

## **Decision Memo**

### **Deschutes River Aspen Enhancement Project**

**USDA Forest Service**

**Bend-Ft. Rock Ranger District, Deschutes National Forest**

**Deschutes County, Oregon**

**T 19 S. R 11 E. Sections 8 & 9**

#### **DECISION TO BE IMPLEMENTED**

##### **Description of Decision**

I have decided to improve habitat conditions for aspen in two stands totaling approximately 68 acres adjacent to the Deschutes River. These improvements will be accomplished by cutting encroaching conifers up to and including 12 inches diameter breast height (dbh). All activities would be accomplished using hand tools; no heavy equipment would be used.

In both stands, trees 12 inches dbh and smaller would be felled. Trees would be felled away from aspen regeneration, seedlings, and saplings. Created slash would be pulled back from existing aspen. Slash would be lopped. In the larger treatment unit located to the east and north of the river, there would be no further slash treatment.

In the smaller treatment unit located to the west and south of the river, slash would be piled and the piles burned. Some piles may be retained to provide additional habitat for wildlife. Existing downed woody material in excess of quantities necessary to meet current management requirements and direction would also be piled and burned to further reduce post-treatment fuel loadings.

My decision includes the following elements to reduce or minimize unwanted effects:

- Cutting of encroaching conifers may occur through known and unknown cultural, historic, and archeological sites. Slash, if piled, will not be piled or burned on any known sites.
- Treatment units will be monitored by district archeological staff during and following completion of treatment activities.
- To reduce the risk of introducing or transporting noxious weeds or other invasive species, all equipment used in conducting operations will be washed prior to moving onto and after leaving the site. Parking of vehicles will be limited to recognized sites to prevent encountering and spreading bull thistle or spotted knapweed into either the meadow or upland areas.
- Created slash will not be placed on or adjacent to existing aspen trees or seedlings. If piling is necessary to reduce fuel loadings and/or to maintain or improve wildlife movement, piles will not be located adjacent to or on any existing aspen trees or seedlings.
- Prior to initiation of management activities, the area would be surveyed for the presence of active raptor nests including hawks and eagles. If active nests are found within ¼ mile of any treatment unit, a January 1<sup>st</sup> to August 31<sup>st</sup> seasonal restriction would be imposed. Seasonal restrictions may also be imposed if other active raptor nests are found prior to or during project activities.
- To protect public safety, the Deschutes River Trail, Trail 2.1, which runs along the western edge of the smaller unit on the west side of the Deschutes River, would be signed when that unit is

being treated. This segment of trail may be closed to public use during periods when tree falling occurs.

- Any trees felled on or across the Deschutes River Trail will be immediately removed. All slash will also be immediately removed. All created slash will be pulled back from the trail for a distance of 50 feet. No slash would be piled within 50 feet of the trail.

### **Location**

The project area is located approximately 6 air miles southwest of the city of Bend, OR (Figure 1) in Township 19 South Range 11 East sections 8 and 9, Willamette Meridian. One stand, approximately 10 acres in size, is located on the southwest side of the Deschutes River. The second stand, approximately 58 acres in size, is located east and north of the river and north of the first stand (Figure 2).

The entire project area is located in Segment 4B of the Upper Deschutes River Wild and Scenic River and State Scenic Waterway corridor. It is also located within the boundaries of the Ryan Ranch Key Elk area as described in the Deschutes National Forest *Land and Resource Management Plan* (1990) (LRMP). The larger stand is also located in the River Zone area within the boundaries of the Newberry National Volcanic Monument.

### **Purpose and Need for Action**

The purpose of this project is to enhance the quality and availability of habitat for species that utilize aspen habitats (Figure 3).

Aspen habitats are declining across the western U.S. and are relatively rare on the Deschutes National Forest. These habitats provide important calving habitat for elk, support a rich diversity of bird species, and provide food for beaver. Encroaching conifers reduce aspen regeneration and survival thereby resulting in the gradual conversion of those sites to conifer forest and the subsequent loss of valuable habitats (Figure 4).

### **Reasons for Categorically Excluding the Decision**

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the Chief or the Forest Service in Forest Service Handbook (FSH) 1909.31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

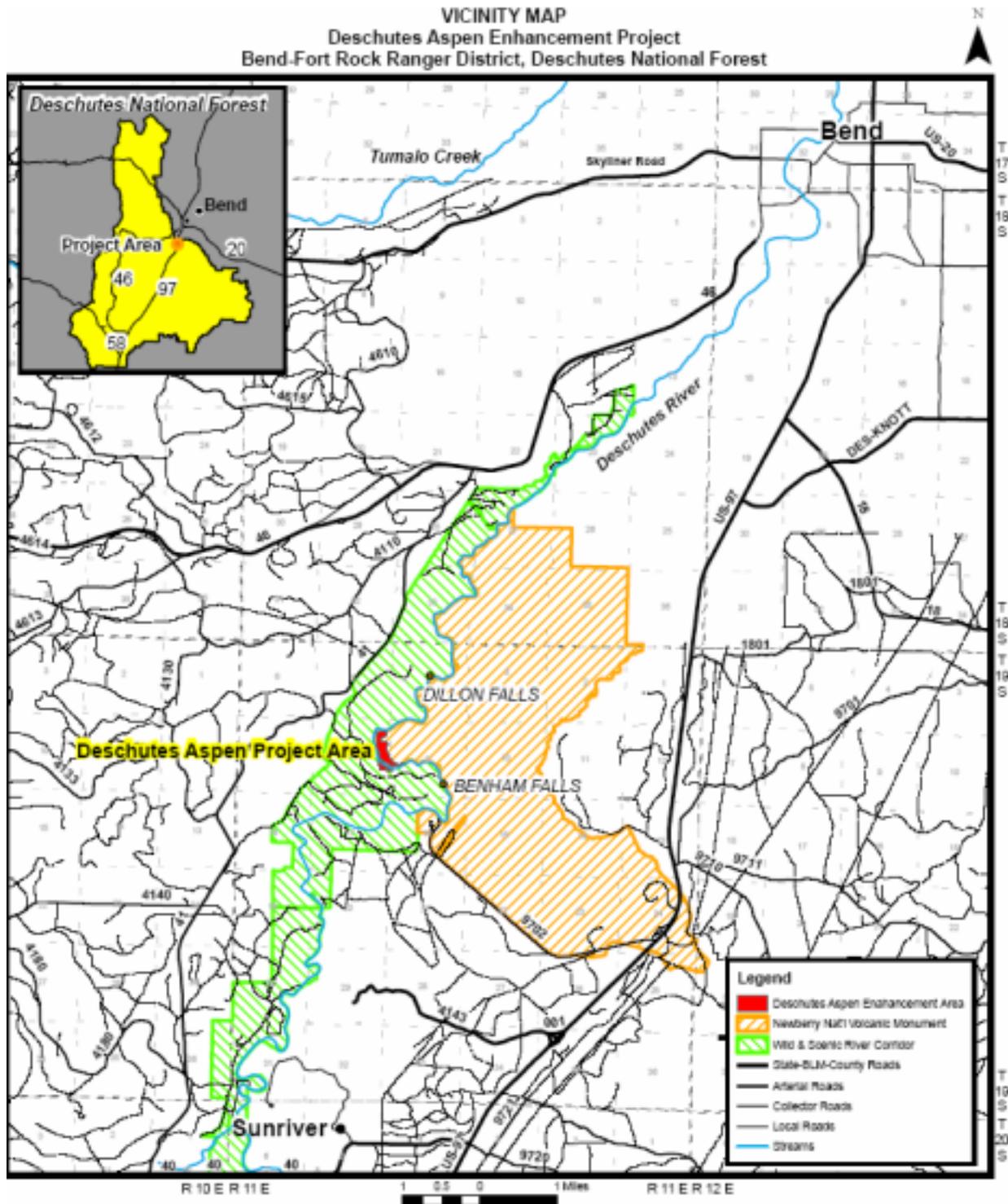
### **Category of Exclusion**

The appropriate category of exclusion is found in the Forest Service Handbook 1909.15 Section 31.2 Category 6. This category allows timber stand improvement or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than 1 mile of low standard road construction.

### **Relationship to Extraordinary Circumstances**

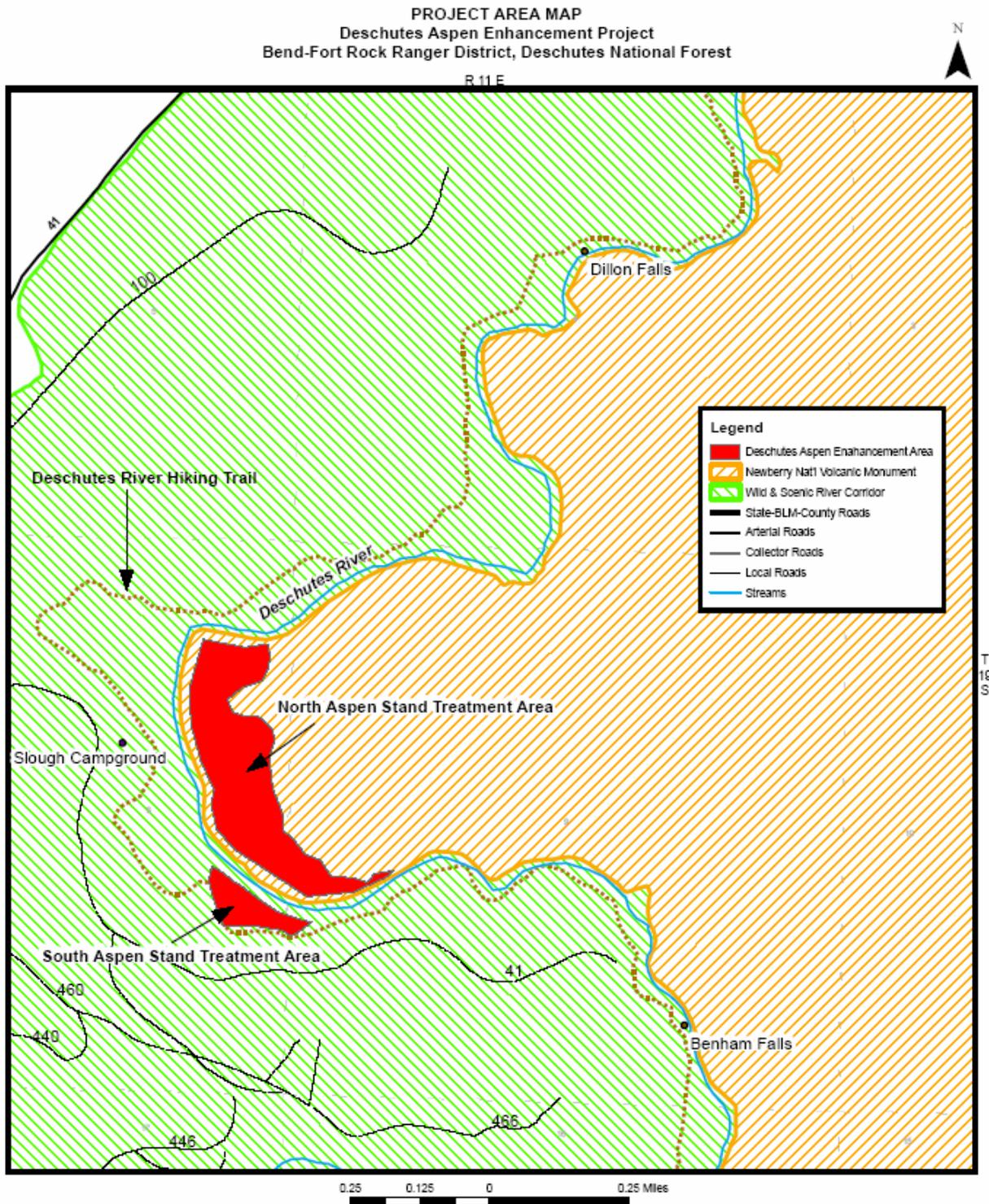
In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the resource conditions identified in FSH 1909.15 Section 30.3(2) must be made. The following is the list of the potential effects to the resource conditions from the project activities.

Figure 1 Vicinity Map - Deschutes River Aspen Enhancement Project, Bend-Fort Rock Ranger District, Deschutes National Forest.



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Figure 2 Project Area Map, Deschutes River Aspen Enhancement Project.



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**Figure 3 Large Aspen Stand North and East of the Deschutes River, Deschutes Aspen Enhancement Project.**



**Figure 4 Aspen Regeneration beneath Mixed Conifer/Aspen Overstory, Deschutes Aspen Enhancement Project.**



1. *Federally listed threatened or endangered species or designated habitat or species proposed for federal listing or proposed critical habitat and Forest Service Sensitive Species.*

No federally listed threatened or endangered or Forest Service sensitive plant species or habitats are located within or adjacent to the proposed treatment units (Botany BE).

No federally listed threatened or endangered wildlife species or habitats are located within or adjacent to the proposed treatment units (Wildlife BE).

There is no Essential Fish Habitat or critical habitat for any fish species within or near the project area. The nearest listed fish species population is bull trout located over 50 miles downriver near Lake Billy Chinook. This project would have no effect on either Essential Fish Habitat or critical habitat (Aquatic BE).

The redband trout is the only aquatic species listed on the Region 6 Regional Forester's Sensitive Species List with the project area. Historically, redband inhabited the entire Upper Deschutes River system. Habitat for this species exists within or adjacent to the project area. This project would have no effect on this species or its habitat as water quality and associated fish habitat is maintained. No trees would be cut adjacent to the Deschutes River and would therefore have no effect on shade levels and therefore no effect on water temperature. Proposed treatments would not result in an increase in turbidity and sedimentation (Aquatic BE).

The project as proposed, with appropriate design criteria and mitigation measures, would have no measurable direct, indirect, or cumulative effects on any Forest Service sensitive or LRMP management indicator species or their habitats. The Wildlife Report, Wildlife Biological Evaluation, and project file, contains an analysis of the proposed actions on sensitive and management indicator species and their habitats.

2. *Flood plains, wetlands, or municipal watersheds*

Neither treatment unit is located within an identified floodplain. No adverse impacts associated with proposed treatments have been identified (Aquatic BE).

Municipal Watersheds – There are no municipal watersheds within or adjacent to the project area

3. *Congressionally designated areas such as wilderness, wild and scenic rivers, and national recreation areas.*

All proposed treatment areas are located within the boundaries of the Upper Deschutes Wild and Scenic River corridor. The larger stand, located on the east and north side of the river, is also located within the boundaries of the Newberry National Volcanic Monument. Proposed actions, including design criteria and mitigation measures, are in compliance with the standards and guidelines of the Deschutes National Forest LRMP, the ***Upper Deschutes Wild and Scenic River and State Waterway Comprehensive Management Plan*** (River Plan) and the ***Newberry National Volcanic Monument Comprehensive Management Plan*** (Monument Plan).

The project area is not located within or adjacent to any wilderness or national recreation areas.

4. *Inventoried roadless areas* - There are no inventoried roadless areas in the project area.

5. *Research Natural Areas* – There are no existing or proposed Research Natural Areas in the project area.

6. *American Indian and Alaska Native religious or cultural sites, archaeological sites, or historic properties of areas* - Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. A 'no properties affected' determination was made based on the implementation of design criteria and mitigation measures to avoid or prevent damage to known and unknown sites and post-treatment

monitoring. Consultation has occurred under the Programmatic Agreement with the State Historic Preservation Office (SHPO).

### **Other Findings Required by Law or Regulation**

**Water Quality** - The Deschutes River is listed by the Oregon Department of Environmental Quality (DEQ) as a water quality impaired or 303(d) listed river. Within the project area, the river parameters for which the Deschutes is listed include the following:

- ⇒ Chlorophyll a in summer;
- ⇒ temperature year-round (non-spawning);
- ⇒ dissolved oxygen year-round;
- ⇒ turbidity spring and summer; and
- ⇒ sedimentation (undefined season).

Current management direction is that management activities will not result in further degradation of these parameters. The project as proposed would not result in further degradation in any of the listed parameters and is in compliance with the Clean Water Act (Aquatic BE).

### **Forest Plan Compliance**

Proposed actions, including design criteria and mitigation measures, are in compliance with standards and guidelines in the Deschutes National Forest LRMP, the River Plan, and the Monument Plan.

**Soil Impacts** – There are no identified detrimental soil impacts associated with this project. No ground disturbing equipment would be used. Activities meet LRMP and regional standards and guidelines for soil productivity (Soils Report).

**Invasive species** – The proposed action, including design criteria and mitigation measures, complies with current forest and regional direction regarding the introduction, control, and spread of invasive species, including noxious weeds (Noxious Weed Report).

There are two identified invasive species located adjacent to the project area; spotted knapweed and bull thistle, both noxious weeds. Neither species is located in either of the treatment areas.

Limiting vehicle parking to designated sites and pulling the bull thistle and knapweed prior to other operations would limit the risk of spreading those species into new sites or the project area. Washing vehicles and equipment prior entering the site and after leaving but before going to new sites/projects would also reduce the risk of introducing and spreading these species to new sites.

**Visual Quality** - Proposed treatments within the Deschutes Wild and Scenic River Corridor and the Newberry National Volcanic Monument will meet the objective of retention under each plan. Proposed treatments are intended to maintain and enhance existing native vegetation.

**Wildlife** – The proposed action is in compliance with the standards and guidelines for wildlife under all three management plans (LRMP, River Plan, and Monument Plan) (Wildlife Report).

No existing snags would be cut or removed (WL-38). No coarse woody debris would be removed or lost (WL-72).

Seasonal restrictions and habitat protection measures have been identified to protect raptor nests and nesting habitat where and if active nest sites are identified (WL-17, WL-25, WL-31, and Eastside Screens).

The small size of the units proposed for the removal of encroaching conifers would result in no measurable change in existing levels of hiding or thermal cover. Some temporary reduction in hiding

cover levels are expected but recovery would be rapid due to increasing growth of residual stems and existing seedling and sapling aspen.

***Eastside Screens*** – The proposed project is compatible with Eastside Screens. No commercial harvest is proposed. No late and old structure forest would be treated. The maximum diameter of trees to be cut is 12 inches dbh (Wildlife Report).

***Inland Native Fish Strategy (INFISH)*** – Proposed actions have been determined to not retard or prevent the attainment of Riparian Management Objectives.

According to INFISH, management activities within RHCAs are intended to achieve Riparian Management Objectives (RMOs) that are described by habitat features that indicated “good” watershed health and inland native fish habitat. Habitat features appropriate to this project area include pool frequency, water temperature, large woody debris, and width/depth ratio. Treatment units are not located in any areas that would affect any habitat features; therefore proposed actions would not prevent attainment of RMOs.

RHCAs have been identified adjacent to the Deschutes River (Category 1 site). Prescribed treatments within RHCA areas associated with the Deschutes River has been determined to have either a neutral or beneficial effect and, with mitigation measures, design criteria, and standards and guidelines, do not retard or prevent the attainment of riparian management objectives. There would be no reduction in shade or recruitment of large woody debris. No increases in stream temperatures would occur. Treatments are limited on a watershed scale, and not likely to result in measurable benefits to these RMOs (Aquatic BE).

Cutting of encroaching conifers in riparian areas would be permitted; slash materials would remain on site. Slash in the large unit east and north of the river would be lopped but not piled or burned. Slash in the smaller unit would be piled and burned.

***River Plan*** - The River Plan designates the following river values as being Outstandingly Remarkable for the project area:

- Geological;
- Fishery;
- Vegetation;
- Cultural;
- Wildlife;
- Scenery; and
- Recreation.

Additionally it identifies the hydrologic values as being significant.

The project with the proposed mitigation and design elements would maintain the values identified in the River Plan (Aquatic BE). It would do so by:

- 1) maintaining rare but key communities (aspen) by improving community health and vigor by reducing encroaching conifers;
- 2) restoring native vegetation by removing encroaching conifers; and
- 3) maintaining water quality by avoiding soil disturbance.

Attaining these objectives also help to meet the goals and objectives identified in the Monument Plan.

## **Conclusion**

My conclusion is based on a review of the record that shows a thorough review of the relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or

unavailable information, scientific uncertainty, and risk. Based on the conclusions regarding the effect to the resource conditions listed above, I have found that no extraordinary circumstances exist with the proposed project activities that may result in a significant direct, indirect, or cumulative effect on the quality of the human environment.

#### **PUBLIC INVOLVEMENT**

The proposed action was developed in coordination with the Oregon Department of Fish and Wildlife.

An initial scoping letter with a proposed action for the Ryan Ranch Meadow/Aspen/Willow Enhancement Project CE was mailed to 105 individuals, groups and agencies and notification of this proposal e-mailed to an additional 15 individuals, groups, and agencies on November 21, 2007. No responses were received.

The legal notice announcing the 30-day comment period for this project was published in *The Bulletin* of Bend, Oregon on Wednesday, June 18, 2008. The comment period ended on Friday July 18, 2008. One individual commented by telephone and did not object to the project.

#### **FINDINGS REQUIRED BY OTHER LAWS**

This decision is consistent with the Deschutes National Forest *Land and Resource Management Plan* (LRMP) (1990) and its accompanying Final Environmental Impact Statement as amended the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales (Eastside Screens). The LRMP has also been amended by the Inland Native Fish Strategy (INFISH), which provides standards and guidelines for protection of watersheds and riparian habitat conservation areas (RHCAs). Proposed actions have been determined to have either no adverse or to have positive effects on riparian management objectives and resources. The project was designed in conformance with both LRMP and River Plan standards and guidelines. It incorporates appropriate forest-wide standards and guidelines relevant to Key Elk Management Areas from the LRMP.

This decision is also consistent with the *Upper Deschutes Wild and Scenic River and State Scenic Waterway Comprehensive Management Plan* (1995) and the *Newberry National Volcanic Monument Comprehensive Management Plan* (1994). It incorporates appropriate standards and guidelines from both plans including those relevant to segment 4B of the River Plan and the River Zone area of the Monument Plan.

#### **IMPLEMENTATION, ADMINISTRATIVE APPEAL AND REVIEW**

This decision is not subject to appeal pursuant to 36 CFR 215.12(1). Actions for which notice and opportunity to comment have been published and on which all comments received during the comment period were in favor, and on which the Responsible Official's decision does not modify the proposed action; and decision for actions that have been categorically excluded from documentation in an environmental assessment or environmental impact statement in FSH 1909.15, Section 31.1 and 31.2, except as noted in 215.7(b). The proposed actions of the project have not been changed since the preliminary Decision Memo comment period. This decision may be implemented immediately.

## CONTACT PERSONS

For additional information concerning this decision, contact either James Lowrie (Project Leader) by telephone at 541-383-4713 or by e-mail at [jlowrie@fs.fed.us](mailto:jlowrie@fs.fed.us) or John R. Davis, writer/editor by phone at 541-383-4714 or by e-mail at [jrdavis@fs.fed.us](mailto:jrdavis@fs.fed.us).

/s/ Bob Deane \_\_\_\_\_

9/4/2008 \_\_\_\_\_

Bob Deane

DATE

Acting District Ranger

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