

**Decision Notice
and
Finding of No Significant Impact (FONSI)
Big Marsh Creek
And
Little Deschutes River
Wild and Scenic River Plans**

Introduction

Big Marsh Creek and the upper reaches of the Little Deschutes River are located approximately 60 miles south of Bend, Oregon, and approximately 12 to 14 miles southwest of Crescent, Oregon, in Klamath County. They both have headwaters in the high east slopes of the Cascade Mountains. (See Figure 1, vicinity map.) Big Marsh Creek runs into Crescent Creek, which eventually joins with the Little Deschutes River north of Crescent, Oregon. The entire Little Deschutes River runs approximately 92 miles from its headwaters to its confluence with the Deschutes River north of La Pine, Oregon.

The Omnibus Oregon Wild and Scenic Rivers Act of 1988 (P.L. 100-557) added portions of 40 Oregon rivers to the national Wild and Scenic River system. The following river segments are being addressed in this decision:

- Big Marsh Creek: The entire creek, 17.5 * miles in length from its headwaters to its confluence with Crescent Creek.
- Little Deschutes River: The upper 12 miles, from its headwaters to the Two Rivers North subdivision.

Designated rivers are classified as wild, scenic, or recreation, depending on the level of development and access present at the time of designation. Both of the rivers in this decision are classified as recreation rivers.

This decision amends the Deschutes National Forest Land and Resource Management Plan (Forest Plan) to incorporate these management direction changes.

Purpose of the Plan and Development Steps

The Deschutes National Forest is responsible for the administration of these river segments, and is mandated by the Wild and Scenic Rivers Act to complete comprehensive river management plans for each of these Wild and Scenic river segments. Each management plan

* The length of Big Marsh Creek noted in the 1988 Wild and Scenic River Act was 15 miles. During the plan development, stream miles were calculated from the most recent mapping data available in the Deschutes National Forest Geographic Information System (GIS). Therefore the more recent information was used.

provides for protection and enhancement of the river values and addresses site-specific issues related to the management of each river. The river management plans prescribe standards and guidelines to govern activities within river corridor boundaries to assure that these activities do not adversely affect river values. The plans also identify monitoring efforts that will insure that the river values are protected and enhanced now and into the future. Final corridor boundaries will also be identified.

The following planning steps have been used to develop the river management plans:

- Resource Assessments identified and evaluated river resources, and then determined the levels of significance of river-related resources. Outstandingly remarkable values (ORVs) were reaffirmed. This step was completed in 1991 following a regional protocol.
- An interdisciplinary planning team assessed the current condition of river-related values, and then compared the current condition with respective desired future conditions. Where the current conditions fell outside or trended away from the desired condition, standards and guidelines were included as part of the proposed action. During scoping on the proposed action, public comment was used to identify issues and concerns. This step was completed in 1999.
- Environmental analysis compared alternative management scenarios. This step is documented in an environmental assessment that provided public review and gathered public comment. This step was completed in January 2001.

Decision

Based on the analysis documented in the environmental assessment (EA), I have decided to implement Alternative 2 as described in the EA, which will apply the goals, objectives, standards and guidelines found in River Plan for each respective river. As a result of this decision, current use patterns within these river corridors will change little. However, as future use increases, the river plans provide a means of responding to expected growth so that river values can be protected, even as more people enjoy them each year. For instance, as recreational use increases the River Plans provide a means of monitoring impacts and responding once impacts reach certain levels.

Also as a result of this decision, the area within the Big Marsh River Corridor will increase from the interim amount of 4,615 acres to approximately 5,190 acres. Most of this increase occurs in the vicinity of the Marsh where extra protection was needed. In contrast, the area within the Little Deschutes River Corridor will decrease from 3,510 acres to 2,445 acres. The decrease occurs in the portions of the river running through the Mt. Thielsen Wilderness Area and the Oregon Cascades Recreation Area, where management requirements already provide for protection of river values.

As described in the EA, the current conditions found in the two wild and scenic river corridors are close to their desired condition. In many cases, protection measures are already in place for river values. Specifically, the Northwest Forest Plan's aquatic conservation strategy and the Inland Native Fish Strategy (INFISH) riparian habitat conservation strategy have provided strong guidance for river value protection. In addition, portions of Big Marsh Creek lie within late-successional reserves that offer focused control over any management activities in these areas.

Finally, current management direction found in the 1990 Deschutes National Forest Plan provides strong emphasis for protecting river values. This direction includes the wilderness management plan and the Oregon Cascades Recreation Area (OCRA) management plan. Given

current use levels, this current direction provides a good level of protection within those management areas.

With that current direction in mind, the planning process found that more specific direction was needed in certain areas to assure protection and enhancement of river values. An important consideration was planning for future use. Current use is generally light and low impact, while trends indicate future use will increase and cause greater impacts.

As a general strategy the plans place an emphasis on monitoring of trends through specific indicators, rather than imposing restrictions now. If monitoring indicates use patterns and impacts that exceed an acceptable level (as measured by specific indicators), use restrictions may be applied. I have chosen this alternative because it provides a means of dealing with future use without unduly restricting current use.

The River Plans and a Monitoring Plan are attached to the EA. Any changes in the Standards and Guidelines in the River Plans should be made following appropriate procedures for amending the Forest Plan. Changes to specific details found in the Monitoring Plan may be made as necessary to allow for the adoption of the best science and monitoring methods available. No Forest Plan amendment is necessary to update the Monitoring Plan.

Rationale for the Decision and Response to Planning Issues

Analysis revealed several points where additional direction and specific decisions are needed. The discussion on the following pages summarizes the most important additions in guidance, discussed in terms of the river Outstandingly Remarkable Values (ORVs) and the planning issues. For a complete list, please see the management plans for each river.

Big Marsh Creek

Protection of ORVs formed a basis for much of the analysis because values that have been identified as outstandingly remarkable must be protected and enhanced. For Big Marsh Creek, the ORVs are Scenery/Vegetation, Geologic, and Wildlife. The following discussion describes the ORV and explains how the river plan responds to the need to protect that value.

Scenery/Vegetation: *The unique combination of an extensive high-elevation marsh with diverse vegetation and landforms is found nowhere else within the geographic region. The pristine nature of the upper reaches of Big Marsh Creek and the marsh itself leave the viewer with examples of environmental features the way they existed prior to human influence. Current efforts to restore stream flows to the marsh will create more wet habitats as less water diverts to the perimeter ditches. The lower reach of Big Marsh Creek—from the Oregon Cascades Recreation Area (OCRA) boundary north—does not exhibit these same characteristics and so is more typical of other streams in the vicinity.*

- ✓ Currently the foreground areas along Big Marsh are managed for a visual quality objective of “Partial Retention,” which provides adequate protection for this value. However, to the east, two upland buttes are visible from the marsh. These buttes have been managed for a VQO of “Modification,” which allows for a considerable amount of change at one time. Because such change would impact the scenic values of Big Marsh, a shift in visual quality objectives for these areas has been included in the selected alternative so that these buttes, where visible from the marsh, will be managed for a VQO of partial retention.

- ✓ Efforts to maintain and enhance riparian and meadow habitats have been occurring since Big Marsh Creek came into federal ownership in the mid 1980s. However, a small portion of the lower stream is currently in a cattle allotment, which has caused impacts to the health of riparian habitats. This allotment is currently vacant and will be closed as part of this decision. In addition, lodgepole pine is encroaching into the marsh and adjacent riparian areas, and reed canary grass is a concern as an aggressive unwanted weed species. Much of the forest vegetation has been identified as being imminently susceptible to catastrophic loss from insects, disease, or wildfire. Because the Forest Plan's interim guidelines (MA 17) lack the specifics for maintaining the marsh's riparian vegetation, the management plan describes allowable practices that will deal with these situations. No direction included in the river plan overrides the direction found in the LSR Assessments for the two Late-Successional Reserves found in the corridor. Current recommendations for these LSRs is no treatment.

Geology: *The area of the stream course known as Big Marsh was formed as a lake that filled with sediment. This high-elevation marsh makes up part of a larger, glacially created complex including a steep headwater, a deep glacial valley, and the sediment-filled lake. The marsh is the only high-elevation marsh within the geographic region. It provides unique opportunities for students of geology and geomorphology to study important aspects of glacial activity. The portion of Big Marsh Creek north of the OCRA boundary does not exhibit these unique characteristics.*

- ✓ In order to assure that the marsh continues to serve as a prime example of a rare high-elevation ecosystem, the management plan includes restrictions on extraction of common variety minerals (e.g. sand and gravel) in the portion of the corridor where previous legislation has not already disallowed the practice. The OCRA is withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and geothermal leasing (LRMP 4-147 and Appendix 4 page 4-43). For the river segment outside the OCRA, mining of locatable minerals could be allowed under current law if appropriate protection measures can be implemented. The river plan has not proposed a withdrawal similar to the OCRA's because the low potential for minerals makes such an effort unnecessary to protect the river values.

Wildlife: *The diversity of species present in the corridor of Big Marsh Creek is important both regionally and locally. Habitat diversity along the length of the upper reaches of Big Marsh Creek (within the Oregon Cascades Recreation Area) is unique within the region. The marsh provides high quality habitat for a number of species that are not otherwise found in the region, including nesting habitat for shore birds and waterfowl. As the marsh returns to wetter conditions, it will provide increasingly diverse habitats for not only the waterfowl, but also riparian dependent species such as spotted frogs. The riparian areas along the creek south of the marsh (in the headwaters) provide excellent fawning and calving areas for deer and elk. The lower reaches of Big Marsh Creek—from the OCRA boundary north to the confluence with Crescent Creek—do not exhibit these same river related characteristics and is typical of other streams in the vicinity.*

- ✓ The wildlife within the upper Big Marsh Creek corridor exhibits a unique variety, with some species demonstrating a high sensitivity to human activity. The management plan provides specific monitoring and follow-up actions to provide further protection of

wildlife and habitat to ensure that future management actions and human activity do not degrade this important river-related resource.

Other Planning issues that were considered during the analysis include Fish Habitat, Recreation, Roads and Access, Water Quality/Quantity, Commercial Use, and Private Lands. The following discussion describes how the river plan responds to these issues.

- ✓ **Fish Habitat:** More than 90 percent of the fish inventoried in Big Marsh Creek are brook trout, which out-compete other species, including natives. Current conditions also demonstrate a lack of down wood in stream channels (upstream and downstream from the marsh). Standards and Guidelines from the Inland Native Fish Strategy (INFISH) as well as Northwest Forest Plan Standards and Guidelines provide adequate protection of the fisheries resource. In addition, cooperation with Federal, Tribal, and State fish management agencies is emphasized to identify and eliminate adverse effects on native fish associated with habitat manipulation, fish stocking, fish harvest, and poaching. Also the plan emphasizes information sharing and education about the importance of keeping large woody debris in the stream channel outside the marsh. The Marsh will always contain lower amounts of in-stream wood).
- ✓ **Recreation:** Dispersed recreation activities comprise a major use of the area. These include hunting, canoeing, and wildlife viewing. Access is limited in the upper segments of Big Marsh Creek (the portion in the OCRA). The management plan assumed an increase in the number of visitors and a greater demand for dispersed recreation opportunities. Consequently, the plan establishes consistent standards within the corridor, in particular strengthening the restrictions in the portion of the river between the OCRA and the private lands. The plan also includes a monitoring program to identify and correct the occurrence of impacts to the river-related resources as they are found.
- ✓ **Roads and Access:** The aim of a road system within the river corridor is to provide access to key portions of the marsh for visitor use and fire suppression. At the same time, this road system must minimize impacts of the roads and their use on river values. The plan does not propose any particular road closure, but does provide a numeric goal for road density (1 mile per square mile). In particular, an emphasis is placed on maintaining the west side of the marsh as less accessible, while the east side would be more accessible for motorized use. To protect vegetation and water quality, ATV use has been restricted to roads and designated trails in the corridor outside the OCRA (these limits already exist in the OCRA). However, winter motorized access by over-snow machines (snowmobiles) has not been restricted as part of the management plan because current information does not provide a basis for including such a restriction. Monitoring will be conducted to establish use patterns in the canyon so that if needed, appropriate restrictions could be applied to minimize impacts to key resources, such as water quality and wildlife habitat security.
- ✓ **Water Quality/Quantity:** Water quality is currently high and expected to remain high given the current direction. The management plan includes monitoring to assure the water quality remains high.
- ✓ **Commercial Uses:** Commercial timber harvest is allowed for forest health and fuel reduction purposes. The river plans would not permit commercial recreation uses, such as outfitter guides, although such uses could be permitted if a need for resource protection can be demonstrated and if guide services could provide needed protection

(e.g. guided entry into a sensitive area instead of unrestricted access). The plan closes the On/Off Grazing Allotment, thus eliminating commercial grazing on federal lands in the corridor. This allotment is currently vacant.

- ✓ **Private Land:** The lower 3.5 miles of Big Marsh Creek lie in private ownership. Any activities on these lands must follow Oregon land-use laws, Klamath County land-use ordinances, and other jurisdictions so that the river's free flowing character and water quality are maintained at current levels. Ideally, activities such as grazing, logging, or other agricultural practices allowed under the laws should be undertaken to reduce impacts to the riparian areas and to eliminate impacts to the stream banks. The management plan places an emphasis on collaborative partnerships that will allow and encourage the Forest Service to work with the landowners to improve stream conditions where possible.

Little Deschutes River

Protection of ORVs formed a basis for much of the analysis because values that have been identified as outstandingly remarkable must be protected and enhanced. For the Little Deschutes River, the ORVs are Scenery/Vegetation, Geologic, and Wildlife. The following discussion describes the ORV and explains how the river plan responds to the need to protect that value.

Scenery/Vegetation: *The Little Deschutes River provides a variety of views. The upper portion reveals a deep canyon with steep walls and impressive views of craggy rock outcrops. This same physical character and topography that limits views also focuses attention on the river's unique features, such as loop meanders, meander scars and oxbow channels. Limited evidence of human influence exists in the form of bridges, a stream monitoring station and wire fences. These features are limited and do not detract from the overall pristine quality of the river corridor.*

- ✓ Visual variety within the corridor is expressed primarily between age classes of trees. Evidence of human influence gradually decreases as one travels upstream past the Two Rivers North subdivision, through the Oregon Cascades Recreation Area (OCRA) and finally into the Wilderness headwaters. Because of the dominance of lodgepole pine along the flatter portions of the corridor, some latitude for vegetation management is needed in order to avoid the "tunnel effect" of a road in a thick stand. Small openings (less than 3 acres) are also allowed to enhance views from the road.
- ✓ The vegetation along the Little Deschutes River can be classified into three distinct zones:
 - **First is the riparian vegetation along the immediate banks of the stream and within the marshy areas between meander bends. In the riparian zone, cattle grazing has had an impact on vegetation. Cattle have not grazed within the allotment for more than three years, and so the riparian habitat is recovering. To provide future protection for the riparian vegetation, the allotment will be closed as part of this decision. Other impacts to riparian vegetation include off-road ATV use. Establishing use restrictions for ATVs along the length of the river corridor reduces this impact.**
 - **Second is the lodgepole pine flats adjacent to the riparian vegetation. Much of the forest along this terrace is in a condition that is imminently susceptible to loss by insects, disease and/or fire. Fire in these stands poses a threat to the riparian vegetation as well as the mixed conifer stands on the slopes above the terrace. Therefore, standards and guidelines have been included in the management plan that will allow for some treatments to occur**

(such as prescribed burning, thinning and group selection) if these treatments are justified in terms of reducing impacts to riparian and forest vegetation.

- **Third, on the canyon slopes, lodgepole gives way to species such as ponderosa pine, Douglas fir, and true fir. These stands are in high-density conditions that make them susceptible to insects and disease, and given the condition of the lodgepole forests below them, they are at an even higher risk of loss to fire. Management actions such as thinning and burning have been provided in the management plan in order to protect these stands, as long as such treatments are justified in terms of reducing impacts to forest vegetation.**

Geologic: *The Little Deschutes River's upper segment represents a classic glacial canyon with moraines and an outwash plain. The canyon is the longest and deepest found on the east flank of the Oregon Cascade Range. The Little Deschutes River drains this entire area and is an integral part of this remarkable glacial landscape. The river meanders across the canyon floor in a pattern unique when compared with other rivers in glacial canyons of the Oregon Cascades. The interaction of the present day erosion processes with pumice and ash from Mt. Mazama provides a unique opportunity for geomorphic studies.*

- ✓ As with the Big Marsh Creek corridor, in order to protect the unique geologic nature of the upper Little Deschutes River canyon, the management plan includes restrictions on extraction of common variety minerals (e.g. sand and gravel) in the portions of the corridor that are not already withdrawn from such practices. River segments in the OCRA are already withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to the mineral leasing and geothermal leasing (LRMP 4-147 and Appendix 4 page 4-43). For the river segment outside the OCRA (the Mt. Thielsen Wilderness to the south and the lands between OCRA and Two Rivers North), mining of locatable minerals could be allowed under current law if appropriate protection measures can be implemented. The river plan has not proposed a restriction on mineral development outside the OCRA because the low potential for minerals makes such an effort unnecessary to protect the river values (For the Mt. Thielsen Wilderness Area, this is discussed in the LRMP Appendix 4, page 4-17)

Other Planning issues that were considered during the analysis for the Little Deschutes River include Wildlife, Fish Habitat, Recreation, Roads and Access, Water Quality/Quantity, Commercial Use, and Adjacent Private Property. The following discussion describes how the river plan responds to these issues.

- ✓ **Wildlife:** The upper reaches of the canyon provide remoteness and solitude for species that require these undisturbed conditions. Maintaining a healthy riparian zone will result in high-quality habitat. Because of the closure of the grazing allotment, few conflicts remain between current uses and wildlife habitat. The exception to this is found in dispersed campsites located close to the water's edge, where stream bank stability is an issue. In order to reduce this impact, set backs have been included in the management plan. In the future, use is expected to increase and so conflicts may arise that are not evident now. Therefore, the management plan includes a monitoring program that will periodically review specific factors and if necessary, modify the activities that cause those factors to exceed acceptable limits.
- ✓ **Fish Habitat:** A combination of competition with non-native species and habitat conditions in the Little Deschutes River has resulted in the decrease in redband trout. Undercut banks provide important cover habitat and because of grazing in the past, these features have declined. With the closure of the grazing allotment, these conditions are expected to improve. Moreover, Standards and Guidelines from the Inland Native

Fish Strategy (INFISH) as well as the Northwest Forest Plan Standards and Guidelines will adequately protect the fisheries resource. In addition, cooperation with Federal, Tribal, and State fish management agencies is emphasized to identify and eliminate adverse effects on native fish associated with habitat manipulation, fish stocking, fish harvest, and poaching. Also emphasized are monitoring and assessments of how bank stability and cover have been restored passively since grazing has been discontinued.

- ✓ **Recreation:** The Little Deschutes River canyon provides diverse opportunities for hunting, fishing, and other dispersed recreation opportunities in a quiet setting. Considering the likely increase in visitors and an increased demand for dispersed recreation opportunities, the management plan provides guidance for future management actions and/or development. In particular, these standards restrict motorized off-trail use of ATVs outside the OCRA (which already has such a restriction), and requires dispersed campsites set back from the water's edge. The plan also incorporates a monitoring program to identify the occurrence of impacts to the river-related resources and specify actions that will be taken in the event that impacts exceed certain limits. One of these factors is the quality of the recreation experience.
- ✓ **Roads and Access:** The aim of a road system within the river corridor is to provide access to the canyon for visitor use and for fire suppression. This system must at the same time minimize impacts of roads and their use on river values. Currently, one open road on each side of the river provides this access. Many side roads have been closed or are scheduled to be closed based on previous project decisions. The river plan does not propose any particular road closure, but does provide a numeric goal for road density (2 miles per square mile). Achieving a road density lower than this is not desirable because given the topography of the canyon, reducing road density to less than that amount would mean closing off one of the remaining routes. The monitoring plan has included indicators for water quality such as the number of stream crossings and the road density within riparian reserves to provide a measure of impacts of roads to river resources. To protect vegetation and water quality, ATV use has been restricted to roads and designated trails in the corridor outside the OCRA (these limits already exist in the OCRA). However, winter motorized access by over-snow machines (snowmobiles) has not been restricted as part of the management plan because current information does not provide a basis for including such a restriction. Monitoring will be conducted to establish use patterns in the canyon so that if needed, appropriate restrictions could be applied to minimize impacts to key resources, such as water quality and wildlife habitat security.
- ✓ **Water Quality/Quantity:** The upper reaches of the Little Deschutes River lie in wilderness, with almost no human influence apparent on water quality or quantity. The exception is that fire suppression efforts and risk reduction downstream in the OCRA would serve to limit creation of large openings by fire. Downstream, water quality is protected by the riparian emphasis and a low development emphasis, coupled with riparian reserve standards and Aquatic Conservation Strategy Objectives. Closure of the grazing allotment, restrictions on ATV use, and camping setbacks will result in a long-term benefit to water quality. The management plan includes monitoring to assure the water quality remains at current levels.
- ✓ **Commercial Uses:** Commercial timber harvest is allowed for forest health and fuel reduction purposes. The river plans would not permit commercial recreation uses, such

as outfitter guides, although such uses could be permitted if a need for resource protection can be demonstrated. The plan closes the Little Deschutes Grazing Allotment, thus eliminating commercial grazing in the corridor. This allotment is currently vacant.

- ✓ **Adjacent Private Property:** The Two Rivers North subdivision lies adjacent to the Wild and Scenic River portion of the Little Deschutes River and so no direct ties exist between management of private lands and management of the river corridor. Some indirect connections have been considered. For example, the management plan limits the use of vector control agents within the river corridor. Since the corridor is adjacent and just upstream from the private land, such a restriction will limit the effectiveness of any control program. On the other hand, reducing the subdivision's vulnerability to fire was an important issue to resolve within the corridor, assuring that fires can be effectively and safely suppressed whether they are going into these lands or coming out of them. Another concern raised during planning focused on the potential impact of the main access road that runs through the subdivision. As more people come to the Wild and Scenic River, more road use will require more maintenance to maintain current conditions. The management plan does not address this concern directly because the road provides access to a large area outside the river corridors, and so the issue is broader than can be resolved in any particular management strategy for the Little Deschutes River. However, monitoring of use within the corridors can provide the basis for modifying road maintenance agreements if impacts to the road are demonstrated to be tied to increased recreational use.

Alternatives Considered

Two alternatives were considered in detail, and several other alternatives were reviewed but not analyzed in detail. The two alternatives analyzed in detail include:

- ◆ **No Action** uses existing direction from the Forest Plan and other higher level guidance to maintain and enhance the river values.
- ◆ **Alternative 2** uses existing direction as the baseline, and then adds guidelines to assure achievement of desired conditions, while protecting river values.

Alternative 1 was not selected because it would not provide the needed guidance to fully protect and enhance river values, although current direction does cover a number of areas of concern.

Within the range of alternatives considered was an alternative that would have eliminated all vegetation management within the river corridors and an alternative that would allow only non-commercial vegetation management. Eliminating vegetation management or limiting it to non-commercial tools would not meet the long-term protection needs for the corridors because fuel reduction would either be forbidden outright or prohibitively expensive. Therefore these alternatives were not studied in detail.

Another alternative considered would eliminate motorized use from the river corridors. This alternative was not considered in detail because it could not be supported with current use and impact information, even though this issue was a concern. Use restrictions have been incorporated into the river plan, as a means of reaching plan goals, but only if monitoring of future use patterns and impacts of use indicate the need.

Other alternatives were considered that would have required seeking authority outside the Forest Service's control to implement. These include an alternative that would have extended the corridor boundary beyond the limit found in the legislation (320 acres pre river mile), and an alternative that would have been more aggressive about eliminating locatable mineral mining from the corridors. These alternatives were not pursued because of the large amount of additional time and resources to implement without providing an appreciable gain in river protection. A further discussion of the rationale for eliminating alternatives is found in the EA, pages 14 and 15.

Public Involvement

Public involvement for these river plans began in 1990 with the development of the Resource Assessments for each river. These assessments reviewed and confirmed the river values that would serve as the basis for the management plan development stage. Scoping for the management plans began with the issuing of the proposed action in September 1999. Copies of a document called the Proposed Action and maps were sent to more than 130 interested people and organizations, including known property owners along the lower reach of Big Marsh Creek. Notice of the Proposed Action availability was mailed to more than 180 interested people and organizations.

The primary concerns raised by the public during scoping were related to road closures and potential decline in public access. Also, the Two Rivers North subdivision raised a concern with increased traffic through their residential area, resulting in increased road maintenance costs.

The Environmental Assessment was completed in February 2000 and subsequently mailed to more than 50 interested/affected parties. The initial 30-day comment period lasted from February 16 to March 16, 2000, and after a request from several potential commenters, this period was extended to April 14, 2000. Approximately 33 comment letters or phone calls were received, providing more than 110 comments on topics such as the following:

- ◆ Comments expressed suggestions or concerns on alternative details.
- ◆ Comments expressed concerns with specific factors of the analysis.
- ◆ Comments offered an alternative preference.
- ◆ Comments questioned the purpose of the plans.
- ◆ Comments expressed a concern with the draft plan provisions regarding snowmobile use.

Comments received on the Environmental Assessment were used to clarify and strengthen the analysis and provide more clear direction in the management plans. For example, one of the changes between the draft and final EA appears in the sections regarding motorized recreation. Many comments noted that by lumping all motorized use in the draft EA, ATVs and over-snow vehicles were treated similarly when in fact their impacts are different. After clarifying this point in the EA, the restrictions to over-snow travel were removed from the final plan. Instead, a monitoring element was added to the Monitoring Plan that will provide information on winter use patterns. Restrictions on motorized winter-use will be imposed only after monitoring establishes an effect that triggers their need (see the Roads and Access discussion above on pages 5, 7 and 8).

A complete description of the comments and responses to those comments is located in Appendix G of the EA.

Finding of No Significant Impact

I have determined that implementing Alternative 2 is not a major Federal action that would significantly affect the quality of the human environment; therefore an Environmental Impact Statement will not be prepared. This determination is based on the site-specific environmental analysis documented in the Environmental Assessment and supporting documents (e.g. the biological evaluations), which describe direct, indirect and cumulative impacts of this decision. This determination is also made with consideration of past, present, and reasonably foreseeable future actions on National Forest land and other ownership's within potentially affected areas, which could have a cumulatively significant effect on the quality of the human environment.

I have found the context of the environmental impact of this decision is limited to the local area and is not significant. I have also determined the severity of these impacts is not significant, considering the following factors of intensity:

- ◆ The analysis considered both beneficial and adverse effects (EA Chapter 3 pp. 22-34).
- ◆ There are no known adverse impacts to public safety outside of those displayed in the FEIS for the 1990 Deschutes National Forest Land and Resource Management Plan, the 1994 Northwest Forest, and the Inland Native Fish Strategy (INFISH).
- ◆ No unique characteristics of the geographic area such as cultural resources and wetlands will be adversely affected. (EA Chapter 3, pp. 32, 33, 34).
- ◆ The effects on the quality of the human environment are not likely to be highly controversial (EA Chapter 3, pp. 22-34).
- ◆ The degree of possible effects on the human environment are not highly uncertain, nor are there unique or unknown risks involved. (EA Chapter 3, pp. 22-34).
- ◆ The changes in programmatic direction do not set a precedent for future actions that may have significant effects, nor do these actions represent a decision in principle about a future consideration. (EA Chapter 3, pp. 22-34)
- ◆ The changes in programmatic direction are not related to other actions that, when combined, will have significant impacts. (EA Chapter 3, pp. 22-34)
- ◆ The changes in programmatic direction will have no impact to historic and prehistoric properties. No ground disturbance is authorized by this programmatic decision and standards and guidelines regarding protection of cultural resources are consistent with the current direction of protection of historic and prehistoric properties and sites. This current direction prescribes the necessary procedures to follow for reviewing site-specific actions. This decision does not change that direction. (EA Chapter 3, page 32-33).
- ◆ As described in the Environmental Assessment and Biological Evaluation, this decision does not authorize any specific management activity that could impact a plant or animal species listed as threatened or endangered. (EA Chapter 3, pp. 25-26, 29; BE pp. 2, 6-12).
- ◆ None of the changes in management direction included in this decision threatens a violation of the Federal, State, or local law, or requirements imposed for the protection of the environment (EA Chapter 3, pp. 22-34)

Forest Plan Amendment

This decision establishes a river plan for Big Marsh Creek and a river plan for the Wild and Scenic segment of the Little Deschutes River. This decision amends the Deschutes National

Forest Land and Resource Management Plan (1990 LRMP) to create two new management areas. The management plans will continue all current management direction and forest-wide standards and guidelines except where these are specifically amended by the river plans. The management plans also continue current direction contained in the Record of Decision for the Northwest Forest Plan (1994 NWFP), as well as the direction of the Regional Forester's Forest Plan Amendment No. 2 ("Eastside Screens") and the Inland Native Fish Strategy (1995).

If the river plans do not speak to a particular issue, the river corridor will be managed in accordance with applicable laws, rules and regulations pertaining to the National Forest System and the Deschutes National Forest, the State of Oregon, Klamath County to the extent that such laws and rules are consistent with the Wild and Scenic Rivers Act.

The Deschutes National Forest Land and Resource Management Plan (LRMP) identifies Big Marsh Creek and portions of the Little Deschutes as Wild and Scenic River, Management Area 17. This decision amends the Forest Plan to provide more specific direction for managing these rivers. Specifically, this decision amends the plan as follows:

- ◆ Establish a new management area for the Wild and Scenic segment of the Little Deschutes River. Establish a new management area for Big Marsh Creek,
- ◆ Eliminate these river segments from their current designation as a generic Wild and Scenic River designation (MA 17). Standards and Guidelines from MA 17 that remain relevant and that are not superceded by specific standards in the management plans are incorporated into those plans.
- ◆ Establish standards and guidelines within the respective river corridors that will complement current direction found in the Deschutes NF Land and Resource Management Plan (MA 14 and MA 17), the Northwest Forest Plan (including the Aquatic Conservation Strategy), INFISH, and the Big Marsh Late Successional Reserve Assessment, as well as other direction.
- ◆ This amendment also establishes legal boundaries for the new management area corridors. Refer to Figure-2 and Figure 3.
- ◆ Change the visual quality objective for approximately 1,220 acres on the west slopes of Beales Butte and Chinquapin Butte from Modification to Partial Retention. This decision also amends the plan to clarify that future planning efforts should use the Scenic Management System, when considering scenic resources.

I find that this amendment is non-significant as defined by 36 CFR 219.10(f) because this amendment will not significantly change the forest-wide impacts disclosed in the 1990 FEIS in the Deschutes National Forest Land and Resource Management Plan, nor will the amendment appreciably alter the goals, objectives or outputs established in the LRMP. Changes in corridor boundaries have changed acres in various management areas, but in most of these areas no programmed harvest component existed before this amendment.

For example, along the Little Deschutes River, 1,645 acres in the interim wild and scenic river corridor will instead be managed as OCRA and Wilderness. Similarly along Big Marsh Creek, 1,110 acres currently in OCRA and Old Growth management areas will be included within the river corridor. No programmed harvest occurs in any of these management areas.

Some impact will occur to programmed harvest because on the northern portion of Big Marsh Creek, 155 acres currently managed as General Forest would be included within the corridor, which does change this area from having a programmed timber harvest to no longer having such a programmed harvest. Similarly, on the northern portion of the Little Deschutes, 580 acres of General Forest would be managed as Wild And Scenic River. This change of 735 acres in area available for programmed harvest is not significant when compared with the amount of General Forest across the Forest.

In addition, the change in the Visual Quality Objective on Beales Butte and Chinquapin Butte will affect 1,220 acres. This does not eliminate programmed harvest from the General Forest Management Area on these buttes. The change to partial retention VQO places restrictions on regeneration harvest methods and logging methods that could be visible from Big Marsh. The added protection of the partial retention VQO is not expected to change the availability of these acres for appropriate thinning treatments.

Along Big Marsh Creek, 600 acres of private lands within the interim corridor will no longer be within the final corridor boundary, which will have no impact on forest output of goods and services.

Other Findings

Except as described above under the Amendment portion of this decision notice, the selected alternative is consistent with the management direction, standards, and guidelines in the Deschutes Forest Plan (1990) as amended by the Northwest Forest Plan (1994), including the requirements for survey and manage species. This forest plan amendment falls within the transition provision of the latest National Forest System Land Resource Management Planning regulations (Nov. 9, 2000 64 FR 67579; 219.35(b)), which means this amendment may be completed following provisions of the 1982 regulations.

Implementation Date

The standards and guidelines and other portions of the management plan (such as monitoring) will be in effect immediately after the completion of the administrative review process.

Administrative Review

This decision is subject to administrative review (appeal) pursuant to 36 CFR 217. Because this decision constitutes a non-significant amendment to the Deschutes National Forest Plan, a written notice of appeal must be filed with the Reviewing Officer within 45 days of the date legal notice of this decision appears in the Bulletin (Bend Oregon). The notice of appeal must contain sufficient narrative evidence and argument to show why the decision should be changed or reversed, and it must contain the content specified in 36 CFR 217.9(b).

For a period not to exceed 20 days following the filing of a first level Notice of Appeal, the Reviewing Officer (Regional Forester) shall accept requests to intervene in the appeal from any interested or potentially affected person or organization (36 CFR 217.14(a)).

File the notice of appeal with:

Harv Forsgren
Regional Forester/USDA Forest Service
PO Box 3623
Portland OR 97208
Attention: 1570 Appeals

For information contact:

Phil Cruz
Crescent District Ranger
P.O. Box 208
Crescent, OR 97733

Phone: (503) 433-2234

Responsible Official: /s/ Leslie A. C. Weldon
LESLIE A.C. WELDON
Forest Supervisor
Deschutes National Forest

April 4, 2001
Date