

Record of Decision and Designation Order Lower Joseph Creek Restoration Project Establishment of Haystack Rock and Horse Pasture Ridge Research Natural Areas Amendment Number: xx

USDA Forest Service Wallowa Valley Ranger District, Wallowa-Whitman National Forest Wallowa County, Oregon

Haystack Rock proposed Research Natural Area: T4N R45E sections 7, 8, 17, and 18
Horse Pasture Ridge proposed Research Natural Area: T5N R45E section 28

Decision and Reason for the Decision

Background

In the interest of landscape learning and streamlining NEPA, establishment of two Research Natural Areas (RNA) (Horse Pasture Ridge (338 acres) and Haystack Rock (425 acres) was analyzed as part of the Lower Joseph Creek Restoration Project (LJCRP) Final Environmental Impact Statement (FEIS). Both proposed RNAs are within the Lower Joseph Creek Restoration Project area. These two RNAs were proposed for establishment in the 1990 Wallowa-Whitman National Forest (WWNF) Land and Resource Management Plan (Forest Plan). Research Natural Areas are designated for research and educational opportunities, to maintain biological diversity on National Forest System lands, and are selected to complete a national network of ecological areas. Horse Pasture Ridge and Haystack Rock were originally proposed for RNA designation in the 1990 Wallowa-Whitman Forest Plan, and they still maintain all the qualities unique for RNA designation. The establishment of the two RNAs requires a Forest Plan amendment, as described below. Research Natural Area establishment was proposed under both action alternatives of the LJCRP FEIS. The LJCRP FEIS documents the analysis of effects of a no action and two action alternatives.

Decision

Based upon my review of all alternatives, I have decided to establish the Horse Pasture Ridge and Haystack Rock RNAs. The Wallowa-Whitman Forest Plan (1990) objectives for establishing RNAs are to preserve examples of all significant natural ecosystems for comparison with those influenced by humans, to provide educational and research areas for ecological and environmental studies; and to preserve gene pools for typical and rare and endangered plants and animals. RNA's typify important forest, shrubland, grassland, alpine, aquatic, and geologic types and other natural situations that have special and unique characteristics of scientific interest and importance. The Horse Pasture Ridge RNA will contribute to the national network of RNAs by providing an example of Idaho fescue-prairie junegrass, and Idaho fescue – blue bunch wheatgrass plant associations in ridge top communities. The Haystack Rock RNA will contribute to the national network of RNAs by providing an example of Idaho fescue-blue bunch wheatgrass-arrow leaf balsamroot and blue bunch wheatgrass-Sandberg's bluegrass-narrow-leaved skullcap plant associations. Both Haystack Rock and Horse Pasture Ridge RNAs will serve as untreated baseline study areas with respect to prescribed fire and other management activities.

Under the Wallowa-Whitman Forest Plan (1990), activities in RNAs are limited to research, study, observations, monitoring, and educational activities that are nondestructive and non-manipulative. Proposed RNA's will be protected from uses which would reduce their suitability for RNA designation, since both Horse Pasture Ridge and Haystack Rock were proposed under the 1990 Forest Plan there will be no changes in management as a result of establishment.

This decision requires forest plan amendment. This decision amends the WWNF Forest Plan in conformance with the 1982 Planning Rule process¹, following Forest Service Manual direction (FSM 1926.51 - January 31, 2006), changing the designation of the Horse Pasture Ridge and Haystack Rock RNAs from “proposed” to “established”. The significance of the amendment was evaluated in accordance with FSM 1926.51 and FSM 1926.52, and found to be non-significant according to this policy. The amendment will not alter multiple-use forest plan goals and objectives or adjust management area boundaries. The amendment will not alter the long-term relationship between levels of multiple-use goods and services originally projected for the WWNF, nor will it alter timber suitability. The amendment will not result in an important effect to the entire land management planning area. (See Project Record for details of evaluation). Opportunities for public participation and notification were provided as required in 36 CFR 219, §219 .4 and § 219.16.

In addition to my decision to amend the Wallowa-Whitman Forest Plan, an establishment record (see attached) has been prepared for approval by the R6 Regional Forester with the concurrence of the PNW Station Director (FSM 4063.04b). A legal description, and land lines where Haystack Rock and Horse Pasture Ridge have boundaries in common with other landowners will be documented (FSM 4063.37) as a part of the establishment record process.

Other Alternatives Considered

In addition to the selected alternative, I also considered the no action alternative (LJCRP FEIS Alternative 1). A more detailed comparison of the effects of RNA establishment can be found on pages 73-75 in Chapter 3 of the LJCRP FEIS.

Alternative 1 – No Action

Under the no-action alternative, current management plans would continue to guide management of the project area. Under Alternative 1, the Horse Pasture Ridge and Haystack Rock proposed RNAs would remain as proposed RNAs and continue to be protected from uses that would reduce suitability for RNA designation. This management direction is listed in the WWNF Forest Plan, Pages 4-84 and 4-85, and would remain in effect until there is a revised Forest Plan or there is an amendment to this portion of the Forest Plan.

Alternative 2 and Alternative 3

Alternatives 2 and 3 proposed a forest plan amendment to establish Haystack Rock and Horse Pasture Ridge proposed RNAs. The action alternatives proposed designation into perpetuity 338 acres of NFS land as the Horse Pasture Ridge RNA and 425 acres as the Haystack Rock RNA. The objective is to maintain the natural condition of the areas. No forest products or minerals would be removed, livestock grazing patterns would not be changed, fire activity would be limited to suppression only (unless fire is

¹ Forest Service Handbook 1909.12 – Land Management Planning Handbook Chapter 20 – Land Management Plan states: *Plan amendments started after May 9, 2015, must conform to the 2012 Planning Rule requirements. Before that date, plan amendments may be made following the 1982 Rule process or following the 2012 Planning Rule. (36 CFR 219.17(b)(2)).* This proposed action was developed and scoped prior to May 9, 2015. The Responsible Official has elected to follow the 1982 Planning Rule procedures for purposes of making this amendment.

part of an approved research project), off road vehicles would be excluded, and recreation use would be managed at a low intensity level. Environmental consequences disclosed in the 1990 Forest Plan FEIS are still valid, and conditions and effects have not changed. Management strategies would not change under the establishment, and no adverse or irreversible environmental consequences are expected.

Public Involvement

The Notice of Intent to develop the LJCRP EIS was published in the Federal Register on January 9, 2014, and a legal notice of the comment period was published in the Baker City Herald. The Notice of Availability (NOA) of the DEIS for a 90 day comment period was published in the Federal Register, and Baker City Herald on November 14, 2014. The DEIS comment period ended on February 12, 2015. Fifteen public meetings organized by the Wallowa-Whitman Forest Restoration Collaborative between August 2013 and August 2015 in-part focused on scoping results, methodologies used in alternative development, effects analyses, and collaborative consensus around RNA establishment and other project activities. Twelve meetings and conference calls, in addition to the joint public meetings in January and December 2014, were held with the Wallowa County NRAC to discuss the proposed action, public comments, planning issues and alternatives, and effects analyses, including those related to RNA establishment. Two public field trips organized by the Wallowa-Whitman Forest Collaborative were held in the project area in August 2013 and June 2014, and two meetings with local permittees were held during development of the EIS. Public scoping did not identify RNA establishment as a significant issue. There were five comments submitted during scoping that were in favor of RNA establishment and two comments opposed to RNA establishment. Comments on the DEIS included two favorable comments regarding RNA establishment. For more information, see the analysis of public scoping in the project record.

Nez Perce Tribe Consultation and Coordination

More than 20 meetings and conference calls, and five field trips were held with the Nez Perce Tribe staff throughout the LJCRP planning process. Government-to-government meetings were held in July, 2014 and June, 2015. Detailed information on meetings and field trips with the Nez Perce Tribe is located in Appendix G of the LJCRP FEIS. The tribe strongly supported the establishment of Haystack Rock and Horse Pasture Ridge RNAs.

Findings Required by Other Laws and Regulations

This decision to establish Haystack Rock and Horse Pasture Ridge RNAs is consistent with the intent of the forest plan's long term goals and objectives listed on pages 4-84 and 4-85. Establishment of research natural areas has been sanctioned in the Code of Federal Regulations in Section 7 CFR 2.42, 36 CFR 251.23, and 36 CFR 219.25. Direction for establishment is provided in Forest Service Manual 4063 and in "A Guide for Developing Natural Area Management and Monitoring Plans" written by the Pacific Northwest Interagency Natural Area Committee.

Implementation

If no objection is filed, implementation may begin on, but no sooner than the fifth business day following the end of the 60-day objection filing period (36 CFR 219.52). If an objection is filed, implementation may begin immediately following the objection reviewing officer's issuance of the written response to the objection(s). The final decision must be consistent with the reviewing officer's response to the objection(s).

Administrative Review or Objection Opportunities

This decision is subject to objection pursuant to procedures at 36 CFR 219 Subpart B. Eligibility to object is outlined at §219.53. The objection can be filed by way of regular mail, expedited mail, hand delivery, fax, or email. The address for regular mail is USDA Forest Service Attn: Objection Reviewing Officer, 1400 Independence Ave., SW, EMC-LEAP, Mailstop 1104, Washington, DC 20250. For UPS, FedEx, and hand deliveries: USDA Forest Service, Attn: Objection Reviewing Officer, 210 14th Street, SW, EMC-LEAP, Mailstop 1104, Washington, DC 20250. The fax number is 202-649-1172.

The office business hours for those submitting hand-delivered objections are: 8:00 a.m. to 5:00 p.m. (ET) Monday through Friday, excluding federal holidays. Electronic objections must be submitted in a format such as an e-mail message, plain text (.txt), rich text format (.rtf), or Word (.doc) to objections-chief@fs.fed.us, with Subject: Lower Joseph Creek Restoration Project, Establishment of Haystack Rock and Horse Pasture Ridge Research Natural Areas. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Objections, including attachments, must be filed within 60 days from the publication date of this notice in *The Oregonian*, the newspaper of record. Attachments received after the 60-day objection period will not be considered. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Those wishing to object this project should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted comments during the comment period specified may file an objection to this project. The objection must meet the content requirements at 36 CFR 219.53.

Contact Person

For additional information concerning this draft decision and the final environmental impact statement, please contact Dea Nelson, Environmental Coordinator & Planner, Wallowa-Whitman National Forest, by phone: 541-523-1216 or email: dnelson09@fs.fed.us.

JAMES M. PEÑA
Regional Forester

Date

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