

**DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT
for the
Forest Plan Prescription C4-III Amendment
Environmental Assessment**

USDA Forest Service
Umpqua National Forest
Diamond Lake Ranger District
Douglas County, Oregon

Decision

The Forest Plan Prescription C4-III Amendment Project Environmental Assessment (EA) (further referred to as the project EA) documents a no-action alternative and 2 action alternatives that would amend the 1990 Umpqua National Forest Land and Resource Management Plan (Forest Plan) by revising management direction for Management Area 11, Prescription C4-III (Winter range – Meadow). The purpose and need for the proposed action is described in detail in Chapter 1 (EA page 5). In summary, the project is to improve attainment of resource and societal objectives identified in the Forest Plan.

I have decided to implement **Alternative 2** as described on pages 9-12 in chapter two of the project EA. This decision results in a non-significant amendment to the 1990 Umpqua National Forest Land and Resource Management Plan. My decision to implement Alternative 2 is based on information contained in the administrative record, including the EA, Appendix A (response to public comments), the scoping summary, and the effects analysis described in Chapter III of the EA (pages 16 - 24).

In summary, Alternative 2 clarifies the location of the Prescription area, redefines the multi-resource objectives and provides new direction for land management activities occurring within the area. The boundary encompasses 3,432 acres, all within Management Area 11 (Winter Range and Timber). It includes all or portions of T26S R04E Sect. 1, 2, 8-22 in Douglas County, Oregon.

Summary of Alternative 2

My decision amends the description and management direction for the C4-III Prescription area in the 1990 Umpqua Forest Plan. All current land uses would be maintained. No changes are proposed to the Late Successional Reserve (LSR), Riparian Reserve, or Matrix Land Allocations established by the Northwest Forest Plan or their associated Standards and Guidelines. All current Management Area designations and delineations would likewise be unaffected.

Alternative 2 revises the description and objectives of the Prescription area to include consideration for other shrubland dependant species in addition to big game. It also provides additional direction to the wildlife and fish, range and protection sections. Much of this new direction comes from experience in implementing habitat management projects, a site-specific resource evaluation (*Thorn Prairie and Mountain Meadows Shrubland Habitat Management Area Plan 2001*), habitat guidelines developed for

landbirds (*Western Lowlands and Valleys Bird Conservation Plan*) and from public comment on the project.

Best Management Practices, Management Requirements, Mitigation Measures, and Monitoring

Since there are no ground disturbing activities proposed with Alternative 2, there would be no Best Management Practices, Mitigation Measures, Management Requirements or Monitoring required. Future projects that may occur will be subject to environmental analysis under the National Environmental Policy Act (NEPA) and any potential mitigation or monitoring will be disclosed during that analysis.

Decision Rationale

My decision to select and implement Alternative 2 is based on the following:

1. Alternative 2 best meets the purpose and need for action as described on page 5 of the project EA.
2. Alternative 2 best meets the winter range and timber focus of Management Area 11.
3. Alternative 2 provides the most flexibility in achieving desired vegetative characteristics in the area.
4. Alternative 2 contains management direction to adequately protect natural resources.
5. Implementation of this decision would not significantly affect the quality of the human environment (see FONSI).
6. The proposal is in compliance with applicable Federal and State laws and regulations.

Other Alternatives Considered

Chapter 2 of the project EA includes a description of the other alternatives considered in detail. The following briefly summarizes these alternatives and explains why they were not selected.

Alternative 1: Under this no-action alternative, no amendments would be made to the Umpqua National Forest LRMP. This alternative was not selected because it would not meet the need for action. Specifically, Alternative 1 does not retain land management direction that has proven to be satisfactory in meeting the resource objectives and outputs for the Prescription area.

Alternative 3: This action alternative included management direction that would preclude use of commercial timber sales (within the meadow areas, as clarified by the comment received), salvage logging, and spring burning as vegetative management tools. These restrictions, even with the clarification by Umpqua Watersheds on their comment regarding commercial harvest, make attainment of desired winter range and shrubland habitat vegetative characteristics unlikely. Prohibiting spring burning without regard to the particular project would also be costly in terms of accomplishing objectives. For example, if a project was proposed that, because of weather conditions, spring burning was needed to accomplish objectives, selection of this alternative wouldn't even allow consideration of burning in the spring; this would be the case even if few acres needed

to be burned. Desired shrubland restoration and maintenance activities are both costly and extensive. Adoption of this alternative would reduce the extent and scale of needed shrubland habitat restoration, thus reducing our ability to implement successful and needed projects.

Alternatives Considered, but Eliminated from Detailed Study

There were no alternatives that were initially identified, but subsequently eliminated from further detailed study.

Public Participation and Scoping

Public scoping for the Forest Plan Prescription C4-III Amendment Project began in April 2005, and the project was included in the Umpqua National Forest Schedule of Proposed Actions in July 2005.

A public participation plan for the project was created following the Institute for Participatory Management and Planning process. From April through July, 2005 the interdisciplinary team implemented this plan contacting all five potentially affected interests that were identified during creation of the public participation plan; eight separate contacts were made within these groups. Through the public involvement process, a total 5 written comments were received. Comments received included: concern for adversely impacting bird habitat, desire to retain large trees, encouragement to not significantly expand elk habitat, desire to plant quaking aspen, desire to leave roads open while improving forage, support for active big game management, desire for generic direction, concern for noxious weeds, desire to address the role of natural fire, desire to not regenerate healthy madrone even if over 100 years old, desire to prohibit spring burning, recommendation to include former timber sale units into area, desire for the EA to describe impacts of prioritizing prescriptions, desire that the EA address continued presence of knobcone pine, suggestion to prohibit salvage sales after prescribed burning, recommendation to prohibit commercial timber sales for restoration purposes, and the recommendation to revise Proposed Action mapping to include only Management Area 11 acreage. A detailed scoping summary is found in the Project Record (Analysis File).

The legal notice for comment was published in the Roseburg News-Review on February 2, 2006; the 45-day comment period ended on March 20, 2006. One comment letter was received. I have thoroughly read and considered all comments in that letter, and have responded to those comments in Appendix A.

Finding of Forest Plan Consistency and Finding of LRMP Non-Significance

Standards and Guidelines

This decision tiers to the 1990 Umpqua National Forest Land and Resource Management Plan Final Environmental Impact Statement. I have ensured that the decision is consistent with the Forest Plans' goals, objectives, and standards. This project is administrative in nature and does not propose ground disturbing activities; all

Standards and Guidelines related to the Northwest Forest Plan, including those for Survey and Manage Species were adhered to and the project is consistent with those Standards and Guidelines. Alternative 2 is fully consistent with all other applicable standards and guidelines, as amended by this project. The finding of non-significance is described below.

Forest Plan Amendment

FSH 1909.12, Section 5.32, outlines the factors to be used to determine whether a proposed change to the LRMP is significant or not significant, based on National Forest Management Act requirements. A discussion of each of these four factors follows (EA pages 16-30):

1. **Timing.** Determine whether the change is necessary during or after the plan period. In most cases, the later the change, the less likely it is to be significant for the forest plan. A proposed change to the existing plan is called for now given the availability of new information included in the *Thorn Prairie and Mountain Meadows Shrubland Habitat Management Area Plan* and *Western Lowlands and Valleys Bird Conservation Plan*. This change is made near the end of the anticipated current plan period. Therefore, timing is not considered to be a significant factor related to the amendment.
2. **Location and Size.** Define the relationship of the affected area to the overall planning area. In most cases, the smaller the area affected by the change, the less likely it is to be significant for the forest plan. The proposed amendment would affect 3,432 acres of National Forest System Land administered by the Umpqua National Forest. With a total size of 1,035,647 acres, the proposal affects less than 1 percent (0.33%) of the Forest's land area. Therefore, the location and size of the area involved in the proposed amendment are not considered to be significant.
3. **Goals, Objectives, and Outputs.** Determine whether the change would alter long-term levels of goods and services projected by the forest plan. Diamond Lake Ranger District resource specialists evaluated project impacts to forest plan resource program goals, objectives and outputs. For all resource areas, the selected alternative did not have large or even measurable impacts (EA pages 16-30). Therefore, the goals, objectives, and outputs are not considered to be a significant factor related to the proposed amendment.
4. **Management Prescription.** Determine whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area. The selected alternative applies only to 3,432 acres at Mountain Meadows and Thorn Prairie of the Diamond Lake District. This change will not apply to any other portions or locations of the Umpqua National Forest. Therefore, the change in management prescription is not considered to be a significant factor related to the proposed amendment.

After consideration of these factors, I have concluded the proposed amendment will not represent a significant change to the LRMP.

Aquatic Conservation Strategy (ACS)

The project EA (page 26) notes that alternative 2 will have no direct, indirect, or cumulative effects to riparian habitat. As such, I find that the project is in keeping with the intent of the Aquatic Conservation Strategy (ACS) as clarified in the 2004 Record of Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy. The project is administrative in nature and creates no ground disturbing effects; therefore, this action is in compliance with Riparian Reserve Standards and Guidelines.

Watershed Analysis and Roads Analysis

I have reviewed and considered information contained in 1997 Upper North Umpqua Watershed Analysis, the 2001 Thorn Prairie and Mountain Meadows Shrubland Habitat Management Area Plan and Western Lowlands and Valleys Bird Conservation plan (2001 version). These intermediate analyses (intermediate between the Forest Plan and the site-specific EA) provide a foundation for the development of the proposed action by describing available resources and area context, as well as updated resource specific management recommendations. This project is consistent with all of these analyses.

Consistency with NFMA Requirements

I find this decision to be consistent with the 2005 National Forest Management Act implementing regulations at 219.12(b)(2), specifically:

- A) This project complies with and considers the economic and environmental aspects of resource management (EA Chapter 3);
- B) This project implements the 1990 Umpqua LRMP, as amended and as such, provides for diversity of plant and animal communities based on the suitability and capability of the Matrix land allocation;
- C) This project authorizes no ground disturbing activities; therefore it ensures that management activities will not produce substantial and permanent impairment of the productivity of the land;
- D) This project does not produce any timber. As such, this project complies with this subsection by not exceeding the current ASQ.
- E) This project does not authorize timber harvest; therefore, there will be no harvest of timber from National Forest System, thus complying with this provision which requires that harvest only occur on lands that: (i) will not be irreversibly damaged; (ii) can be adequately restocked; (iii) protect streams and water bodies from damage and adverse impacts; and (iv) the harvest systems selected were not selected primarily because they give the greatest return or output of timber.
- F) No even-aged harvest is authorized with this decision, thus complying with this provision that even-aged harvest will not exceed acreage limitations.

Finding of No Significant Impact (FONSI)

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

Alternative 2 implements direction to meet the resource goals, objectives and outputs established in the Umpqua National Forest Land and Resource Management Plans, as amended by the Northwest Forest Plan. Given the small relative area of the Umpqua National Forest affected by the project (less than 1%), I find that the effects of this administrative project are not significant as disclosed throughout Chapter 3 of the EA and will not have an effect at the District or Forest scale.

Based on the documentation in the project EA and the Analysis File, I have determined the following with regards to the intensity of this project:

1. The Environmental Assessment provides sufficient information to determine that this administrative project will not have a significant impact (either adverse or beneficial) on the land and its natural resources, air quality, or water quality (EA pages 16 - 27).
2. The project EA and analysis file display that since the project is strictly administrative, and includes no ground-disturbing activities, there are adverse impacts to air or water resources. The project is compliant with the Clean Water Act and the Clean Air Act; therefore the likelihood of the project affecting the public's health and safety is low (EA pages 26-27).
3. The project EA and Analysis File provides sufficient information to determine that this administrative project will not negatively affect any known unique characteristics of the geographic area such as park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas because it authorizes no ground-disturbing activities (EA pages 26-27).
4. The degree of controversy with regard to effects on the quality of the human environment is limited and considered not significant. A single comment letter was received during the 45-day comment period. A complete detailing of project comments can be found in Appendix A. It is my determination that the small number of project comments does not reach the threshold requiring preparation of an Environmental Impact Statement (EIS).
5. No impacts to the human environment that are highly uncertain or involve unique or unknown risks associated with this administrative project have been identified in Chapter 3 of the analysis (EA pages 16-27).
6. Amendments to the existing forest plan are permissible and have occurred on the Umpqua National Forest previously, and a process to evaluate any proposed changes was included in the 1990 LRMP (Chapter V p. 7&8). The project EA and analysis file clearly demonstrate the selected alternative will not have significant resource impacts and as such it does not establish a precedent for future actions.
7. I have reviewed the impacts of past, present, and reasonably foreseeable actions described in the project EA and analysis file and find that this administrative action will not have a significant cumulative impact on the environment, as there are no ground

disturbing activities associated with this project that could create a cumulative effect (EA pages 16-27).

8. The project analysis file and the associated disclosure in the EA (page 26) reveal that no prehistoric sites will be impacted by this administrative project.

9. The project EA and analysis file display that this administrative project will not effect or jeopardize any species listed or proposed for listing under the Endangered Species Act (EA pages 16-20). This project is administrative in nature and would have no impact on any survey and manage species; therefore, no surveys were needed for these species.

10. Laws imposed for the protection of the environment provided the framework for the 1990 Umpqua National Forest LRMP, as amended. From the documentation provided in Chapter 3 of the project EA, I find that the selected alternative is administrative in nature and does not threaten a violation of Federal, State, or local law imposed for the protection of the environment (EA page 26).

From the preceding, I find that the Forest Plan Prescription C4-III Amendment Project does not constitute a major Federal action that would significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement is not necessary.

Implementation

I have reviewed the project EA, and its associated analysis file. I feel there is adequate information within these documents to provide a reasoned choice of action. I am fully aware of the limited environmental effects associated with this administrative project that are disclosed in Chapter 3 of the EA (pages 16 - 24). I have determined that any effect will be outweighed by the long-term benefits of implementing Alternative 2. Implementing Alternative 2 will cause no unacceptable cumulative impact to any resource. There will be no impact to cultural resources, consumers, civil rights, minority groups, environmental justice, or women. There are no unusual energy requirements for implementing Alternative 2 (EA p. 26).

Implementation of this decision shall not occur for 7 days following publication of the legal notice of decision with the newspaper of record, the Roseburg News-Review.

Selection of Alternative 2 amends the Umpqua National Forest Land and Resource Management Plan. Any future ground-disturbing projects that would occur within the revised C4-III Prescription area will be subject to analysis and documentation through the National Environmental Policy Act (NEPA) and will comply with all current and applicable laws, policies, and regulations.

Administrative Review

My decision is subject to administrative appeal in accordance with 36 CFR 217. Only those individuals or organizations who submitted substantive comments during the comment period (similar to the requirements under 36 CFR 215.13), may appeal under 36 CFR 217. The 45-day appeal period begins the day following publication of this decision in the Roseburg News-Review, the newspaper of record. The Notice of Appeal must be filed with the Appeal Deciding Officer:

Linda Goodman
Regional Forester, USDA Forest Service Region 6
Attn. 1570 Appeals
PO Box 3623
Portland, OR 97208-3623
Business Hours: 8:00 am – 5:00 pm, Monday through Friday, except for legal holidays.
Fax: 503-808-2255; Email: appeals.pacificnorthwest@regional.officergts.fed.us

It is the responsibility of those who appeal this decision to provide the Regional Forester sufficient written evidence and rationale to show why my decision should be changed or reversed. The appeal notice must be in writing clearly stating that it is a Notice of Appeal being filed pursuant to 36 CFR 217. Complete instructions for appellants are given at 36 CFR 217.9. At a minimum, a written notice of appeal filed with the Appeal Deciding Officer must:

1. State that the document is a Notice of Appeal filed pursuant to 36 CFR part 217;
2. List the name, address, and telephone number of the appellant;
3. Identify the decision about which the requester objects;
4. Identify the document in which the decision is contained by title and subject, date of the decision, and name and title of the Deciding Officers;
5. Identify specifically that portion of the decision or decision document to which the requester objects;
6. State the reasons for objecting, including issues of fact, law, regulation, or policy, and if applicable, specifically how the decision violates law, regulation or policy; and
7. Identify the specific change(s) in the decision that the appellant seeks.

Contact Person

For additional information concerning the specific activities authorized with my decision, you may contact:

Debbie Anderson
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/s/ James A. Caplan
JAMES A. CAPLAN
Forest Supervisor
Umpqua National Forest

March 23, 2006
Date Signed

March 30, 2006
Date Published

PUBLIC INVOLVEMENT AND RESPONSE TO PUBLIC COMMENTS

INTRODUCTION

This appendix documents the public involvement process that occurred during the Forest Plan Prescription C4-III Amendment Project. The 45-day public comment process is also described, along with substantive comments received on the EA and the Forest Service's response to those comments.

PUBLIC INVOLVEMENT PROCESS

In December of 2004, a project initiation letter for the Forest Plan Prescription C4-III Amendment Project from the Diamond Lake District Ranger was written identifying project objectives and core interdisciplinary team members. Public scoping for the Forest Plan Prescription C4-III Amendment Project began in April 2005, and the project was included in the Umpqua National Forest Schedule of Proposed Actions in July 2005.

A public participation plan for the project was created following the Institute for Participatory Management and Planning process. From April through July, 2005 the interdisciplinary team implemented this plan, contacting all five potentially affected interests that were identified; eight separate contacts within these groups were made. Through this process, a total 5 written comments were received. Comments received included: concern for adversely impacting bird habitat; desire to retain large trees; encouragement to not significantly expand elk habitat; desire to plant quaking aspen; desire to leave roads open while improving forage; support for active big game management; desire for generic direction; concern for noxious weeds; desire to address the role of natural fire; desire to not regenerate healthy madrone even if over 100 years old; desire to prohibit spring burning; recommendation to include former timber sale units into area; desire for the EA to describe impacts of prioritizing prescriptions; desire that the EA address continued presence of knobcone pine; suggestion to prohibit salvage sales after prescribed burning; recommendation to prohibit commercial timber sales for restoration purposes; and the recommendation to revise the Proposed Action mapping to include only Management Area 11 acreage. A detailed scoping summary is found in the Project Record (Analysis File) and is incorporated by reference.

TRIBES THAT WERE CONSULTED FOR THE EA

Cow Creek Band of Umpqua Tribe of Indians
Confederated Tribes of the Siletz Indians
Confederated Tribes of the Grande Ronde Indians

RESPONSE TO COMMENTS

The 45-day public comment period for the Forest Plan Prescription C4-III Amendment Project opened on February 2, 2006 and closed on March 19, 2006. The public was asked to comment on Alternative 2. A single comment letter was received from Francis Eatherington of Umpqua Watersheds. Responses to those comments are documented in Table 1.

Table 1. Response to Comments Received on the EA.

| Subject of Concern | Comment * | Forest Service Response |
|--|---|---|
| Mis-interpreted Comment | ...it (scoping comment to not use commercial timber harvest for restoration) was mis-interpreted in EA. We were applying the comment to the meadow areas. | Thank you for this clarification. The deciding official will take this into account in the decision. |
| Recommendation for selected alternative | The Forest Service should choose alternative 3, with a modification to allow some small commercial timber sales in forested areas... | Thank you for your comment. The deciding official will take this into account in the decision. |
| Salvage logging and retaining snag habitat | ... the Forest Service should prohibit salvage logging ... There is a long-term deficient of snags in the area. | Snag habitat availability and the potential impacts of land management activities has been an issue throughout development of the project and is documented in the EA pages 17-21. Incorporation of landbird habitat objectives, including snag habitat availability, has been included as new management direction for this prescription area. These new standards were developed from the Western Lowland & Valley Bird Conservation Plans. The agency believes this is the best available information available and incorporating its recommendations should adequately provide snag habitat in the prescription area. |
| Regeneration harvest and recreational use | The Forest Service should not do large regeneration harvest (shelter wood harvest) timber sales. | The Forest Service acknowledges that regeneration harvest activities can alter visual qualities. The visuals resource evaluation noted that the project area contains Partial Retention, Modification and Maximum Modification visual quality objectives. It goes on to |

| Subject of Concern | Comment * | Forest Service Response |
|--------------------|---|--|
| | | conclude that all alternatives are consistent with this Forest plan direction (EA page 16) |
| Old growth | Any timber sale or other activity must fully protect every single old-growth tree in the project area. | <p>New management in Alternatives 2 and 3 “Plan for tree canopy closure from large, dominant trees ...” was included to address this concern (EA page 11).</p> <p>Since this project does not authorize any ground disturbing activities, it would be impossible to determine how many old-growth trees may be impacted from projects that are as yet, not proposed.</p> <p>In addition, requiring protection of every old-growth tree in the area would not be consistent with the overlying management direction of MA11.</p> |
| Springtime burning | If the Forest Service chooses alternative 2, it <i>must</i> be modified to prohibit springtime burning . | <p>The Forest Service recognizes the potential adverse effects of springtime burning (EA pages 8 – issues, and 14 development of Alternative 3) and would prefer fall burns or alternative treatments (such as mechanical mowing), which is what the language in the amendment states should occur. However, the Forest Service also believes that some springtime burning could occur prior to initiation of landbird nesting and attainment of long-term habitat objectives may be adequate justification to endure some potential short-term adverse effects. Maintaining the option of considering spring burns is a flexibility that is important in meeting management objectives.</p> <p>Regardless, this project does not authorize any burning. All future projects would require a separate NEPA analysis. That NEPA analysis would detail the effects of any proposed burning on landbirds.</p> |

| Subject of Concern | Comment * | Forest Service Response |
|---------------------------|---|---|
| | <p>The Revised Text for alternatives 2 and 3 differ in unexplained ways.</p> | <p>Thank you for pointing this out. This is an unintended omission on our part. It was our intent that Alternative 3 text (p. 13), include the direction “Plan for tree canopy closure from large, dominant trees <i>or their replacements</i> and from fire tolerant or dependant species such as ponderosa pine, Douglas-fir and knobcone pine.” (italics added). If this alternative is selected, the revised Plan direction will include this correction.</p> |

* Italics and bold face copied directly from comment letter.