Draft
DECISION NOTICE
And
FINDING OF NO SIGNIFICANT IMPACT

Lemiti Fuels Reduction Project
And
Forest Plan Amendment #19

USDA FOREST SERVICE
MT. HOOD NATIONAL FOREST
CLACKAMAS RIVER RANGER DISTRICT
CLACKAMAS and MARION COUNTIES, OREGON

This draft Decision Notice is made available with the Environmental Assessment for the Lemiti Fuels Reduction Project and Forest Plan Amendment #19 pursuant to 36 CFR 218.7(b). The Lemiti Environmental Assessment (EA) contains an in-depth discussion of the setting, ecological processes, resource conditions, the purpose and need for action, the proposed action designed to achieve the purpose and need, project design criteria, alternatives considered, the effects and benefits of those alternatives and appendices which include detailed maps and a discussion of comments received.

This project is located in T.7 S., R.8 E.; T.8 S., R.8 E.; T.7 S., R.8.5 E.; T.8 S., R.8.5 E.; Willamette Meridian. All section (s.) number references are to sections of the EA unless specified otherwise. The EA is incorporated by reference and can be found at: http://www.fs.usda.gov/projects/mthood/landmanagement/projects. Acres and miles are approximate since they are derived from GIS. The Mt. Hood National Forest is referred to as 'the Forest' in this document. The Mt. Hood National Forest Land and Resource Management Plan (1990) and Standards and Guidelines, as amended, are referred to as the Forest Plan in this document.

This draft Decision Notice documents my proposed decision and rationale for the selection of Alternative B, the proposed action, for the Lemiti Fuels Reduction Project and Forest Plan Amendment #19 Environmental Assessment. The Forest proposes fuel treatments and harvest on approximately 1,432 acres where dead lodgepole pine trees have increased fire hazard. The following background section is a brief summary to help with understanding the context of the Lemiti Fuels Reduction Project and Forest Plan Amendment #19.

Background (s. 1.5.1)

Over the past decades, parts of Oregon and much of the Western United States have experienced large wildfires that have put many assets and resources at risk, including habitat for threatened or endangered fish and wildlife species, critical infrastructure, soil productivity, aesthetics, clean air and other valued components of forests and communities. Most of the project area consists of pure stands of dead lodgepole pine that became established following large stand-replacement fires. Other areas have lodgepole pine interspersed with other conifer species. Currently, the dead lodgepole pine is standing and a thick carpet of young seedlings and saplings have seeded in. The fire hazard is expected to dramatically increase in the next few years as dead trees continue to fall and young trees continue to fill

in at high densities. Due to this fuel accumulation and the high likelihood of ignition from lightning or humans, the predicted fire intensity would cause wildfires that are difficult, expensive and dangerous to contain at small sizes. There is a high level of concern for firefighter safety in the event of a high-severity wildfire in the area.

Purpose and Need (s. 1.3)

The purpose of this project is to reduce hazardous fuels to minimize resource impacts from fire, to provide for enhanced firefighter and public safety, to provide for long-term forest productivity, and to enhance the ability to efficiently manage the landscape in the future.

- **Fire Hazard** - There is a need to reduce potential wildfire hazard because of the accumulation of fuels and dead trees that could result in severe burning conditions and increased risk of spread of wildfire onto neighboring Tribal land. Lightning is common in this area. In the event of a large wildfire, resources (such as soil productivity, riparian values, late-successional habitat, scenery, infrastructure, etc.) would be at risk on both the Forest and the adjacent Confederated Tribes of Warm Springs Reservation. Additionally, fire suppression tactics would be greatly limited due to high levels of risk to fire suppression personnel due to the high resistance to control with the predicted quantity of fuel as dead trees fall.

- **Safety** - There is a need to enhance firefighter and public safety along the primary access roads by reducing fuels along Forest Service Roads. The planning area is the main route for ingress and egress for the Olallie Lake Scenic Area; a popular back country recreation destination to the south of the project area.

- **Forest Productivity** - There is a need to provide for long-term forest productivity and to enhance the agency's ability to efficiently manage the landscape in the future. With no action, the combination of dead trees fallen in a jackstrawed manner and the high density of young trees, this area of the Forest is likely to become physically inaccessible and unmanageable. Fuel treatments are needed to remove the dead trees and to space out the saplings so they have the opportunity to continue to grow and provide the many benefits of a forested landscape. If left untreated, a large intense wildfire would burn these saplings, setting back the process of forest development. There is an additional opportunity to favor minor tree species to enhance the diversity of the residual stand.

While achieving these primary purposes and needs, there are additional opportunities that can be accomplished at the same time, in or adjacent to some of the targeted stands, where existing conditions deviate from desired conditions.

- **Forage** - There is an opportunity to enhance forage for deer and elk because forage is declining across the landscape.

- **Roads** - There is an opportunity to accomplish needed road work on the roads used to access treatment areas. These opportunities include road maintenance and repair to provide a more efficient and safe transportation system while reducing effects to natural resources. There is an opportunity to replace culverts that are too small with larger structures.

Draft Decision

I have reviewed the EA and the information contained in the project file. I have also reviewed and considered the public comments submitted on this project (see Appendix B of the EA for response to comments). I have determined that there is adequate information to make a reasoned choice among alternatives. **I have decided that I will select Alternative B, the Proposed Action** (s. 2.2) as described in the EA. Alternative B includes the following activities.

- **Fuel treatment harvest –** The dead lodgepole pine trees would be cut and removed on 1,262 acres. Additional live trees would also be removed in some areas, leaving the largest trees at approximately 60 to 80 square feet of basal area. While the logs would be removed and utilized, additional fuel treatment would include the yarding of tree tops (bringing the tops and branches in to the landing attached to the yarded logs) and other slash treatments where needed to reduce fuels to the desired level of 10 to 15 tons per acre. Forage plants would be seeded or planted to enhance forage quantity and quality.

- **Fuel break units** – Additional fuel break treatments would occur on 66 acres. These fuel break treatments would occur along primary roads and along the reservation boundary. There would be additional emphasis on the treatment of slash, the thinning of live trees to a 12-foot spacing and pruning to reduce ladder fuels. (Approximately 26 acres overlap the 1,262 acres of fuel treatment harvest units).

- **Sapling thinning** – While sapling thinning would occur where appropriate in the areas described above, there is an additional sapling treatment area where no logging would occur. Where hand treatment is prescribed on 130 acres, saplings would be hand cut to a 15-foot spacing and piled for later burning.

- **Roads** - Road work is proposed for Forest Service system roads. This road work is needed to access the proposed treatments. The project area is bisected by two different routes that access the popular Olallie Lake Scenic Area: 4690 and 4220. There are road maintenance and repair needs on these and other roads that are part of the proposed action. The project would grind the pavement on a rough section of road 4220 and improve the unpaved section. Even though Lemiti Creek is dry in the summer season, it flows with considerable snowmelt in the spring and the culverts on the three road crossings are not large enough to accommodate anticipated flood waters. The project includes the replacement of culverts on 4220 and 4680 and the removal of the crossing on 4220125.

- **Temporary Roads** - Some temporary road work is needed to access the proposed treatments.

Proposed Action (mileage is approximate)	Miles
New Temporary Roads Construct & Rehabilitate	3.8
Existing Road Alignments That Were Once System Roads, Reuse as Temporary Roads & Rehabilitate	1.6
Existing Road Alignments That Were Once Temporary Roads, Reuse as Temporary Roads & Rehabilitate	1.9

- **Forest Plan Amendment** - To achieve the purpose and need, a project specific Forest Plan amendment is proposed for some standards and guidelines. For more information see section 2.2.7 and the rationale below. These standards and guidelines cannot be fully met especially in the short term, while meeting the purpose and need for action, given the existing mortality. The changes included in this Forest Plan amendment are not permanent and are limited geographically to only the treatments proposed for this project.

- **Project Design Criteria** in section 2.2.6 are mandatory. No significant impacts were found that would require further mitigation.

Decision Rationale

I believe that the proposed action meets the Purpose and Need discussed in the EA at section 1.3. The following section describes how the project meets each of the elements of the proposed action and includes a discussion of the public comment relevant to each topic.

- **Fire Hazard** – The proposed action would remove sufficient fuels so that fires would burn with relatively low intensity.

- **Safety** – Fire suppression forces and the public would be safer because flame lengths would be 4 feet or less.

- **Forest Productivity** – Stands would be on a trajectory of growth and recovery from the insect infestation and would be able to provide for future timber productivity. Stands would be more diverse because of the favoring of minor tree species.

- **Forage** – Forage would be enhanced by seeding palatable forage species.

- **Roads** – Roads would be repaired and maintained.

For a number of reasons, wildfires in the west have burned dramatically in recent years. There is a legacy of a century of fire suppression that has caused fuels to build up, there has been a drought that has possibly been exacerbated by climate change, and the agency has limited budgets to fight fire. With these national concerns and trends in mind, I turn to the local situation and I find that it is appropriate to take action.

- In the Lemiti area, there is a large area of dead lodgepole pine that is the most visible element of a broader landscape that is at high risk of intense wildfire. Large intense wildfires have the potential to put many assets and resources at risk, including habitat for threatened or endangered fish and wildlife species, soil productivity, aesthetics, clean air and other valued components of forests. The photo on the first page of the EA shows the vastness of this problem. I feel it is prudent to take action now to minimize the risk of impact to these resources. (s. 1.5.1)

- The Lemiti area is also directly adjacent to our neighbors; the Confederated Tribes of Warm Springs Reservation. The Forest has been collaborating with the Tribes for years to address the fire hazard situation. In the past, fires have started on the Forest and burned onto the

Reservation, and both the Forest and the Tribes hope to reduce the risk of that happening again. I feel it is prudent to take action now to be good neighbors. (s. 1.5.5)

- I am concerned about the safety of fire suppression forces. The Forest Plan directs an appropriate suppression response to all fires in the Lemiti area. Due to the current fuel accumulation, the ingrowth of saplings, and the continued falling of dead lodgepole pine trees, the predicted fire intensity would cause wildfires that are difficult, expensive and dangerous to contain at small sizes. I have a high level of concern for firefighter safety in the event of a high-severity wildfire in the area. I feel it is prudent to take action now to minimize the risk to fire suppression forces. (s. 1.5.1)

- I am also concerned about public safety. The planning area is along the main route for ingress and egress for the Olallie Lake Scenic Area; a popular back country recreation destination to the south of the project area. Several large wildfires have burned in the vicinity and each time, the evacuations of the recreators has been worrisome due to the very narrow and rough road that causes recreational vehicles and low clearance vehicles to drive very slowly while evacuating and while encountering suppression forces coming in. While the project occurs only on a portion of this route, it is centered on the area of greatest lodgepole pine mortality and it will create a zone adjacent to the road that would have reduced flame lengths and greater safety in the event of an evacuation. I feel it is prudent to take action now to minimize the risk to the recreating public. (s. 3.1.4.1)

Management Direction (s. 1.2.1.1) - The proposed action has been designed to meet the goals and objectives of the Forest Plan as amended by the Northwest Forest Plan and other amendments. To achieve the purpose and need, a project specific Forest Plan amendment is proposed for some standards and guidelines. Because of the existing quantity of dead lodgepole pine trees, it is not possible to meet certain standards and guidelines and still achieve Forest goals and objectives (s. 1.6.1).

Each of the resource topics in the EA address the effects of the amended language and found that the impacts of the change would be minimal particularly compared to the effects of no action. Most of the impact has been created by the insect infestation and the additional impact from the proposed fuel treatment is relatively small and short lived. This project level Forest Plan amendment would only apply to this project and not Forest wide (s. 2.2.7.1). This is appropriate because the circumstances here as they relate to the dead lodgepole pine trees are relatively unique particularly for the few standards that would be amended.

For example, the two amended scenery standards and the two amended recreation standards affect 111 acres in the A5 – Unroaded Recreation and the B3 – Roaded Recreation land allocations. These areas have already been severely impacted by the mountain pine beetle infestation and virtually all of the lodgepole pine trees are dead leaving an area with few live large trees and an abundance of live saplings. Not only do these areas receive little use, they also do not provide the type of scenery and recreational opportunities that were envisioned when the Forest Plan was written (s. 3.7). They now have high fuel loads that are very concerning for wildfire size and burn intensity. Note also that the two scenery standards are redundancies; they say the same thing twice – once in the Forest-Wide section and once in the Land Allocation section of the Forest Plan. Even though these standards will be changed, the project still has several elements that minimize effects to scenery and recreation opportunities along the primary

open roads including the retention of large live trees, cutting stumps low, retaining a fully stocked stand of saplings, slash cleanup, and the rehabilitation of temporary roads (s. 2.2). A Forest-wide amendment is not appropriate because elsewhere on the Forest, the A5 and B3 land allocations are not similarly impacted by insect killed lodgepole pine trees.

There are three amended standards for snags and down wood. During Forest Plan development it was presumed there would be a high level of regeneration harvest in mature stands and it seemed appropriate at that time to require snags and down wood in every harvest unit. However, at the Lemiti area the situation is different. Not only are lodgepole pine snags small, they are also very short lived compared to large snags of other species. It is appropriate in the Lemiti area to consider the value and availability of snags and down logs at the broader landscape scale. Areas that would receive no treatment including riparian reserves and the adjacent Wilderness contain many thousands of dead lodgepole pine trees which are sufficient to provide habitat for species that rely on this type of snag and this type of down log (s. 3.3). Even though these standards will be changed, the project still has several elements that minimize effects to snags and down wood including the retention of all non-lodgepole pine snags, the topping of some large live trees, and the retention of dead lodgepole pine trees in riparian reserves, suitable owl habitat, late-successional reserves and Wilderness (s. 2.2). A Forest-wide amendment is not appropriate because this situation is relatively unique with adjacent untreated areas similarly impacted by insect killed lodgepole pine trees.

I find that the revised wording of these standards is appropriate for the management of this area with its site-specific circumstances. The scope of the project level amendment is relatively small. The Forest is comprised of about 1.1 million acres; the Clackamas River Ranger District encompasses about 414,700 acres of the Forest. The proposed amendment would only affect approximately 0.2% of the Forest and 0.4% of the Ranger District. The amendment would be short lived, only being effective until the completion of the Lemiti project. Given the area affected by the project at both the District and Forest scales and the short time frame, I find that the effects of the amendment are not significant as disclosed throughout Chapter 3 of the EA and will have a negligible effect on resources at the District and Forest scale.

The following has the new Forest Plan Standard and Guideline language italicized and a discussion of the rationale for the change. The EA has more detailed discussion on how these changes affect the resources in the project area (s. 2.2.7.1, s. 3.1.8, s. 3.2.4, s. 3.3.10, s. 3.7.5).

FW-553 - *Management Area VQOs should be prescribed as summarized in table Four-22. Table Four-22 is changed to require Modification for the B3 and A5 land allocations.* These were originally Partial Retention and Retention respectively. (Note: VQO = Visual Quality Objective)

The Partial Retention VQO prescribed on 33 acres of proposed fuel treatment on the B3 land allocation, and the Retention VQO prescribed for 78 acres of proposed fuel treatment on A5 would be changed to Modification. These areas have already been partially logged and scenery has been altered by this logging and by the insect killed trees. Fuel treatments and cutting dead lodgepole pine would be visually evident for several years. The two areas that would change are not isolated viewsheds but part of a longer driving experience through a landscape with a Modification VQO where visitors encounter old clearcuts and other altered scenery. Section 3.7.5.1 has more detail on the rationale.

B3-013 - *All management activities should meet the visual quality objective of Modification as seen from open roads, high recreation use areas and water bodies.* This was originally Partial Retention.

This is applicable in the B3 land allocation. This standard is similar to FW-553 except that it identifies the viewer position. Fuel treatments and cutting dead lodgepole pine would be visually evident for several years. Part of unit 20 is in the B3 allocation. There are no high use recreation areas or water bodies but there are open roads in the B3 area. Section 3.7.5.2 has more detail on the rationale.

A5-001 - *All management activities should meet the roaded modified Recreation Opportunity Spectrum class.* Originally this standard specified providing the semi-primitive non-motorized Recreation Opportunity Spectrum class.

This is applicable in the A5 land allocation. Approximately 78 acres of this land allocation which has already been partially logged, would be treated. The area would be visually altered. In the long term, the area would likely meet the semi-primitive non-motorized recreation opportunity spectrum as young trees grow. Section 3.7.5 has more detail on the rationale.

B3-001 - *All management activities should meet roaded modified Recreation Opportunity Spectrum class, or less developed settings.* Originally this standard specified providing the roaded natural Recreation Opportunity Spectrum class.

This is applicable in the B3 land allocation. Approximately 33 acres of unit 20 overlap this land allocation. The area would be visually altered and until young trees grows it would not likely meet the roaded natural Recreation Opportunity Spectrum. Section 3.7.5 has more detail on the rationale.

FW-163 - *A continuous supply of hard snags for community structural diversity should be maintained at the landscape scale.* Originally this standard specified maintaining snags in harvested areas.

Abundant lodgepole pine hard snags are currently available at the landscape scale. Dead lodgepole pine trees are beginning to fall and all are expected to fall within 10 years. Adjacent stands of mature trees would be able to provide a continuous supply of hard snags. Section 3.3.10.1 has more detail on the rationale.

FW-166 - *A continuous supply of down woody material should be maintained at the landscape scale.* Originally this standard specified maintaining down woody material in harvested areas.

Lodgepole pine down logs would be abundant at the landscape scale. Dead lodgepole trees are expected to fall within 10 years. Adjacent riparian reserves, Wilderness and stands of mature trees would provide a continuous supply of down woody material. Section 3.3.10.2 has more detail on the rationale.

FW-218 - *Wildlife tree prescriptions should provide for all primary cavity nesting species indigenous to the treated site at the landscape scale.* Originally this standard specified providing wildlife trees in treated sites.

Abundant lodgepole pine snags are available at the landscape scale but they are not large enough to provide for most cavity nesting species. Adjacent stands of mature timber would provide larger snags. Section 3.3.10.3 has more detail on the rationale.

Public Involvement (s. 1.8)

Beginning in 2006, the Forest began an ongoing dialogue with the Confederated Tribes of Warm Springs to develop a plan to protect tribal resources both on and off the reservation.

A scoping process to request public input for this project was conducted. Letters describing the proposed project and requesting comments were sent out on September 21, 2012 and April 15, 2013. The project has also appeared on the Forest's website and in the Forest's schedule of proposed actions (SOPA). Public field trips were conducted on October 26, 2012 and August 13, 2013 to visit the project area and discuss the purpose and need and issues. The legal notice for the 30-day comment period for this project was published in The Oregonian on August 7, 2015.

A wide range of comments was received. Responses to comments are included in Appendix B of the EA. The EA also addresses some frequently asked questions at sections 1.8.1.1 through 1.8.1.5. The following is a sample of some of the comments that I would like to highlight here and respond to personally.

- Some say that mountain pine beetles killing trees is natural and that fire is natural and that the area should just be left alone and fires should be allowed to burn (a. 1.8.1.1). *The typical cycle of lodgepole pine succumbing to mountain pine beetle and then burning in stand replacing fires has likely occurred in this area for thousands of years. The forest is managed for a wide range of human values such as air quality and recreation as well as many other natural resource values and, in the event of a wildfire, suppression forces would be at greater risk protecting these values if no action is taken to moderate the fuels hazard (s. 1.5.1, s. 3.1). The Forest is managed for human uses and values according the goals and objectives of the Forest Plan as amended. The Forest plan land allocations for this area allow and encourage active management and it requires an appropriate suppression response for all wildfires (s. 1.2.1.1). Even though some would like the Forest managed for different values, I find that the proposed action is consistent with the goals of the Forest Plan and is the appropriate action at this time and place.*

- Some have pointed out that there is some apparent disagreement among scientists about whether fuel treatments are appropriate or effective at reducing the intensity or size of wildfires (s. 3.1.1.1). *After considering the literature and the site-specific situation in the project area including the adjacency of the Confederated Tribes of Warm Springs Reservation, and after consulting with my fire staff, I believe the proposed action is the appropriate balance between resource protection and fire hazard reduction. I believe that the applicable science supports this action.*

- Some question the project's economics and wonder how the treatments or the road work will be paid for (s. 1.8.1.5). *The Forest is not proposing this project to generate financial return but to respond to the insect infestation and fire hazard (s. 1.5.4.2). While I recognize that the value of the products that will be removed is marginal, my staff has considerable experience finding*

efficiencies and packaging contract work to achieve Forest goals. At this time I anticipate that the essential work will be covered by an appraisal allowance and is supported by the value of the forest products removed.

- Some feel the Forest Plan should not be amended. *The Forest Plan contains overarching goals and desired future conditions. The standards and guidelines were designed with flexibility to guide projects to meet Forest goals. That flexibility is used here where exceptions and project level amendments are proposed where needed to meet overarching Forest Plan goals and objectives. (s. 1.6.1, s. 1.6.2, s. 3.1.6) Forest plans are amended when needs arise (this flexibility is provided by the National Forest Management Act); the Mt. Hood Forest Plan has already been amended 18 times to address changed conditions. The current amendment language has been carefully designed to achieve Forest Plan goals while responding to the local situation of insect killed trees and elevated fire hazard (s. 2.2.7.1&2). I have carefully considered the Forest Plan amendment for standards and guidelines and I have found that most of the impact has been created by the insect infestation and the additional impact from the proposed fuel treatment is relatively small and short lived.*

- Some feel that snags are important and the salvaging of snags should not occur (s, 1.8.1.2). *The snags that would be removed by the proposed fuel treatment are small and will fall within 10 years. The proposal includes the topping of live large trees which is an attempt to address the lack of large snags in the project area. The Forest Plan amendment will direct that snags would be managed at the landscape scale instead of on a unit by unit basis. (s. 3.3) I find that this is appropriate. Even though the snags that would be removed are small and provide relatively low value to cavity nesting species, there are abundant small snags across the landscape. They are particularly common in the riparian reserve and the adjacent Wilderness where snags will be retained. I find that the needs of snag dependent species will be met; just in a slightly different way than was anticipated at the time the Forest Plan standards were written.*

- Some feel that roads should not be built (s. 1.8.1.3&4). *The effect of new temporary roads was found to be minimal in this landscape. The terrain is relatively flat resulting in low impacts to water quality. The roads will be rehabilitated, decompacted and closed after use. (s. 1.8.1.4, s. 2.2.3) The treatment will be similar to that used for other roads in the project area which have been successful at keeping vehicles off and revegetating quickly. I find that the temporary roads proposed for new construction and reconstruction are appropriate and essential for managing this landscape.*

- Some feel that it is impossible to predict where and when a fire will occur and that taking action to treat fuels in advance will not stop fires (s. 1.8.1.1). *Wildfires in the vicinity of this project and across the west have burned dramatically in recent years. There is a legacy of a century of fire suppression that has caused fuels to build up, there has been a drought that has possibly been exacerbated by climate change, and there are limited budgets to fight fire. For these reasons and the other factors described above, I believe that it is prudent to take action at this time and place to reduce fuels.*

I considered the comments received and I believe that the proposed action is both appropriate and consistent with relevant management plans (s. 1.6) and laws (s. 3.17) and that the environmental

assessment clearly explains the effects and benefits to resources. I find that the science used to develop the project and to assess the effects is current and valid. I believe that the draft decision balances the need for fuel treatment and other actions against impacts to resources, and I have incorporated adequate design features (s. 2.2), and project design criteria (s. 2.2.6) to minimize impacts to resources and that those impacts have been thoroughly disclosed in the EA.

While I respect the opinions and wishes of commenters and appreciate the dialog that has occurred, I do not consider any of the comments received to warrant the generation of any additional fully developed alternatives in the EA. The following section describes alternatives that were considered and the rationale for their elimination from detailed study.

Description of Other Alternatives and Reasons for Non Selection (s. 2.1 & s. 2.3)

Alternative A is the no-action alternative (s. 2.1). It was not selected because it would not provide any of the benefits described in the purpose and need. If no action is taken, dead trees would continue to fall creating a jackstrawed situation with very high fire hazard. If no action is taken, roads would deteriorate, become unsafe and impact fish and water quality (s. 3.11 & s. 3.9).

The EA discusses comments that were received from the public suggesting the consideration of other alternatives. Details of the suggestions and responses are in the EA at s. 2.3 as well as Appendix B. The following has some further elaboration.

Bark made ten suggestions and indicated that the Forest consider these as separate alternatives or in combination. Since Bark has not advocated for any of the following items at the exclusion of the others, they are considered together and separately where appropriate. Most of the proposed fuel treatments (88%) would be eliminated by these suggestions when combined. The few treatments that would remain (approximately 180 acres) would not provide sufficient fire hazard reduction and therefore would not meet the purpose and need. The Forest would not implement this small area by itself because it would be an ineffective fuel treatment. The suggestions below were considered separately.

- Provide a clear timeline and funding mechanism for road closures and removals at Lemiti Butte and include in EA. *This is not an action item that could be included in an alternative. Temporary roads are not built or rehabilitated using appropriated funds from the agency budget. The work is covered by an appraisal allowance and is supported by the value of the forest products removed. The rehabilitation of temporary roads is required by the contract and is not contingent upon receiving money from an outside source. Temporary road rehabilitation is completed after use and prior to the following winter; it is completed before the contract termination date.*

- Explain how the project will be funded, including specific amounts from the different Budget Line Items in the MHNF annual budget. *This is not an action item that could be included in an alternative. It is also outside the scope of this analysis. Other than planning and administrative costs, projects are not funded by the agency's appropriated budget. The work is covered by an appraisal allowance and is supported by the value of the forest products removed. Some items such as large culvert replacements may be funded by retained receipts.*

- Consider moving forward with this project in a way that does not require building roads into significantly large roadless areas (1,000 acres or more). *There are some blocks of land that do not contain roads but they are too small and do not meet the Forest Plan definition of roadless areas. This suggestion would eliminate approximately 980 acres of fuel treatments or 68% of the total. It would eliminate a vast area of dead lodgepole pine directly adjacent to the Confederated Tribes of Warm Springs Reservation. This suggestion was considered separately but was not fully developed because the effects to unroaded and undeveloped landscapes were found to be minimal and because the remaining treatments would not result in an effective fuel treatment.*

- Eliminate all areas to the west of road 4220 because this area does not have very much lodgepole pine and is transitioning to old growth. *This would eliminate 255 acres of fuel treatments or 18% of the total. A portion of the area to the west of 4220 was deleted during early planning stages (the area between units 13 and 14) because it was considered suitable spotted owl habitat. Other areas were retained because they were not suitable spotted owl habitat and because treatment is needed to meet fire hazard reduction goals. Several treatment units to the west of road 4220 have high levels of dead lodgepole pine. This suggestion was considered separately but was not fully developed because the effects to stands with mature trees were found to be minimal and the remaining treatments would not result in an effective fuel treatment.*

- Establish a 21-inch diameter limit on cutting trees within fuel breaks. *Diameter limits are rarely appropriate because a one-size-fits-all diameter does not adequately address spacing and ladder fuel treatments. While small trees would be removed and the larger trees retained, the Forest Plan does not recognize 21 inches as a special size class. This suggestion was considered separately but was not fully developed because the impacts to mixed stands with some trees over 21 inches diameter were found to be minimal and because it would provide a similar level of resource protection when compared to the proposed action and is therefore not substantially different from the proposed action in that respect.*

- Establish a 21-inch diameter limit on cutting both green trees and snags (including lodgepole) in proposed treatment areas. *Diameter limits are rarely appropriate because a one-size-fits-all diameter does not adequately address spacing and ladder fuel treatments. While small live trees would be removed and the larger trees retained, the Forest Plan does not recognize 21 inches as a special size class. Snag species other than lodgepole pine would be retained where safety permits. There are no lodgepole pine snags greater than 21 inches. In Bark's comment letter a photo of a large western white pine snag was incorrectly identified as lodgepole pine. There are occasional large western white pine, Douglas-fir and mountain hemlock snags all of which would be retained regardless of their size where safety permits. This suggestion was considered separately but was not fully developed because the impacts to mixed stands with some trees over 21 inches diameter were found to be minimal and because it would provide a similar level of resource protection when compared to the proposed action and is therefore not substantially different from the proposed action in that respect.*

- Retain a viable understory of mixed conifer species including seedlings and saplings in all units. *This suggestion is part of the proposed action. This suggestion was considered separately but*

was not fully developed as a separate alternative because it is essentially the same as the proposed action.

- Place "skips" around groups of multiple intact green conifers with less lodgepole mortality. S*kips were not prescribed because the ladder fuels that would remain would put the live trees at greater risk of crown fire. This suggestion was considered separately but was not fully developed because it would provide a similar level of resource protection with slightly reduced fire hazard effectiveness when compared to the proposed action and is therefore not substantially different from the proposed action in that respect.*

- Remove Unit 22. This stand does not have much dead lodgepole pine and it should be deleted because it does not fit the EA's description of 'dense standing lodgepole pine with a thick carpet of young seedlings and saplings.' *This unit is approximately 47 acres. The EA describes that the project is centered on the large stands of dead lodgepole pine but also describes that a portion of the treatment area includes mixed conifer stands with a large component of live trees (s. 2.2). The proposed fuel treatment would remove the small trees and retain the larger ones. Stands such as unit 22 are included because they have high levels of fuels including ladder fuels that are proposed for treatment as part of a suite of treatments that work together to create a broader landscape scale effective fuel treatment project. This suggestion was considered separately but was not fully developed because the impacts from unit 22 were found to be minimal and because it would provide a similar level of resource protection with slightly reduced fire hazard effectiveness when compared to the proposed action and is therefore not substantially different from the proposed action in that respect.*

- Remove Unit 14. This stand is the smallest treatment unit and includes some mature trees similar to the adjacent stand that was deleted. It does not have much dead lodgepole pine and it should be deleted because it does not fit the EA's description of 'dense standing lodgepole pine with a thick carpet of young seedlings and saplings.' *This unit is approximately 9 acres. The EA describes that the project is centered on the large stands of dead lodgepole pine but also describes that a portion of the treatment area includes mixed conifer stands with a large component of live trees (s. 2.2). The adjacent stand was deleted because it was determined to be suitable northern spotted owl habitat. Unit 14 was found to not be suitable habitat. The proposed fuel treatment would remove the small trees and retain the larger ones. Stands such as unit 14 are included because they have high levels of fuels including ladder fuels that are proposed for treatment as part of a suite of treatments that work together to create a broader landscape scale effective fuel treatment project. This suggestion was considered separately but was not fully developed because the impacts from unit 14 were found to be minimal and because it would provide a similar level of resource protection with slightly reduced fire hazard effectiveness when compared to the proposed action and is therefore not substantially different from the proposed action in that respect.*

Oregon Wild advocated for eliminating treatments in the unroaded and undeveloped area shown in a map they provided. They suggested the deletion of units that would use previously decommissioned roads and the deletion of all new roads. *The suggested deletions would eliminate most of the project (80%) leaving approximately 280 acres treatable. This action would not result in an effective fuel treatment and therefore would not meet the purpose and need for the project. Oregon Wild's*

suggestions were considered, and the impacts and benefits of this approach are documented in the No-Action Alternative.

FINDING OF NO SIGNIFICANT IMPACT (40 CFR 1508.27)

Context

Based on the documentation in the EA and project file, I have determined the following with regard to the context of this project:

The EA implements direction set forth in the Forest Plan, as amended. The Forest is comprised of about 1.1 million acres; the Clackamas River Ranger District encompasses about 414,700 acres of the Forest. The proposed action equates to approximately 0.2% of the Forest and 0.4% of the Ranger District. Given the area affected by the project at both the District and Forest scales, I find that the effects of the project are not significant as disclosed throughout Chapter 3 of the EA and will have a negligible effect on resources at the District and Forest scale.

Intensity

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 proposed action and the following intensity factors:

1. My finding of no significant environmental effect is not biased by the beneficial effects of the action. Impacts can be both beneficial and adverse. For this project, there are no known long-term adverse effects or cumulative effects to resources such as water quality, riparian areas, wildlife or heritage resources. These are documented in Chapter 3 of the EA.

2. The project contains design features to protect public health and safety during project implementation including the removal of hazard snags (s. 2.2.6).

3. There will be no significant effects on unique characteristics of the area. The project is not located in prime farmland or wetlands, and historic and cultural resources will be protected (s. 3.17).

4. The effects on the quality of the human environment are not likely to be highly controversial. While there may be some opposition to fuel treatments, I have concluded that the science behind this treatment is not highly controversial based on a review of the record that shows a thorough review of relevant scientific information (s. 1.5 & s. 3.1). I have also taken into account that opposition to fuel treatment has been fully considered through documentation of the No-Action Alternative.

5. The possible effects on the human environment are not highly uncertain, nor do they involve unique or unknown risks. The effects analyses discussed in Chapter 3 of the EA are based on sound scientific research and previous experience implementing thinning projects across the Forest.

6. The action is not likely to establish a precedent for future actions with significant effects because this action is not unusual in and of itself, nor does it lead to any further actions that are unique.

7. The analysis found no significant cumulative effects. Cumulative effects were assessed in each section of the EA. The analysis considered not only the direct and indirect effects of the project, but

also its contribution to cumulative effects. Past, present and foreseeable future projects have been included in the analysis (s. 3.0.1 & s. 3.0.2). The analysis considered the proposed actions with project design criteria.

8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and will not cause loss or destruction of significant scientific, cultural, or historical resources (s. 3.17.1).

9. My draft decision is consistent with the Endangered Species Act. Formal consultation with U.S. Fish and Wildlife Service concerning the **northern spotted owl** has been completed for this project. The Letter of Concurrence from the U.S. Fish and Wildlife Service found that the project may affect but is not likely to adversely affect the spotted owl or its critical habitat.

Since Endangered Species Act **listed fish** are not found within the action area, consultation with National Marine Fisheries Service (NMFS) was not required for this project. A Biological Evaluation for listed fish has been developed. It found that the project would have no effect on listed fish, their critical habitat or Essential Fish Habitat as defined by the Magnuson-Stevens Fishery Conservation Management Act (s. 3.10.6).

There will be no significant adverse effects to sensitive species or survey and manage species (s. 3.5.2, s. 3.10.5 & s. 3.12). 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 these species.

10. My draft decision will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (s. 3.17). The action with its proposed amendment is consistent with the Forest Plan (each part of section 3). The selected alternative 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). The project complies with Executive Order 12898 regarding environmental justice (s. 3.17.2). No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis or public scoping process.

Other Findings Required by Law or Regulation

Section 3.17 identifies relevant laws and references to documentation in the EA.

Clean Air Act: My draft decision is consistent with the Clean Air Act. Burning would be scheduled in conjunction with the State of Oregon to comply with the Oregon Smoke Implementation Plan to minimize the adverse effects on air quality (s. 3.14 & s. 3.17).

Clean Water Act: No streams in the project area are listed as impaired under the Clean Water Act (303(d)) (s. 3.9.3). Implementation of my draft decision will incorporate Project Design Criteria, as described in the EA (s. 2.2.6), which will protect and maintain water quality conditions. It is anticipated that only minor amounts of sediment would actually enter any stream as a result of implementation (s. 3.6).

Endangered Species Act (ESA): Consultation has been completed for northern spotted owls and listed fish. Listed species are addressed in sections 3.5 & 3.10.

Magnuson-Stevens Fishery Conservation and Management Act: The project would not adversely affect essential fish habitat for chinook or coho salmon (s. 3.10).

National Forest Management Act: The proposed action was developed to be in full compliance with NFMA via compliance with the Forest Plan, as amended. The project area has been found to be suitable for timber management (s. 3.2). Other requirements are discussed in the Mt. Hood Forest Plan section below.

National Historic Preservation Act: The Forest operates under a programmatic agreement between the Oregon State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation for consultation on project determination. Consultation with SHPO was completed for this project (s. 3.17.1).

CONSISTENCY WITH MT. HOOD FOREST PLAN

I find that the selected alternative is consistent with direction found in the Forest Plan as amended.

Forest Plan Amendment

To achieve the purpose and need, I will approve a project specific Forest Plan amendment for some standards and guidelines. Because of the existing quantity of dead lodgepole pine trees, it is not possible to meet these standards and guidelines and still achieve Forest goals and objectives. I find that the revised wording of these standards and guidelines is appropriate for the management of this area with its site-specific circumstances. The project is consistent with the amended Forest Plan standards and guidelines.

Under the 2012 Planning Rule (Title 36, Code of Federal Regulations, Part 219–Planning) the responsible official may complete and approve the plan revision in conformance with the provisions of the prior planning regulation, including the transition provisions of the reinstated 2000 rule (36 CFR part 299, published at 36 CFR parts 200 to 299, revised as of July 1, 2010). The transition provisions allow the use of the 1982 planning procedures (See CFR parts 200 to 299, Revised as of July 1, 2000). See the following hyperlink for the 1982 planning procedures
http://www.fs.fed.us/emc/nfma/includes/nfmareg.html

Other Forest Plan Consistencies

- **Aquatic Conservation Strategy** – The project will contribute to maintaining or restoring aquatic conditions and is consistent with the Aquatic Conservation Strategy objectives (s. 3.10.8).

    - I have considered the relevant information from the Upper Clackamas Watershed Analysis (1995).

    - I find that the Project Design Criteria (s. 2.2.6), such as stream protection buffers and operating restrictions on ground-based machinery, will minimize impacts and maintain the function of key watershed indicators that make up elements of the Aquatic Conservation Strategy. These key indicators for water quality, habitat, flow, channel condition, and watershed condition, will be maintained or enhanced (s. 3.10.8).

- **Management Indicator Species -** I have considered the impacts to Forest Management Indicator Species (MIS) (s. 3.4). MIS for this portion of the Forest include northern spotted owl (s. 3.5.1.3), pileated woodpecker (s. 3.5.3.1), American marten (s. 3.5.3.2), deer, elk (s. 3.4), salmonid smolts and legal trout (s. 3.10.2). I find that the selected alternative is consistent with the standards and guidelines pertaining to MIS, and that based on the limited effects to any MIS, the proposed action does not contribute towards a negative trend in viability on the Forest.

- **Invasive Plants -** I find that the selected alternative is consistent with Pacific Northwest Invasive Plant Program Preventing and Managing Invasive Plants Record of Decision issued in 2005 and the Site-Specific Invasive Plant Treatments for Mt. Hood National Forest Record of Decision issued in 2008 (s. 3.13). Design criteria are included to minimize the spread and establishment of invasive plants (s. 2.2.6H).

- This project is also consistent with the **2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines** (s. 3.5.4, s. 3.10.5 & s. 3.12).

Exceptions - The Forest Plan describes the process for documenting exceptions to "should" standards and guidelines (p. Four-45). The Forest Plan does not require a Forest Plan amendment for project level exceptions to these standards and guidelines. The following has the standard and guideline text italicized and a discussion of the rationale for the exception. I find that the following exceptions are appropriate.

FW-033 - *At least 15 tons per acre of dead and down woody material in east side vegetation communities and 25 tons per acre in west side communities should be maintained and evenly distributed across managed sites.*

While the treatment area near the crest of the Cascades, drains toward the west, the vegetation and the fire hazards are like those on the east side of the Forest. The project objectives are to reduce residual fuels to between 10 and 15 tons per acre. On more typical, wetter, west side stands, large rotting down logs make up a large percentage of the desired 25 tons per acre without substantially affecting fire hazard. Retaining 25 tons per acre would not be consistent with the fuels reduction objective. Section 3.8.9.1 has more detail on the rationale.

FW-215 - *Where new timber harvest units occur (e.g. regeneration harvest and commercial thinning), wildlife trees (i.e. snags and green reserve trees) should be maintained in sufficient quantity and quality to support over time at least 60% of the maximum biological potential of primary cavity nesting species, e.g. woodpeckers.*

Abundant lodgepole pine snags are available at the landscape scale but they are not large enough to provide for most cavity nesting species. The project would remove small dead trees that are very abundant across the landscape. This exception would emphasize the management of snags outside treatment units in adjacent areas such as riparian areas and Wilderness. There are other similar snag related standards and guidelines such as FW-164, 165, 169, 230 and 231 which would also be excepted. Some live trees would be retained and some large live trees would be topped. Section

3.3.9.2 has more detail on the rationale.

FW-062 - *Not more than 35% of an area available for vegetative manipulation should be in a hydrologically disturbed condition at any one time.*

The dead trees have created a potential hydrologic impact by reducing live canopy cover. The dead trees, even when they start to fall, do provide some mitigation for rain-on-snow events and the fuel treatments would change that. However the risk of larger wildfires to hydrology with no treatment would have greater impact. Section 3.9.5.1 has more detail on the rationale and the use of the Aggregate Recovery Percentage model used for this calculation.

FW-064 - *Watershed impact areas at the subbasin or area analysis level (i.e., typically 3000 to 6000 acres) should not exceed 35 percent.*

The dead trees have created a potential hydrologic impact by reducing live canopy cover. The dead trees, even when they start to fall, do provide some mitigation for rain-on-snow events and the fuel treatments would change that. However the risk of larger wildfires to hydrology with no treatment would have greater impact. Section 3.9.5.1 has more detail on the rationale and the use of the Aggregate Recovery Percentage model used for this calculation.

FW-219 - *An average total of at least 6 logs per acre in decomposition classes 1, 2 and 3 should be retained in all project activity areas.*

There are other similar down wood related standards and guidelines such as FW-167, 169, 221-229 which would also be excepted.

The project would retain logs at the level of 10 to 15 tons per acres. At the landscape scale, there would be sufficient down logs to provide for wildlife habitats. Section 3.3.9.3 has more detail on the rationale.

FW-556 - *The prescribed VQO should be achieved within one year after completion of any project activities.*

It is not likely that the prescribed VQO levels would be achieved until small trees regrow. It may take approximately 10 years for trees to grow tall enough for the area to be considered visually recovered. Section 3.7.4.1 has more detail on the rationale.

Predecisional Administrative Review Process

This project is subject to predecisional administrative review pursuant to 36 CFR 218, Subpart B. Also called the "objection process," the predecisional administrative review process replaced the appeal process. The primary difference with the objection process is that a person may object to a project prior to the final decision, whereas under the appeal procedures, appeals were made after the decision. The full text of the rule can be found at the following website.
http://federal.eregulations.us/cfr/title/6/27/2013/title36/chapterII/part218

Only individuals or entities that submitted timely, specific written comments during a designated opportunity for public participation (scoping or the 30-day public comment period) may object (36 CFR 218.5). Notices of objection must meet the requirements of 36 CFR 218.8. Objections must be filed with the Reviewing Officer within 45 days from the date of publication of notice of the opportunity to object in The Oregonian. The publication date is the exclusive means for calculating the time to file an objection. Those wishing to file an objection to this draft decision should not rely upon dates or timeframe information provided by any other source. Objections sent by U.S. Postal Service or other private carrier must be post marked or date stamped before the close of the objection period and must be received before the close of the fifth business day after the objection filing period.

Incorporation of documents by reference is not allowed, except for the following list of items that may be referenced by including date, page, and section of the cited document, along with a description of its content and applicability to the objection: 1) all or any part of a federal law or regulation; 2) Forest Service directives and land management plans; 3) documents referenced by the Forest Service in the subject EA; or 4) comments previously provided to the Forest Service by the objector during public involvement opportunities for the proposed project where written comments were requested by the responsible official. All other documents must be included with the objection.

Issues raised in objections must be based on previously submitted specific written comments regarding the proposed project or activity and attributed to the objector, unless the issue is based on new information that arose after the opportunities for comment. The burden is on the objector to demonstrate compliance with this requirement for objection issues.

Minimum requirements of an objection area described at 218.8(d). An objection must include a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and a statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

The Objection Reviewing Officer is the Regional Forester. Objections may be submitted several ways.

- Postal Delivery: *Regional Forester, Objection Reviewing Officer, Pacific Northwest Region, USDA Forest Service, Attn: 1570 Objections, PO Box 3623, Portland, OR 97208-3623*
- Emailed to: *objections-pnw-regional-office@fs.fed.us*. Please put OBJECTION and the project name in the subject line. Electronic objections must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc or .docx), rich text format (.rtf), or portable document format (.pdf) only. E-mails submitted to addresses other than the ones listed above or in formats other than those listed above or containing viruses will be rejected. It is the responsibility of the objector to confirm receipt of objections submitted by electronic mail. For electronically mailed objections, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of receipt, it is the sender's responsibility to ensure timely receipt by other means.

- Hand deliveries: *Pacific Northwest Regional Office, 1220 SW 3rd Ave, Portland, OR.* Hand deliveries can occur between 8:00 AM and 4:30 PM, Monday through Friday except legal holidays.

  or

- Faxed to: *Regional Forester, Attn: 1570 Objections* to 503-808-2339

For further information regarding this project, contact Jim Roden at 503-630-8767 or by email at jroden@fs.fed.us. For further information regarding objection procedures, contact Michelle Lombardo at 503-668-1796 or by email at mlombardo@fs.fed.us.

September 16, 2015
Date Published

Lisa Northrop
Forest Supervisor
Mt. Hood National Forest

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