	100	20	83	17	83	17
6038P90	856	30	331	11	331	11	304	61	30	6	30	6
6101P90	472	16	167	6	167	6	146	29	81	16	81	16

Table 8. Effects of the Government Flats Fire on Suitable Habitat in Hazard Tree area in the Spotted Owl Home Range and Core.

Owl Pair	Suitable Habitat Acres in Home Range Post Fire	Acres of Suitable habitat removed in home range	Estimated acres of hazard tree removal in non-habitat, that was suitable habitat prior to the fire. (Home Range)	Percent of Suitable habitat in Home Range Post Harvest	Suitable Habitat in Core Post Fire	Acres of Suitable habitat removed in Core	Estimated acres of hazard tree removal in non-habitat, that was suitable habitat prior to the fire. (Core Area)	Percent of Suitable Habitat in Core Post Harvest
1031T96	Owl affected by fire but no units in the Home Range							
6030P95	218	15	59	203	83	0	10	83
6038P90	331	0	81	331	30	0	78	30
6101P90	167	0	6	167	81	0	0	81

No surveys for spotted owl occupancy has been completed since the early 1990s for the owls affected by this project.

Danger Trees (snags) in non-habitat will be removed from habitat that was suitable habitat prior to the fire. Areas where danger trees will be removed resulted from moderate to severe intensity fire that affected this habitat.

The project evaluated by this assessment includes proposed treatments that would impact 70 acres of dispersal habitat, 15 acres of suitable habitat, and 924 acres on non-habitat, (622 acres or reforestation, 146 acres restoration thinning & 134 acres of hazard tree removal along roads) in the Matrix LUA and one mile of temporary road re-construction in suitable habitat.

The Forest Service had previously sold timber in the units affected by the fire. The Forest Service is contractually obligated to meet the original Environmental Assessment and therefore is obligated to sell 15 acres of suitable habitat. The suitable habitat removed is located in the home range of 6030P95. This habitat would be impacted by reducing the canopy cover from approximately 70 percent to less than 40 percent and the loss of some down wood, shrubs and snags, which provide habitat for prey species. These units would no longer function as suitable and dispersal habitat after treatments. It is estimated that these units would again provide dispersal habitat approximately 20 years after harvest. It will take approximately 60 years before the habitat will function as foraging habitat (a subset of suitable habitat).

The fire created many dead trees referred to as snags. These snags pose a risk to workers and persons traveling along roads. The areas where these trees would be removed was suitable spotted owl habitat prior to the fire but is now considered non-habitat, although the owls will occasionally utilize these areas for foraging. The selected alternative is salvaging on 146 acres and removing hazard trees from another 134 acres. As a result, the snag habitat on 21.6 percent of the high to moderate burn severity areas will be impacted by this project. Snags would not be removed from the other high to moderate burn severity areas within the fire perimeter (78.4 percent). As such, these areas would provide improved habitat to snag dependent species. The total number of snags (Fire Killed Trees) to be removed in the Restoration Thin units (146 acres) is estimated to be 11,000 snags  $\geq 20$  inches in diameter and 15,600 snags 8 to 19.9 inches in diameter. Based on field reviews, it is estimated that approximately 40 percent of the trees in the hazard tree units would need to be removed for an average of 4,000 snags  $\geq 20$  inches in diameter and 7,000 snags 8 to 19.9 inches in diameter for Hazard Tree treatments (134 acres). A total of approximately 37,600 snags (14.1 percent of snags in project area) would be removed (Table 9). Approximately 219,934 snags would remain following hazard tree treatments.

Table 9. Number of Snags (Fire Killed Trees) Proposed for Removal.

	$\geq 20''$	8'' to 19.9''	Total
<b>Restoration Thin (Moderate to High)</b>	11,000	15,600	26,600
<b>Hazard Tree Treatments</b>	4,000	7,000	11,000
<b>Total</b>	15,000	22,600	<b>37,600</b>

Reforestation activities would be expected to increase the rate at which seedlings become established which could increase the rate of establishing large tree structure and canopy cover needed for suitable spotted owl habitat.

There will be one mile of temporary road re-construction that will have no habitat effects to spotted owls because no habitat will be removed. These roads are existing temporary roads and need to be regarded.

The restoration thinning of 146 acres and hazard tree removal would not affect habitat since it is non-habitat. There will be enough snags left to create good future habitat for spotted owls. The long term outlook for this habitat is to maintain it for fuels reduction to prevent further fires so it may not become nesting, roosting habitat but may still function as foraging habitat in the future.

Removal of 70 acres of dispersal habitat from restoration thinning on the low severity to unburned areas, in addition to other habitat impacts are not expected to prevent spotted owl dispersal through the action area. This will not cause an impact because the remaining habitat and adjacent habitat on the landscape will continue to provide for the need of dispersing spotted owls.

#### *ESA Effects Determination from Habitat Loss*

Because suitable habitat would be removed in territories that are currently below the threshold levels, the proposed project **may affect, and is likely to adversely affect** spotted owls and there habitat.

#### **Critical Habitat Baseline**

The Government Flats Fire affected 1307 acres of critical habitat The proposed project falls within unit 7: East Cascades North (ECN) and includes a total of 1,345,523 acres in 9 subunits. The proposed project falls within subunit 7.

The ECN-7 subunit consists of approximately 139,983 ac in Hood River and Wasco Counties, Oregon, and is comprised of only Federal lands managed by the U.S. Forest Service under the Northwest Forest Plan (USDA and USDI 1994). Special management considerations or protections are required in this subunit to address threats from current and past timber harvest, removal or modification of habitat by forest fires and the effects on vegetation from fire exclusion, and competition with barred owls. This subunit is expected to function primarily for demographic support to the overall population, as well as north-south and east-west connectivity between subunits and other CH units.

An evaluation of sites known to be occupied at the time of listing indicates that nearly 100 percent of the area of ECN-7 was covered by verified northern spotted owl home ranges. When combined with likely occupancy of suitable habitat and occupancy by non-territorial owls and dispersing subadults, we consider this subunit to have been largely occupied at the time of listing. In addition, there may be some smaller areas of younger forest within the habitat mosaic of this subunit that were unoccupied at the time of listing.

The CH Rule determined that all of the unoccupied and likely occupied areas in this subunit are essential for the conservation of the species to meet the recovery criterion that calls for the continued maintenance and recruitment of northern spotted owl habitat (USFWS 2011). The increase and enhancement of northern spotted owl habitat is necessary to provide for viable populations of northern spotted owls over the long term by providing for population growth, successful dispersal, and buffering from competition with the barred owl.

There were 668 acres of high intensity fire and 639 acres of moderate intensity fire that removed or severely modified the primary constituent elements of northern spotted owl habitat. There was a reduction of 439 acres of suitable habitat, from high intensity fire, and 247 acres of substantial changes to suitable habitat from moderate intensity fire. The harvest of 70 acres of dispersal and 15 acres of suitable in critical habitat is modest by comparison. The harvest of the suitable habitat will occur outside of the core area but within the territory of one owls (6030P95). The habitat within the fire perimeter currently includes all 4 PCEs; (1) Forest types that support the spotted owl across its geographic range; (2) Habitat for nesting and roosting; (3) Foraging habitat is essential to provide a food supply for survival and reproduction; and (4) Habitat to support the transience and colonization phases of dispersal.

### **Revised Effects to Critical Habitat**

#### *Proposed Action – Direct and Indirect Effects to Critical Habitat*

The analysis of impacts has both a temporal scale (would the actions delay or accelerate the development of the PCEs in the stand following treatment) and a qualitative scale (would the life history needs of the spotted owl be better or worse with respect to the PCEs as a result of the treatment).

The proposed Action would impact the PCEs at the stand scale. Fifteen acres of nesting habitat would be removed and 70 acres of dispersal habitat would be removed in treatment units. In addition to the removal of this habitat, snags from non-habitat would be reduced on 280 acres in the adjacent burned stands from 146 acres of restoration thinning and 134 acres of hazard tree removal along roads. These treatments would delay the development of PCEs in the stand following treatment, and the life history needs of the spotted owl would no longer be met in these treatment units. Reforestation on 622 acres would increase the rate of the development of the PCEs.

In addition to the effects at the stand scale, the effects to the PCEs were evaluated at the scales of the CH subunit, CH unit, and the range of the spotted owl. Removal of the PCEs within the project boundary would impact approximately 0.2 percent of Subunit ENC-7. Therefore, the life history needs of the spotted owl would continue to be met at the subunit and unit scale and these units would continue to function as demographic support to the overall population, as well as providing connectivity between other CH units and subunits.

#### Special Management Considerations for ECN-7

Eight special management considerations or protections were identified for the East Cascades Critical Habitat Unit in the Final Critical Habitat Rule.

1. Conserve older stands that contain the conditions to support northern spotted owl occupancy or high-value northern spotted owl habitat as described in Recovery

Actions 10 and 32 (USFWS 2011, pp. III-43, III-67). On Federal lands this recommendation applies to all land-use allocations (see also Thomas *et al.* 2006, pp. 284–285).

*The Government Flats Fire has changed the stand structure of the stands. The harvest reduces a very small amount of suitable owl habitat (15 ac). The majority of the harvest removes fire killed trees and a small amount of dispersal habitat. Suitable habitat that was within or close to historic nest patches was excluded from harvest.*

2. Emphasize vegetation management treatments outside of northern spotted owl territories or highly suitable habitat;

*The harvest units were planned and sold prior to the designation of critical habitat in 2012. The current harvest post fire was planned to protect nest patches and to harvest a minimum amount of suitable habitat.*

3. Design and implement restoration treatments at the landscape level;

*The Government Flats Fire changed the overall planning for this area. Current planning efforts will incorporate a landscape level and take the effects of this fire on future planning.*

4. Retain and restore key structural components, including large and old trees, large snags, and downed logs;

*There will be a substantial amount of fire killed trees saved for wildlife habitat. Approximately 219,934 snags would remain following hazard tree treatments.*

5. Retain and restore heterogeneity within stands;

*The Government Flats Fire has introduced a large amount of heterogeneity into the stands. Areas with low to moderate fire levels have created a mosaic of dense trees with openings and created a large amount of dead and down trees. These areas will remain as diverse habitat, except for the 85 acres of suitable and dispersal being treated that will become non-habitat.*

6. Retain and restore heterogeneity among stands;

*The area has a very diverse condition with areas that have been killed and untouched by fire. The future planning will strive to retain this diversity among stands.*

7. Manage roads to address fire risk; and

*Areas along roads will have snags removed to reduce fire risk and to remove the danger of the trees falling and endangering life.*

8. Consider vegetation management objectives when managing wildfires, where appropriate.

*This action is post fire. Spotted owl habitat has been a primary consideration in how the effects of the fire is being managed.*

Effects Determination to Critical Habitat

Because PCEs 1 through 4 would be removed on 15 acres, and PCEs 3 and 4 would be removed on 280 acres, the proposed project **may affect, and is likely to adversely affect** spotted owl critical habitat.

Disturbance

The sound from project activities would not adversely affect the breeding behavior of spotted owls during their critical breeding period because no heavy equipment, chainsaw use, or helicopter use would occur within the 35 to 120 yard disruption distances. Some activities would take place during the critical nesting season between March 1 and July 15, but these activities would be beyond the disruption distance of an actively nesting spotted owl pair or beyond the disruption distance from the nest patch of a predicted site. The proposed project **may affect, but is not likely to adversely affect** spotted owls from disturbance.

Sincerely,

*/s/ Vicki Peterson (for)*  
LISA A. NORTHROP  
Forest Supervisor

cc: Mailroom R6 Mt Hood