

Decision Notice and  
Finding of No Significant Impact

**CRYSTAL CLEAR RESTORATION PROJECT**

USDA Forest Service  
Mt. Hood National Forest  
Barlow and Hood River Ranger Districts  
Wasco County, Oregon

This Decision Notice is made available with the Environmental Assessment for the Crystal Clear Restoration Project pursuant to 36 CFR 218.7(b). The Crystal Clear Restoration Project 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 unit descriptions and a discussion of comments received. This Decision Notice incorporates by reference the Crystal Clear Restoration EA, as well as the resource specialist reports and/or analyses used to support the summary of effects discussed in the EA.

This project is located in T. 4 S., R. 8.5 E., section 36; T. 4 S., R. 9 E., sections 25-29, 31-36; T. 4 S., R. 10 E., section 31; T. 5 S., R. 8.5 E., section 1; T. 5 S., R. 9 E., sections 1-15; T. 5 S., R. 10 E., sections 3-11, 13-26; and, T. 5 S., R. 11 E., sections 8, 17-20, 30; Willamette Meridian. All section (s.) number references are to sections of the EA unless specified otherwise. The EA can be found on the [Forest's website](#). 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 Decision Notice documents my decision and rationale for the selection of the Proposed Action Alternative, as modified, for the Crystal Clear Restoration Project EA. The Forest proposes a suite of activities including vegetation, fuels, and transportation management actions.

The following section describes the main objectives of this project in order to help with understanding the context of my decision.

**Purpose and Need (s. 1.4)**

The Northwest Forest Plan directs the Forest to maintain a sustainable supply of timber and other forest products to help preserve the stability of local and regional economies on a predictable and long-term basis (NWFP Record of Decision, p. 26). Direction to provide forest products at sustainable levels is also provided in the Forest Plan (pp. Four-3 & Four-26). The current conditions in the planning area, specifically the vegetation types, are at high risk of not providing for lasting, sustainable forest products. Stand conditions are currently not able to withstand severe, high-intensity fires, or widespread outbreaks of insect and disease. Therefore, the primary purpose of this project is to keep forests productive to sustainably provide forest products now and in the future, as described in the Forest Plan and Northwest Forest Plan.

In order to maintain a sustainable supply of timber, there is a need for this project to restore resiliency to forested areas. An unhealthy forest that contains stands and fuel conditions prone to large-scale stand-replacement mortality would not meet the agency's management objectives to develop stand species composition and density that is resilient to natural disturbances. Thus, there is a need to remove forest products and make improvements to stand conditions where conditions are no longer desirable. More specifically, a purpose of this project is to create diversity of tree species, size and spacing.

Another objective of this project is to address concerns regarding high-intensity wildfires, specifically in the dry mixed-conifer ecosystem that is within and immediately adjacent to the Juniper Flats Wildfire Urban Interface (WUI). Also, within the moist mixed-conifer stands of the planning area, there is a need to address firefighter safety concerns related to stand-replacing fire events.

In summary, the overall purpose of this project is to provide forest products from specific locations within the planning area where there is a need to improve stand conditions, reduce the risk of high-intensity wildfires, and promote safe fire-suppression activities.

## Decision

I have reviewed the EA and the information contained in the project file. I have also reviewed and considered the public comments and recommendations submitted on this project (see Appendix 3 of the EA for response to comments) and the objections raised. I have determined that there is adequate information to make a reasoned decision, and **I have decided that I will select the Proposed Action Alternative with several modifications.** The modifications to the Proposed Action Alternative are discussed below:

- Rather than change Forest Service Road 2100-240 to a Maintenance Level 2 road, it would remain as it currently is, which is an Off-Highway Vehicle (OHV) route (i.e., take the no action alternative for this road).
- Remove units 235, 375, 457, 466L, 473, 505 and 504, which would total approximately 168 acres.
- Modify units 447, 456, 471, 475, and 479, which would total approximately 159 acres being removed from the proposed action.
- Remove temporary roads #42, 45-49, 59, 60, 62, 63, and 73, which would drop about 2.2 miles of temporary roads from the proposed action. Also, temporary roads #50, 52, and 72 could be modified, which would drop an additional 1.1 miles of temporary roads. Out of the 3.2 miles of temporary roads being dropped, approximately 1.8 miles removed would be "new" temporary road construction.
- Units 8L and 447 would be buffered for botanical Survey and Manage species upon field verification by the Eastside Botanist.

With the modifications outlined above, this decision would thin approximately 11,742 acres within the project area. All thinning activities would apply variable-density thinning to allow for flexible local density levels to achieve overall treatment objectives. Treatment would occur in either dry or moist

mixed-conifer forest types, and would place a greater emphasis in areas that were identified as needed for strategic fuel treatment in the Mt. Hood Strategic Fuel Treatment Placement Plan (2015). The table below provides an overview of the acres for sapling, plantation, and non-plantation thinning. Also, see Appendix 3 for a list of final treatment units included in this decision and Appendix 4 – Map 1 for a spatial depiction of the treatment units.

**Table 1. Summary of vegetation treatment type by acre**

<b>Vegetation Treatment Type</b>	<b>Acres</b>
Sapling Thinning	4,244
Plantation Thinning	4,004
Non-plantation Thinning	3,494
<b>Total</b>	<b>11,742</b>

In order to facilitate the thinning activities, this project would utilize existing National Forest System roads, as well as use approximately 35.8 miles of temporary roads, of which roughly 90% (or 32.1 miles) would be located on previously disturbed areas, such as old road-bed alignments or off-highway vehicle (OHV) trails. See Appendix 4 – Map 2 for the approximate location of the temporary roads. This decision would also decommission approximately 0.7 mile of road and close approximately 5.6 miles of road.

My decision also includes various fuel treatments that would be applied once thinning activities have been completed. The proposed fuel treatments include, but are not limited to, pile burning, underburning, jackpot burning, lop and scattering, hand and mechanical piling, masticating, or biomass collection. These are defined in the EA in Section 2.2.2.

Forest Service Handbook 1909.15, Chapter 10, provides a process for making incremental changes to alternatives. Public comment, recommendations from partners, interdisciplinary analysis, and the objection process has resulted in slight modifications of the Proposed Action Alternative compared to what was described at the time of scoping, in the Preliminary Assessment (sometimes referred to as the “Draft EA”), and in my draft decision notice. I find that the changes result in relatively minor differences in resource benefits and impacts.

This decision also includes all of the project design criteria listed in the Section 2.3 of the EA, which are contained in Appendix 1 of this document.

## **Decision Rationale**

I believe that the Proposed Action Alternative, as modified, addresses the purpose and need discussed in the EA at Section 1.4.

**Keep forests productive to sustainably provide forest products** – The thinning treatments associated with the Proposed Action would increase the health and vigor, as well as enhance diameter growth (s. 3.1). The stands included in this project have been examined and those proposed for thinning have been found to be overstocked. When trees are too closely spaced, they experience a slowing of growth due to competition for sunlight, moisture and nutrients. Suppressed, slow-growing trees have begun to die and have become susceptible to diseases and wind damage. The silvicultural activities associated with my decision would reduce both above-ground and below-ground competition by focusing thinning on

smaller, overtopped, and/or less vigorously growing trees. As a result, the anticipated growth and developmental rate of the larger trees would increase in comparison to not taking action.

I believe that thinning in both plantations and non-plantation stands is prudent to maintain health and growth and to achieve many important goals of the Forest Plan. Having larger, healthy trees on the lands suitable for timber production is an important management goal associated with the Northwest Forest Plan's implementation; and, it is also key for land allocations where the objective is to accelerate the development of late-successional stand attributes.

My decision would also provide forest products consistent with the Northwest Forest Plan's goal of maintaining the stability of local and regional economies now and in the future (s. 3.1). As a result of implementing the silvicultural prescriptions, the Proposed Action would provide approximately 40-60 million board feet of timber and would support jobs important to local communities. The Proposed Action would lower the risk of a stand-replacing event, thereby increasing the likelihood of providing forest products in the future. The No Action Alternative would not provide wood products and would result in stands with reduced growth and productivity. I believe this action is a prudent step toward sustainable forest management.

**Restore resiliency** – Diversity is the distribution and abundance of different native plant and animal communities and species. At the landscape scale, a mix of forest density and ages can provide habitat for a wide range of plants and animals. At the stand scale, other elements become more relevant, such as species composition, snag abundance or the number of canopy layers. While all stands are different based on their history and local conditions, many of the targeted stands now have minimal variability of vertical and horizontal stand structure (s. 3.1). Additionally, stands are susceptible to the non-native species present in the project area.

The silvicultural prescriptions associated with my decision consider the need to modify stands to enhance diversity while achieving other important goals of the Forest Plan. Treatment would change horizontal and vertical structure, emphasize retention of minor species, and introduce more diversity. Snags would occur over time at levels sufficient to provide for snag-dependent species. Also, treatments would help create stands that are more resistant to disturbances, such as insects, disease, and fire. I believe the Proposed Action is appropriate to move these stands toward enhanced resiliency.

**Promote safe fire-suppression activities** – Fuel treatments associated with the Proposed Action would remove sufficient fuels so that fires would burn with a lower intensity. This is of particular importance to me within the Juniper Flats WUI, which our local communities have identified as an area of concern in the Wasco County Community Wildfire Protection Plan (CWPP). The project area is also directly adjacent to our neighbors, the Confederated Tribes of Warm Springs Reservation. The Forest has had many discussions with the Tribes for years about the fire-hazard situation; therefore, I find it prudent to take action now on National Forest System lands in order to be good neighbors to the Tribes.

I am concerned about the safety of fire-suppression personnel. The treatments associated with the Proposed Action would reduce risks to fire-suppression personnel because flame lengths would be lower, thereby allowing firefighters safer options for direct-suppression activities (s. 3.2). Due to the current fuel accumulation, the ingrowth of saplings, and the high density of stands, a high-intensity, large-scale stand-replacing fire in the project area would be difficult, expensive and dangerous to contain. Therefore, I feel it is prudent to take action now to minimize the risk to fire-suppression forces.

**Management direction** – 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 (s. 1.6). The Proposed Action would occur on late-successional reserves and matrix land allocations. While each land allocation has different goals and objectives, I find that the various proposed activities, including variable-density thinning and fuels treatments, are appropriate tools to use to move the area toward desired conditions. Further discussion of consistency with standards and guidelines can be found below.

### **Public Involvement (s. 1.7)**

To initiate collaboration, a meeting with Confederated Tribes of Warm Springs and American Forest Resource Council occurred on July 21, 2016 to discuss the project's purpose and need and hear recommendations. Next, I presented general information about this project to the Wasco County Forest Collaborative on September 1, 2016. It was then posted on the Forest's website beginning in October 2016. A pre-scoping letter describing the proposed project and requesting comments and recommendations was sent out to the public on November 4, 2016. A public field trip was offered on November 17, 2016; however, no members of the public attended. Throughout the pre-scoping period, my interdisciplinary team and I discussed this project with collaborators, community members, landowners, and county representatives, in order to identify any potential concerns and recommendations.

On March 1, 2017, a scoping letter providing information and seeking public comment was sent to the public. The legal notice for the 30-day comment period for this project was published in *The Oregonian* on August 25, 2017.

The Confederated Tribes of Warm Springs (CTWS) was initially consulted on June 17, 2016 prior to scoping and throughout the planning process. Also, a field meeting to the project area was held with a representative from the CTWS's cultural resources staff. The purpose of this meeting was to explore opportunities for traditional first foods. To date, the CTWS or its representatives have not raised any issues with this project and have discussed collaborating on implementation. Please see the EA, Sections 1.7, 4.1 and 4.2 regarding more information about public involvement, including my communication with state and local agencies.

I received a wide range of comments and recommendations. Some of these comments are discussed in Section 1.8 of the EA; and more detailed responses to comments are included in Appendix 3 of the EA. The following is a sample of some of the comments that I would like to highlight here and respond to personally.

- Public comments raised a concern that more vegetation management and more **timber outputs** should have been included in such a large planning area. During the early planning stage, I instructed my Interdisciplinary Team to examine all of the stands within the project area to determine the appropriateness and feasibility of thinning and other treatments to achieve our stated objectives. Also, after the 30-day comment period, I asked my Interdisciplinary Team again to consider an alternative that treated more than 15,000 acres (s. 2.5). However, in terms of thinning, the stands that were not included were either already thinned recently or were plantations that are too young to make thinning economically viable. Also, I decided that I wanted my Interdisciplinary Team to focus on mid-aged stands and not on older stands. I chose

this path for several reasons including: 1) to follow the recommendations in the *Revised Recovery Plan of Northern Spotted Owl* (USFWS 2011) by removing units from consideration that include high-quality, suitable habitat; 2) to manage the workload of my Interdisciplinary Team and time frames associated with the Timber Sale Pipeline Restoration Fund (s. 1.6); and, 3) because this approach would provide sufficient timber outputs to meet the Forest's goal. While other opportunities may exist for vegetation management within the project area, I am confident that the Proposed Action is a prudent package of reasonable actions at this time and in this place in order to move the landscape toward desired conditions consistent with the goals and objectives of the Forest Plan, as amended.

- Public comments raised a concern about achieving a **minimum road system**. The project does move the area toward a minimum road system, as described in the Forest's Transportation Analysis Report (2015)<sup>1</sup>. I reviewed each of the roads that would be used in this project that were identified as "likely not needed" in the Transportation Analysis Report (see Appendix 2 of this document). My decision considers the recommendations for those roads. The roads that are retained on the system were found to be needed for managing the Forest, which also follows the recommendations in the Transportation Analysis Report. I also requested that my Interdisciplinary Team review each of the roads suggested by the public for closure or decommissioning, and subsequently, I modified the Proposed Action to include an additional road for closure (s. 2.5). I also asked my team to consider converting the road proposed for decommissioning (2130-017) to a non-motorized trail. However, this road is in very close proximity to the Clear Creek Trail (#487); therefore, it did not make sense to have a short trail parallel an existing trail. Additionally, there are roads within the project area that already have been decided upon for closure, decommissioning, or conversion to OHV trail in previous NEPA decision (e.g., Bear Knoll (2007) and OHV Management Plan (2010) (see Appendix 2 of this document)). Where permissible, funding generated from this project will finally allow for those past road management decisions to be implemented, which includes at least 8.5 miles of road and potentially up to 14 miles of road. I believe my Interdisciplinary Team has conducted a sufficient project-level analysis of the transportation system and that the resulting network of both open and closed system roads within the project area is the minimum necessary to manage the land. I have considered this road network in terms of the resource risks that each remaining road poses, the current and future need for road access, and the minimization of road maintenance costs. The timber harvest elements of the Proposed Action will not only provide substantial value to pay for road repairs and maintenance conducted by timber operators, but my decision will also allow past road management decisions to finally be accomplished.
- Some public comments raised a concern about constructing **temporary roads**. I have worked closely with my Interdisciplinary Team to ensure that temporary roads would not be placed in potentially sensitive areas. I also considered an additional alternative that removed temporary roads from Riparian Reserves (s. 2.5). All temporary roads in my decision will be rehabilitated, decompacted and closed after use (s. 2.2.5, s. 2.3.3). As discussed in the EA, the effect of temporary roads was found to be minimal (s. 3.6.3, s. 3.8.3). In the case where a temporary road is located along an existing or planned OHV trail, work would be conducted to re-establish or

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<sup>1</sup> I would like to emphasize that the Forest's Transportation Analysis Report (2015) does not identify a minimum road system for the Forest, which was incorrectly stated on page 6 of Appendix 3 in the EA. Rather, this report provides *recommendations* to inform the identification of a minimum road system.

construct the OHV trail. I have also had discussions with my Interdisciplinary Team about how many acres could still be treated without the use of any temporary roads. In this scenario, approximately 40% of the project area would not be treated. This was not an option I was willing to consider any further because of the clear management direction set for this particular landscape (such as, C1-Timber Emphasis, Matrix, and CWPP/WUIs). My decision to not fully develop this as an alternative was also considered in the context of the area's current conditions (s. 1.2). Furthermore, the analysis indicated that the probability of any degradation to water quality or fisheries resources caused by sedimentation due to temporary road construction would be negligible. The project design criteria provide me additional assurance that effects in the short term would be minor. Thus, I find that the temporary roads proposed for new construction and reconstruction are appropriate and essential for managing this landscape.

- Public comments raised a concern about impacts to the **Northern Spotted Owl** and its designated critical habitat. I share similar concerns about this threatened species and appreciate the comments requesting that I better align the Proposed Action with the *Revised Recovery Plan of Northern Spotted Owl* (USFWS 2011). We were still in the process of identifying habitat conditions described in Recovery Action 32 during the time of the 30-day comment period. Once we were able to properly identify this habitat, I updated the Proposed Action to remove acres that meet the habitat conditions described in Recovery Action 32 (s. 1.8). I have also considered an additional alternative that treated fewer acres (s. 2.5). My decision is consistent with the *Recovery Plan*; it will not jeopardize the continued existence of the Spotted Owl; and it is likely to contribute to the conservation needs of the Spotted Owl (Biological Opinion, p. 11). Accordingly, I believe my decision strikes an appropriate balance between the need to provide forest products at sustainable levels and establish a more resilient forest with providing adequate protection for the Spotted Owl.

I considered the comments and recommendations received and I believe that the Proposed Action is both appropriate and consistent with relevant management plans and laws and that the environmental assessment clearly explains the effects and benefits. I find that the science used to develop the project and to assess the effects is current and valid. I believe my decision balances the need for these actions against impacts to resources, and I have incorporated adequate project design criteria (s. 2.3) 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 objectors and I appreciate the dialogue that has occurred, I do not consider any of the concerns expressed to warrant the generation of any additional fully-developed alternatives in the EA. Public comment and recommendations have resulted in modifications of the Proposed Action compared to what was described in the Preliminary Assessment (s. 1.8, s. 2.5). Comments also resulted in increased clarification and greater in depth analysis in the EA. I have also decided to make voluntary modifications to the Proposed Action, which are described above, based on some of the concerns expressed at the objection resolution meeting held on May 11, 2018.

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. 2.5)**

The No Action Alternative (s. 2.1) was not selected because it would not provide any of the benefits described in the purpose and need. If no action is taken, some stands would continue to be homogenous and overcrowded, thereby resulting in trees with reduced vigor and increased mortality (s. 3.1.3). If no action is taken in late-successional reserves, stands would be very slow in their acquisition of late-successional characteristics (s. 3.1.3). Additionally, dead fuels throughout the project area would continue to accumulate, which would further exacerbate the lack of defensible space adjacent to private lands and the Confederated Tribes of Warm Springs Reservation. If no action is taken, the Forest would forgo the opportunity to provide any forest products consistent with the Northwest Forest Plan goal of maintaining the stability of local and regional economies (s. 3.1.3). Also, roads would deteriorate and potentially become unsafe and impact fish and water quality (s. 3.4.3, s. 3.8.3, s. 3.6.3). The No Action Alternative would not address the desired condition as stated in the Forest Plan, or the objectives of the CWPP and Strategic Fuel Treatment Placement Plan.

## **Other Alternatives Considered**

The EA discusses comments that were received from the public suggesting alternative methods for achieving the purpose and need. Four additional alternatives were considered but eliminated from detailed study, which are described in the EA at Section 2.5. The following is a brief discussion of those alternatives.

Comments were submitted that requested the agency to treat fewer acres to lessen impacts to the Northern Spotted Owl; reduce temporary road construction to reduce the amount of sediment to streams; and to close or decommission additional miles of roads to meet Forest Plan standards and reduce the potential impact to wildlife. Three separate alternatives were considered that addressed these suggestions; however, they were not fully developed because of the following factors.

- An alternative that treated fewer acres to lessen impacts to the Northern Spotted Owl was considered; however, it did not provide additional assurance that spotted owl habitat would be retained on the landscape. Also, I believe the Proposed Action appropriately addresses the recommendations in the *Revised Recovery Plan of Northern Spotted Owl* for land managers to actively restore forest ecological structure and alter fire behavior and severity, which will provide the necessary benefits for the long-term recovery of the species. Because the Proposed Action strikes a balance between the need to provide forest products and establish a more resilient forest with providing adequate protection for the Spotted Owl's habitat, I did not fully develop an alternative that treated fewer acres.
- I considered an alternative that eliminated roughly two miles of temporary road construction within Riparian Reserves. Since these temporary roads would be on previously disturbed areas, the analysis indicated that any potential sediment delivery as a result of utilizing these access points would be minimal in the short term. Since the measurable effects to water quality and aquatic resources would be similar in this alternative and the Proposed Action, I did not fully develop it in detail.
- I requested that my Interdisciplinary Team consider an alternative that would close specific roads requested by the public by examining each road in relation to the 2015 Travel Analysis Report (TAR); on-the-ground conditions; current NEPA status; maintenance needs of the road related to this project; and the potential need for the road to be used in the future. Upon further review, I concluded that this alternative did not need to be fully developed in detail because the Proposed Action



addressed the recommendations in the TAR and reduced overall road densities within the project area. My decision will also provide the resources necessary to decommission and convert roads to OHV trails that were decided upon in previous projects.

The Forest Plan directs where it is appropriate and desired to manage vegetation to meet the multiple objectives of resource management. The project area affected by these requests are on land allocations considered suitable for vegetation management as well as road construction. This project is consistent with the Forest Plan, as amended by the Northwest Forest Plan. These plans were the subject of public participation efforts that found a balance between the various resources and uses of public lands. While some hold different views, these plans remain the collective public direction for land management.

There were also some commenters who stated that I should consider including more acres to treat in order to provide greater fuels reduction across a broader landscape and to provide more forest products to the local economy. I considered an alternative that would treat over 15,000 acres; however, it was not fully developed because of my desire to appropriately address the recommendations of the *Revised Recovery Plan of Northern Spotted Owl* (USFWS 2011). I believe the Proposed Action provides a balance of meeting the project's objectives for providing forest products, enhancing forest resiliency, and managing fuels conditions, as well as meeting regulatory direction necessary for the recovery of an ESA-listed species, while an alternative that treated more acres did not.

I have considered the suggested alternatives. While I respect the opinions and wishes of commenters and appreciate the dialogue that has occurred, I do not consider any of the suggestions received to warrant the generation of additional fully-developed alternatives in the EA.

## **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 Proposed Action authorizes about 12,000 acres of vegetation management on the Hood River and Barlow Ranger Districts. This equates to approximately 1% of the Forest. Given the area affected by the project, 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 at the 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, soils, riparian areas, fish, 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 temporary closures necessary to provide for public safety (s. 2.3.11).
3. There will be no significant effects on unique characteristics of the area. The project is not located in wetlands or prime farmland (s. 3.18.3, s. 3.18.7); and historic and cultural resources will be protected (s. 3.14, s. 4.1.2). There are no treatments or associated activities within the White River Wilderness and White River Wild and Scenic River; therefore, the wilderness characteristics and outstandingly remarkable values would not be affected by this project (s. 3.12.4, s. 3.17.2). There are also no potential wilderness areas or inventoried roadless areas within the project area.
4. The effects on the quality of the human environment are not likely to be highly controversial. While there is some opposition to forest management, I have concluded that the science behind thinning and other vegetation management techniques is not highly controversial based on a review of the record that shows a thorough review of relevant scientific information. I have also taken into account that opposition to vegetation management and fuels 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 and fuel treatment 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 including growth and productivity (s. 3.1.3), diversity (s. 3.1.3), water quantity and quality (s. 3.6.3), fisheries (s. 3.8.3), soils (s. 3.5.3), owls (s. 3.9.3), deer and elk (s. 3.9.3), snags and down logs (s. 3.9.3), and air quality (s. 3.3.3). 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 (Chapter 3). 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. 3.14, s. 4.1.2).
9. My decision is consistent with the Endangered Species Act. Formal consultation with U.S. Fish and Wildlife Service concerning the **Northern Spotted Owl** and its critical habitat, **Oregon spotted frog** and its critical habitat, and the **gray wolf** has been completed for this project. The Biological Opinion from the U.S. Fish and Wildlife Service, dated January 19, 2018, found that the Proposed Action *may affect and is likely to adversely affect* the Spotted Owl and its critical habitat; *may affect, but is not likely to adversely affect* the spotted frog and its critical habitat; and *may affect, but is not likely to adversely affect* the gray wolf (3.9.3). In regards to the Northern Spotted Owl, the U.S. Fish and Wildlife Service concluded, “The proposed project will not appreciably reduce the

likelihood of survival or recovery for the spotted owl population...because impacts are not expected to rise to a level that would affect or disrupt the biology of breeding spotted owls at a territorial scale, nor dispersing spotted owls at a landscape scale” (Biological Opinion, p. 11). Additionally, they concluded that my decision “is not likely to destroy or adversely modify spotted owl critical habitat” (Biological Opinion, p. 12). Because my decision adheres to the guidance set forth in the *Recovery Plan* (USFWS 2011), and the conservation needs of the Spotted Owl will continue to be met, the effects to the Spotted Owl do not warrant documentation in an Environmental Impact Statement.

Since no Endangered Species Act-listed fish species or their critical habitat are found within the project area, the fisheries analysis concluded that this project would have **no effect** to aquatic species (s. 3.8.3). It also found that the project would **not adversely affect** Chinook or Coho salmon Essential Fish Habitat as defined by the Magnuson-Stevens Fishery Conservation Management Act. As such, consultation was not required.

There will be no significant adverse effects to sensitive species or survey and manage species (s. 3.8.3, s. 3.9.3, s. 3.10.3). Due to short-term (0-1 year) increases in fine sediment pulses into stream reaches, resulting from underburning and road maintenance activities, Interior Redband Trout (listed as a sensitive species) or its habitat may be minimally affected. However, the project will not jeopardize the continued existence of any listed species nor will it cause a trend towards Federal listing or loss of viability to populations or species.

10. My 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. 1.6, s. 3.18). The action is consistent with the Forest Plan (s. 1.6). The selected alternative is consistent with the National Forest Management Act regulations for vegetative management (s. 2.6). 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. 3.16). 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**

*Clean Air Act:* My 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. 3.3.1).

*Clean Water Act:* Clear Creek is listed as impaired under the Clean Water Act (303(d)) for not meeting water temperature standards for summer salmonid fish rearing (s. 3.8.2). However, since my decision does not include thinning in riparian areas, there would not be any short- or long-term effects to water temperature within the project area or its area of influence (s. 3.8.3). Also, implementation of my decision will incorporate project design criteria, as described in the EA (s. 2.3), which will protect and maintain water quality conditions. Section 2.7 and Appendix 2 of this EA details site-specific best management practices for water quality for this project. It is anticipated that only minor amounts of sediment would actually enter any stream as a result of implementation (s. 3.6.3).

*Endangered Species Act (ESA)*: Consultation has been completed for the Northern Spotted Owl, Oregon spotted frog, and gray wolf. Consultation was not required for listed fish, or botanical species. Listed species are addressed in the EA in section 3.9.3.

*Magnuson-Stevens Fishery Conservation and Management Act*: The project would not adversely affect essential fish habitat since none is present in the project area (s. 3.8.3).

*National Forest Management Act*: The Proposed Action was developed to be in full compliance with the National Forest Management Act via compliance with the Forest Plan, as amended. The project area has been found to be suitable for timber management (s. 3.6, s. 3.1.4). 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. 3.14, s. 4.1.2).

### **Consistency with Mt. Hood Forest Plan**

I find that the selected alternative is consistent with direction found in the Forest Plan, as amended. It is consistent with standards and guidelines specific to the relevant land allocations and it is consistent with the applicable Forest-wide standards and guidelines (s. 1.6).

- **Aquatic Conservation Strategy** – The project will contribute to maintaining or restoring aquatic conditions and is consistent with the Aquatic Conservation Strategy objectives (s. 3.7).
  - I have considered the relevant information from the watershed analysis completed for the White River. This project does not proposed thinning activities within Riparian Reserves (s. 1.6).
  - I find that the project design criteria (s. 2.3), 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. 3.7).
- **Management Indicator Species** – I have considered the impacts to Forest Management Indicator Species (MIS). MIS for this portion of the Forest include mule deer and elk, Pileated Woodpecker, American Marten, Wild Turkey, and the western gray squirrel (s. 3.9). 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.
- **White River Late-successional Reserve** – A review of the original ecological conditions was completed in 2017 to ascertain if there has been any large-scale or excessive changes to existing conditions described in the White River Late-successional Reserve (LSR) Assessment. With the use of Gradient Nearest Neighbor, stand evaluations, insect and disease aerial detection surveys, and past fire history it was determined that the existing condition used as a baseline in the White River LSR Assessment is still valid. I find that the stand prescriptions for the units within the LSR

would appropriately follow the silvicultural direction outlined in the White River LSR Assessment (s. 3.1.1).

- **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. 3.11). Design criteria are included to minimize the spread and establishment of invasive plants (s. 2.3.8).
- **Survey and Manage** – I find that my decision complies 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. 3.8.2, s. 3.9.1, s. 3.10.1).

For aquatic species, surveys were conducted and no survey and manage species were found within the project area or its area of influence (s. 3.8.2). Surveys were also conducted for wildlife survey and manage species (s. 3.9.1) and determined that there may be some impact to individuals; however, these sites would be protected with the appropriate buffers (s. 3.9.3). For botanical species, surveys were conducted and concluded that their habitats would be maintained and known sites would be protected (s. 3.10.3, s. 3.10.4).

**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 documents the rationale for exceptions.

I approve exceptions for the **soil productivity** standards and guidelines **FW-32** and **FW-33**, as documented in the EA in Sections 1.6 and 3.5.4. This standard is expected to be met in the moist mixed-conifer treatment units; however, in the dry mixed-conifer types, sites would be less than 15 tons per acre. These dry mixed-conifer sites naturally produce less than 15 tons per acre, especially where a high fire frequency would be typical for the area. I approve this exception because it is necessary to achieve the project’s objectives for fuels management, and it is not expected to negatively impact the continued soil productivity because sites are expected to retain a sufficient amount of organic matter in the mineral top soil. The Forest will continue to manage soil resources with the goal of maintaining or enhancing its productivity. My decision also includes project design criteria and contractual specifications that aim at maintaining soil productivity (EA, Section 2.3.6).

I approve an exception to timber management in **deer and elk winter range** standard and guideline **B10-014**, as documented in the EA in Sections 1.6, 3.9.3, and 3.9.4. The tree density needed to achieve 70 percent canopy closure exceeds the long-term site capability of the dry mixed-conifer communities within the project area. This exception is necessary to achieve the project’s goal of effective fuel treatments, and would only apply to those areas within the dry mixed-conifer stands. My decision will improve forage opportunities for deer and elk, which is scarce and declining across the Forest. Also, sufficient thermal cover for deer and elk will continue to exist across the Forest.

### **Predecisional Administrative Review Summary**

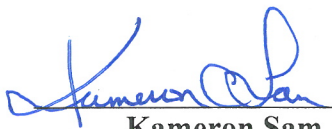
This project was subject to predecisional administrative review pursuant to 36 CFR 218, Subpart B. Also called the “objection process.” The rule can be found at the [USDA website](#).

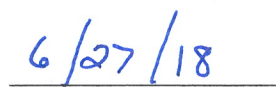
A draft decision was made available during a 45-day period for objections to be filed prior to making this final decision. The legal notice of the opportunity to object was published in *The Oregonian* newspaper on February 16, 2018. Fifteen objections were filed: Anna Bolm #18-06-06-007-218(B); Bryan Cicco #18-06-06-008-218(B); Mia Pisano #18-06-06-009-218(B); Wild Earth Guardians #18-06-06-010-218(B); Boise Cascade #18-06-06-011-218(B); Dick Artley #18-06-06-012-218(B); American Forest Resources Council #18-06-06-013-218(B); Adam Brockman #18-06-06-014-218(B); Jordanna MacIntyre #18-06-06-015-218(B); Rachel Freifelder #18-06-06-016-218(B); Gradey Proctor #18-06-06-017-218(B); Jennifer Leis #18-06-06-018-218(B); Cascadia Wildlands and Oregon Wild #18-06-06-019-218(B); Bark and American Bird Conservancy #18-06-06-020-218(B); and Tara Hersherberger #18-06-06-021-218(B). An objection resolution meeting was conducted on May 11, 2018 with the Acting Forest Supervisor, who was the Objection Reviewing Official. Although no resolution was made on the issues raised by objectors, I have decided to make the modifications to the Proposed Action Alternative that are discussed on pages 2-3 of this Decision Notice.

In letters dated June 18, 2018, the Objection Reviewing Official documented the following:

- The draft decision described the actions to be taken in sufficient detail that the reader can easily understand what will occur as a result of the decision.
- The draft decision considered a range of alternatives that was adequate to respond to the purpose and need. The purpose and need and alternatives considered in the EA reflect a reasonable range of alternatives, consistent with law, regulation and policy.
- The draft decision is consistent with Forest Plan standards and guidelines, as amended.
- The draft decision is consistent with all policy, regulation, law, direction, and the EA contains adequate supporting evidence that is reflected in the draft decision. The record contains adequate documentation regarding resource conditions, and the draft decision document is based on the record and reflects a reasonable conclusion.

The Draft Decision Notice is replaced by this Final Decision Notice. For further information regarding this project, contact Whitney Olsker at 541-467-5155 or by email at [wolsker@fs.fed.us](mailto:wolsker@fs.fed.us). For further information regarding objection procedures, contact Michelle Lombardo at 503-668-1796 or by email at [mlombardo@fs.fed.us](mailto:mlombardo@fs.fed.us). Implementation may occur immediately following the date that this final decision is signed. The EA, decision notice and maps can be downloaded from the Forest's website at: <http://www.fs.usda.gov/projects/mthood/landmanagement/projects>.

  
**Kameron Sam**  
Barlow District Ranger  
Mt. Hood National Forest

  
**Date**

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