DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT

for the

Launch Integrated Fuels and Vegetation Management Project

and

Forest Plan Amendment #30

USDA Forest Service - Pacific Northwest Region
Fremont-Winema National Forests
Paisley Ranger District
Lake County, Oregon

SUMMARY
I have decided to implement approximately 5,521 acres of vegetative treatments, including 4,610 of commercial timber harvest from Alternative 2, in the Launch Integrated Fuels and Vegetation Management Project Environmental Assessment**.** The project will sometimes be referred to as the "Launch Project" in this document. The selected actions will be referred to as "**Modified Alternative 2.**" The modification is to use the 15% retention clump strategy that was a feature of Alternative 3, rather than the 10% strategy that is a part of Alternative 2. The Healthy Forest Restoration Act of 2003 provided the direction under which the project proposal was developed.

My decision authorizes actions designed to protect stands from further incidence of insects and disease and increase the resiliency of the area to withstand severe, uncharacteristic fires. The Launch Project is also designed to provide sufficient wildlife habitat for a wide diversity of species, improve vegetative diversity, and provide forest products. A site-specific Forest Plan amendment concerning mule deer habitat on winter range and permitting the harvest of green trees greater than 20.9 inches dbh, under certain conditions, is included in my decision.

This document presents the decision and reasons for the decision regarding which alternative from the Launch EA will be implemented. In this decision document, the planning process, documented in the EA and the project planning record, will be summarized as needed to provide adequate context for fully describing the decision.

INTRODUCTION
The planning area is comprised of approximately 9,500 acres in the Summer Lake Watershed on the Paisley Ranger District, Fremont-Winema National Forests, Lake County, Oregon, including approximately 9,100 acres of National Forest System lands and 400 acres of private lands. The area is centered about 7 miles west of Paisley, Oregon. The legal description is T 33 S, R 16 E, Sections 12-14 and 23-25; and T 33 S, R 17 E, Sections 17-30 and 33-35; and T 33 S, R 18 E, Section 30. See Figures 1 through 3 of this Decision Notice. An interdisciplinary team has completed an Environmental Assessment (EA) for this project.

Figure 1: Vicinity Map

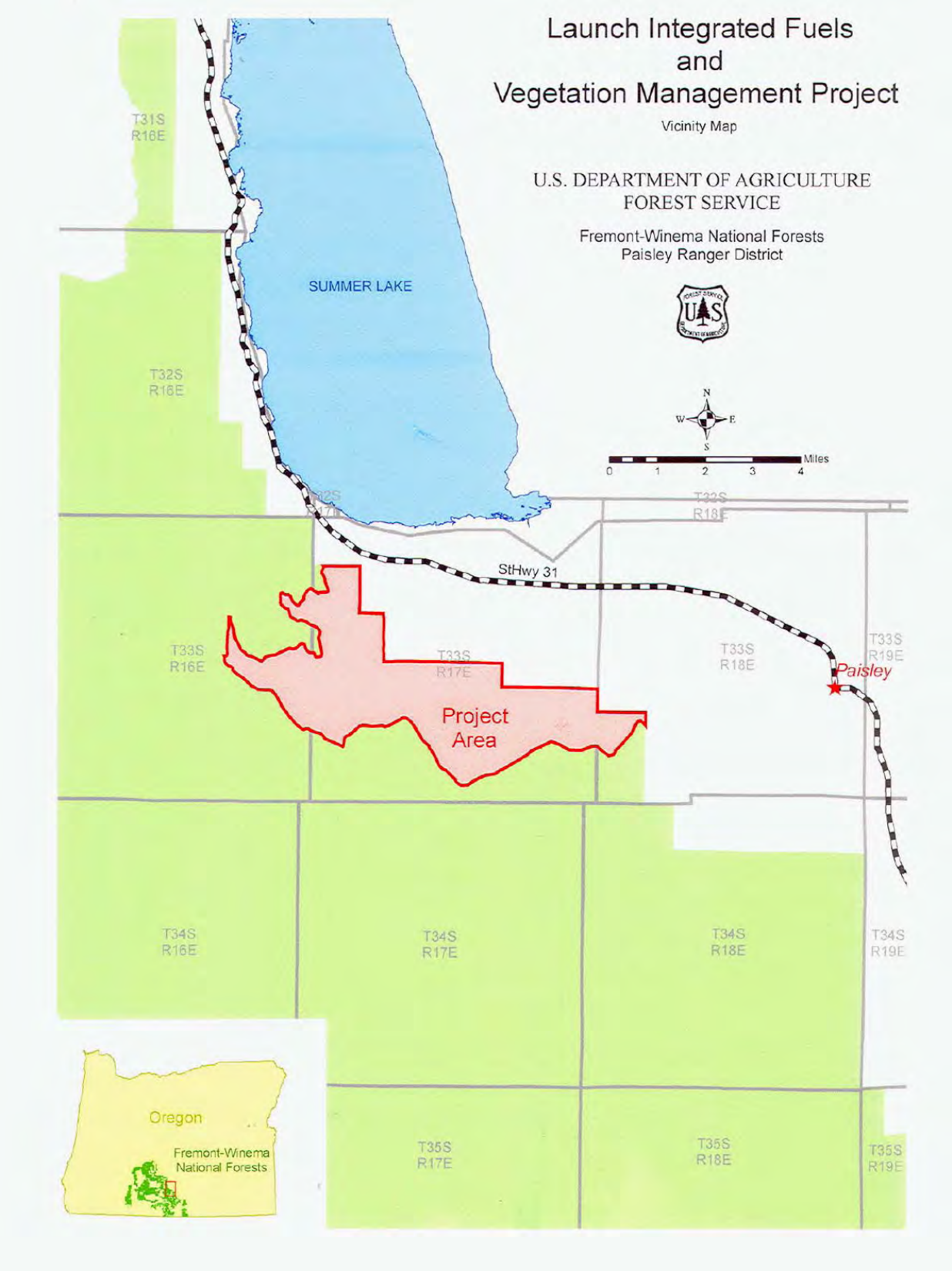
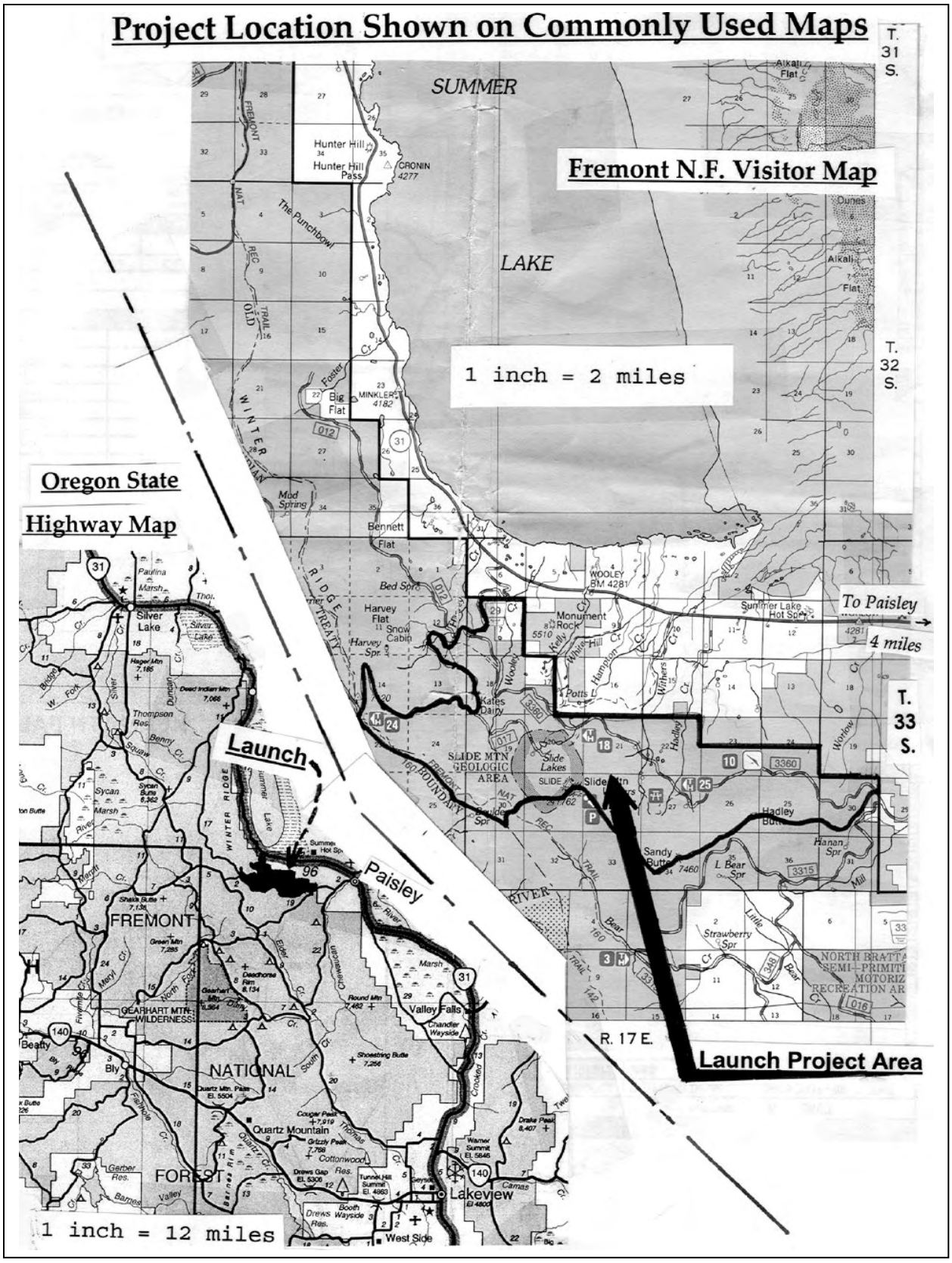


Figure 2: Project Location Shown on Commonly Used Maps



The Launch EA summarizes the analysis of proposals for timber harvest, post-harvest whipfelling, prescribed burning, plantation thinning, juniper treatments, aquatic habitat improvements, and site-specific Forest Plan Amendment. Connected actions analyzed include: temporary road construction, none of which will involve construction of new road template; landing pile burning; mechanical slash treatment; operations tree felling at approved locations for landings or temporary roads; road maintenance and reconstruction; and "interplanting" in areas where the ponderosa pine component has been lost through past harvests or mortality. It is assumed that actions will be completed though a variety of mechanisms including, but not limited to: timber sale contract, stewardship authority, public works contract, cooperative agreement, use of volunteers, and Forest Service workforce. Small diameter material being utilized as biomass is incorporated into the analysis.

Several alternatives were considered. Some were eliminated from a detailed analysis because they did not meet purpose of and need for the project. The consideration of alternatives to the proposed action used a process directed by the Healthy Forest Restoration Act (Section 104 c). Three alternatives (including No Action) were analyzed in detail in the EA.

Modified Alternative 2 addresses conditions that trace back over 100 years, while addressing public input that began with the initiation of the collaborative process (January 2007), up through the 30-day comment period on the proposed action (May to June 2007) and through the 30 day "objection period" on the EA (August to September 2007).

PURPOSE AND NEED

Protecting large ponderosa pine trees from further incidence of insects and disease is the primary purpose of the project. Large ponderosa pine are a chief component of late and old structural (LOS) forests. The thinning prescriptions that are designed for this primary purpose should simultaneously increase the resiliency of the area to withstand fire and diminish the likelihood for the occurrence of severe, stand-replacing wildfire.

The desired conditions and the standards and guidelines from the Fremont National Forest Land and Resource Management Plan (LRMP), the framework of the HFRA, and the goals of the Lakeview Federal Stewardship Unit were considered concurrently in planning this project. In that light, the **specific purposes** of the project are to:

- Improve growth and protect stands from insects and disease. Maintain the remaining large-tree component in ponderosa pine and mixed conifer stands and recruit replacements where large trees have already been lost due to insect mortality.
- Improve protection from severe, uncharacteristic wildfire by reducing excess fuels, including the use of prescribed fire in areas where ecological studies show that periodic low intensity fire has played a significant role in ecosystem development.
- Provide forest products.
- Promote overall ecosystem restoration and enhancement.

The underlying needs for the project include:

1. An immediate need to address the established insect outbreak in the area. Timely stand thinning treatments are needed in order to maintain the remaining large-tree component in ponderosa pine and mixed conifer stands, and to recruit replacements where large trees

have already been lost (Eglitis, 2007). In the longer term, there is a need to transform the vegetative composition and fuels profile of the planning area to a **sustainable condition**.

2. A need for **commercially valuable timber** from the project area. The lumber and wood products sector, including secondary wood products, is a large contributor to the economic well being of the Lakeview, Oregon area

3. A need for **high-quality fish and riparian habitat** within the project area. At present, a culvert is inhibiting upstream fish migration in Wooley Creek. The high canopy densities in the project area are causing a diminished shrub and grass component, decreased soil cover, and decreased infiltration rates.

Each of these needs as they relate to existing and desired conditions in the project area is discussed in more detail in Chapter 1 of the EA (see EA pages 1-3 to 1-6 and 1-12) as well as in Current/Existing Condition descriptions in the resource sections of Chapter 3.

In brief, the area is currently characterized by ponderosa pine forests that have been altered greatly from early 20th century conditions. Pine stands are generally of far greater density, and the proportion of large trees within them has been greatly reduced. In many instances, the rapidly growing conifer understory is less affected by bark beetles than the larger overstory trees that do not compete well for moisture. While the early mountain pine beetle infestation in the area was largely confined to the lodgepole pine host, the beetles have recently begun infesting large-diameter ponderosa pine. This causes a "thinning from above" during episodes of elevated bark beetle activity. The loss of the largest trees in the stand prolongs the time required to restore the large-tree character to the forest.

Section 102(a)(4) of the Healthy Forests Restoration Act (HFRA) authorizes fuels reduction projects on which "the existence of an epidemic of disease or insects, or the presence of such an epidemic on immediately adjacent land and the imminent risk it will spread, poses a significant threat to an ecosystem component, or forest or rangeland resource, on the Federal land or adjacent non-Federal land." A report to the Forest Supervisor of the Fremont-Winema National Forests, prepared by Andy Eglitis, the Entomologist at the Forest Service Central Oregon Service Center in Bend Oregon, documents these conditions (Eglitis, 2007).

PUBLIC INVOLVEMENT

A local level collaborative process, directed by the Healthy Forest Restoration Act of 2003 (HFRA), was used in developing this project. The HFRA adopted a collaborative framework[1] first endorsed by the Secretaries of Agriculture and the Interior, the Western Governors' Association, the National Association of State Foresters, the National Association of Counties, and the Intertribal Timber Council. It directed that collaboration involve those with a demonstrated commitment to achieving the following goals: Improve Fire Prevention and Suppression, Reduce Hazardous Fuels, Restore Fire-Adapted Ecosystems, and Promote Community Assistance.

The opening discussions for this project began when Klamath Tribal directors were contacted on August 9, 2006 to initiate consultation. Tribal or public aspects of consultation and scoping often begin with the distribution of a proposed action or a draft proposal. The direction contained in the

[1] *A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment: A 10-Year Comprehensive Strategy* (May, 2002)

HFRA emphasizes an earlier and more in-depth involvement. For that reason, a Tribal and public collaborative process was initiated even before the development of a draft proposal.

The HFRA requires that a public meeting be held during the preparation stage of each authorized project at an appropriate location proximate to the administrative unit of the Federal land on which the authorized hazardous fuel reduction project will be conducted. Advance notification of the location, date, and time of the meeting are included in that direction (HFRA Sec. 104(e)(2). Two such meetings were held for this project.

A public meeting on January 18, 2007 at the Paisley, Oregon Community Center was attended by 13 individuals representing the Klamath Tribes Indian Game Commission, Collins Timber, Chewaucan Lumber, the Lake County Resources Initiative, Oregon Department of Fish and Wildlife, Oregon Department of Forestry, the Lake County Watershed Councils, and local residents. The initial steps in establishing the parameters of an HFRA planning process were discussed, as well as specific ideas that should be considered in the Launch planning area to protect forests in the area from further incidence of insects and disease and to increase the resiliency of the area to withstand severe, uncharacteristic fires.

As a first step in developing specific proposals, input received at that meeting, as well as written input received soon afterwards from a party who could not attend, was shared via mail with those who had expressed an interest in the project. With additional feedback, an initial draft proposed action was shared with interested parties prior to a second collaborative meeting that was held April 10, 2007 at the Paisley, Oregon Community Center. In addition, during this phase of collaboration, three parties offered input to the design of the proposal (or alternatives), including Klamath-Siskiyou Wildlands (George Sexton), Mike Anderson of the Wilderness Society and the Lakeview Stewardship Group, and Oregon Department of Fish and Wildlife. The April 10 meeting allowed further discussion of the draft proposal prior to a 30-day scoping and comment period on the competed proposed action. On May 1, 2007, a fully described proposed action was submitted for a 30 day comment period (May 1, 2007 to June 4, 2007). The May 1, 2007 mailing produced comments from Chandra LeGue (*Oregon Wild*), James K. Walls (Lake County Resources Initiative) and Diane L. Teeman (Cultural Specialist, Burns Paiute Tribe).

Prior to the completion of the EA, a letter inviting consultation on the project was sent to Wanda Johnson, Chairperson of the Burns Paiute Tribal Council. As of this writing (October, 2007), that process is still in its initial phase, but will continue as appropriate through implementation.

The EA was distributed with an August 17, 2007 mailing to all parties who had participated in the process to that point. At that time, the EA and all specialist reports, including Biological Evaluations, were placed on the WWW at http://www.fs.fed.us/r6/frewin/projects/analyses/launch/index.shtml. In addition, a legal notice of its availability was published in the Klamath Herald and News (August 18, 2007). That notice also announced an objection period pursuant to 36 CFR Part 218 Subpart A, *Predecisional Administrative Review Process for Hazardous Fuel Reduction Projects Authorized by the Healthy Forests Restoration Act of* 2003. One objection was received. Doug Heiken filed an Objection on September 17, 2007 for Oregon Wild and Klamath Siskiyou Wildlands Center. The five specifics of the Objection are discussed below:

> **Objection Statement 1:** ***Plan Amendments*** are not in keeping with law (HFRA) - *This project calls for two plan amendments (1) to waive big game cover requirements, (2) to waive the prohibition on logging and selling large trees >21" dbh....*(HFRA).....*requires that authorized*

projects follow the applicable forest plan.....To say that HFRA authorized projects allow site specific forest plan amendments would render HFRA's forest plan consistency requirement meaningless.... HFRA was intended to facilitate projects that are consistent with the forest plan but for projects that require pan (sic) *amendments the more careful and studies approach of NEPA is required.*

> Response – HFRA does allow Forests to amend their Land and Resource Management Plan (LRMP). Sections 102(e) (3) (B), 102(e) (4) (B) (ii), and 102(e) (5) of HFRA discuss the parameters under which a Forest may amend its plan. Additionally, HFRA states that the project must "contribute toward the restoration of…old growth stands" to their pre-fire suppression condition. Sec. 102 (e) (2). The intent of the Launch project, among other objectives, is to restore stands to their pre-settlement ponderosa pine characteristics. EA at 1-3 and 1-4.

Objection Statement 2: ***Range of Alternatives*** **-** *Fulfilling NEPA's requirement for consideration of alternatives makes sense in this case because maybe there are ways of achieving the purposes without amending the forest plan or mitigating for those impacts..... A full range of NEPA alternatives might help to find a illuminate choices and balance between all the reasons we might want to retain vs remove canopy trees.*

> Response **–** Two action alternatives, including Alternative 3, which was structured to not require any Forest Plan Amendments, were fully analyzed. Also considered, but rejected from detailed study, was an Oregon Wild suggested Alternative that provided insufficient means to attain Purpose and Need (see EA, Chapter 2, pages 18-20; and discussion in this Decision Notice)

Objection Statement 3: ***Insect Epidemic*** **-** *HFRA authorities cannot be used to address insect and disease incidents unless they are determined to be "epidemics" and where such epidemics "significantly threaten" the ecosystem.* 16 USC §6512(a). ..... *In this case the Forest Service has not made such a science-based finding that an epidemic exists nor that this projects is expected to effectively address such epidemic.*

> Response – The **"**Eglitis Report", cited at length in the EA, establishes a well-referenced answer to this objection statement.

Objection Statement 4: ***Old Growth*** **-** *The HFRA says that the structure and composition of old growth shall be fully maintained and restored by implementing the LRMP or RMP. Fully restored old-growth forest will contain significant numbers of large dead trees but the proposed thinning will capture mortality and set back restoration this important old-growth feature (dead trees).*

Response – As noted in the EA, the prescriptions are designed to promote the development of (living) large trees....and to reduce the risk that they will be lost to stand replacement fire. By preventing a stand-replacing fire through implementing this project, larger trees will be allowed to develop (instead of being killed in a high-intensity fire) and in the long term (i.e. 150+ years) will be recruited as large snags. EA at 3-107. The action alternatives should increase large tree presence and eventually the presence of large dead trees and large woody debris.

Objection Statement 5: ***Snag requirements of Regional Forester's Amendment #2*** *- The east side screens require that 100% potential populations of cavity nesters be maintained which will require retention of more than 4 snags per acre. ..... The EA lack evidence to support an assertion that this projects meets the east side screens 100% potential population requirement. ..... A plan amendment is needed to ensure that enough snags are retained to be consistent with NFMA, but plan amendments are not allowed in HFRA projects so this project must use the normal NEPA process.*

Response **–** The wildlife analysis, as reported in the EA (and referred in this Decision Notice), concluded that:

"DecAID Version 2.0 was used to determine snag retention recommendations and retention.....With the implementation of Alternative 2, snag and down levels would exceed LRMP Standards and Guidelines as amended by the Regional Forester's Amendment #2..... Overall across the landscape within the project area, snag levels are likely above estimated historical conditions and provide sufficient habitat for cavity dependent species..... Alternative 3 would result in slightly greater snag and down wood levels....."

The application of DecAID in the analysis for this project was extensive and credible.

Objection Statement 6: Objectors state that the Forest Service is in violation of the National Forest Management Act (NFMA) because they did not use the best available science in the creation of this project.

RESPONSE: The Forest Service used the best available science in the creation of this project.

Chapter 4 of the EA lists all the specialists and science used in the construction of the document. Page 4-2 gives the names of the specialists who participated on the interdisciplinary team, page 4-3 and 4-4 lists people who were consulted with on this project, and pages 4-5 through 4-18 list all the scientific literature that was incorporated into the EA and that was used as a basis for the specialists' reports. In addition, the Eglitis Report, including referenced scientific literature, provides the scientific basis for determining that an insect epidemic is occurring.

On October 15, 2007 I attempted to contact Doug Heiken to discuss his objection. A message was left on his voice mail. To date, no response has been received.

Based on the above considerations, on October 18, 2007 the Objection Reviewing Officer, Calvin N. Joyner, Deputy Regional Forester, advised Mr. Heiken that he would instruct "Forest Supervisor Karen Shimamoto to proceed with the issuance if a Decision Notice for this project without any changes to

the EA".

Discussions between the IDT and the Objection Review Team (ORT) resulted in several clarifications to the analysis which are reported immediately below:

a. An additional Project Design Criteria, not included in the EA, is now included in this decision:

- Existing down wood within harvest units will not be removed. Following implementation of all activities, including burning, a minimum of 80 lineal feet per acre will remain, as per LRMP (Soil Management) standards and guidelines. Activities will be managed to leave large organic debris (10 pieces per acre which are 8 feet long and twelve inches small end diameter) and other woody material (5-10 tons per acre less than 9 inch small end diameter) on site after implementation, where this can be attained and is part of the potential natural condition.

b. The suggestion to use the model FMA Plus to assess the probability of crown fire with existing conditions vs. with the action alternatives was considered following the discussions. The IDT Fuels specialist and the Fuels specialist on the ORT met and examined the available data to perform the modeling. Since the available information was not gathered with the intent of using the model, it was found that sufficient data was not available.

DECISION

Based upon my review of all alternatives, **it is my decision to implement Modified Alternative 2**. The rationale for this selection is presented beginning on page 21 of this Decision Notice. My decision takes into consideration the manner in which each factor of the project purpose and need would be met by each of the alternatives and the manner in which each alternative responded to the key issues raised during the analysis.

I have selected Modified Alternative 2 because it achieves a balanced approach between actions that will protect stands from further incidence of insects and disease and increase the resiliency of the area to withstand severe, uncharacteristic fires, while retaining adequate amounts cover, forage and other wildlife habitat components.

The modification I have included in my decision incorporates a design feature from Alternative 3. Specifically, the retention areas that are to be provided in well-dispersed clumps in areas prescribed for:

- Harvest, Whip Fell (with post Activity Fuels Treatment) and Burn
- Harvest, Predominately less than 12 inch Removal, and Burn
- Harvest, Predominately less than 15 inch Removal, and Burn
- Plantation Thin and Burn

will be at a **15%** level (as analyzed in Alternative 3), rather than the **10%** level of Alternative.

Implementation of Modified Alternative 2 will include the additional design criteria for down wood discussed above , as well as the full list of mitigation and resource protection measures analyzed for Alternative 2 as described in the EA (Chapter 2, pages 2-14 to 2-17). These are listed below. Monitoring, both during implementation and after, as described in the EA (Chapter 2, pages 2-17 and 2-18) will also occur to assess compliance with Forest Plan standards and guidelines. It is my judgment that the extent and type of monitoring that has been designed into this project is

appropriately modest. My judgment takes into account both a realistic expectation of funding and a perspective of need for monitoring based on lessons learned in implementing similar projects on the Fremont-Winema National Forests in recent years.

It is also my decision to implement the following non-significant, site-specific forest plan amendment (also described in the EA Chapter 2, pages 2-10 and 2-11 and discussed later in this document):

Amendment #30:

Establishes mule deer cover standards within 3,266 acres of winter range in the Launch project area at a minimum of 17 percent (as opposed to 40 percent in the LRMP)

Under the following conditions, allows commercial harvest of live trees that are greater than 20.9 inches dbh:

a.) white fir and lodgepole pine that are greater than 20.9 inches dbh in areas that were historically ponderosa pine forests, where doing so would increase resiliency of remnant ponderosa pine trees or where achieving density objectives for ponderosa pine would be facilitated by their harvest (3,201 acres of "*Harvest, Whip Fell (with post Activity Fuels Treatment) and Burn*." It is estimated that conditions that will necessitate using this amendment are present on about 2,500 acres.

b.) all tree species that are felled for safety (129 acres of Danger Tree Harvest are identified in Modified Alternative 2) or for operations purposes (for example during landing and temporary road construction). It is expected that the operations aspects of the amendment will be applied infrequently because temporary roads or landings will be subject to Forest Service approval and will use previously established locations where clearing will be minimal.

This amendment will allow proceeding with harvest treatments and burning in a manner in which the purpose and need, as described earlier, can be more fully achieved (see further discussion on pages 30-31 of this Decision Notice).

The actions listed below are authorized with the selection of Modified Alternative 2 (*all quantities are approximate*); see also the Modified Alternative 2 Map, page 12 of this Decision Notice.

Table 1: Authorized Actions in Modified Alternative 2

Design Element or Activity	Modified Alt. 2
Total Gross Acres of all proposed activity	5,521 acres*****
Retention Clump Strategy	A minimum of **15%** of the area prescribed for a.) Harvest, Whip Fell (with post Activity Fuels Treatment) and Burn, b.) Harvest, Predominately less than 12 inch Removal, and Burn, c.) Harvest, Predominately less than 15 inch Removal and Burn, or d.) Plantation Thin and Burn, will be retained in well-dispersed retention areas, identified during layout.
Harvest, Whip Fell (with post Activity Fuels Treatment) and Burn	3,202 acres
Harvest, Predominately less than 12 inch Removal, and Burn (not a subset of the above)	703 acres
Harvest, Predominately less than 15 inch Removal/Burn	264 acres
Plantation Thin and Burn	138 acres
Juniper/Burn	782 acres
Burn Only	0 acres
Danger Tree Harvest Units	127 acres
Fuel Reduction Treatment	314 acres
Riparian Enhancements	• Treatment of headcuts (Wooley Creek) • Large wood additions Slide Lakes and Withers Lake • Barrier to brook trout on the Withers Lake inlet • Culvert removal (and ford construction) on Wooley Creek • Vegetative Rx within RHCAs to improve attainment of RMOs.
Site-specific Forest Plan Amendment	<u>Amendment #30</u> - mule deer winter range cover standards - commercial harvest of live trees that are greater than 20.9 inches dbh under certain conditions

***** acreage figures do not account for reductions in activity acres attributable to the 15% retention clumps that will be identified during layout in four specifically prescribed activities (see table, row 2).

Figure 3: Modified Alternative 2

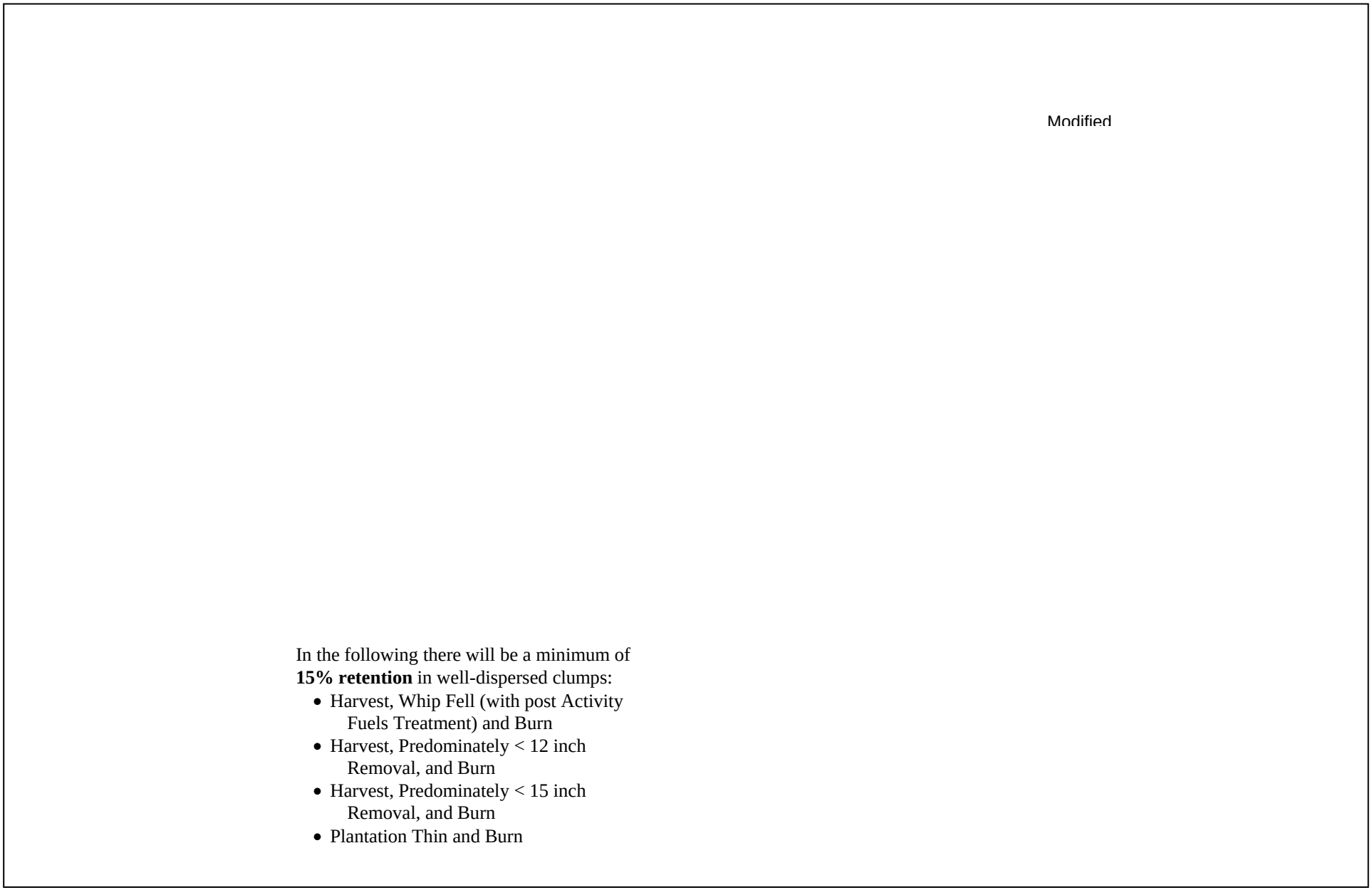
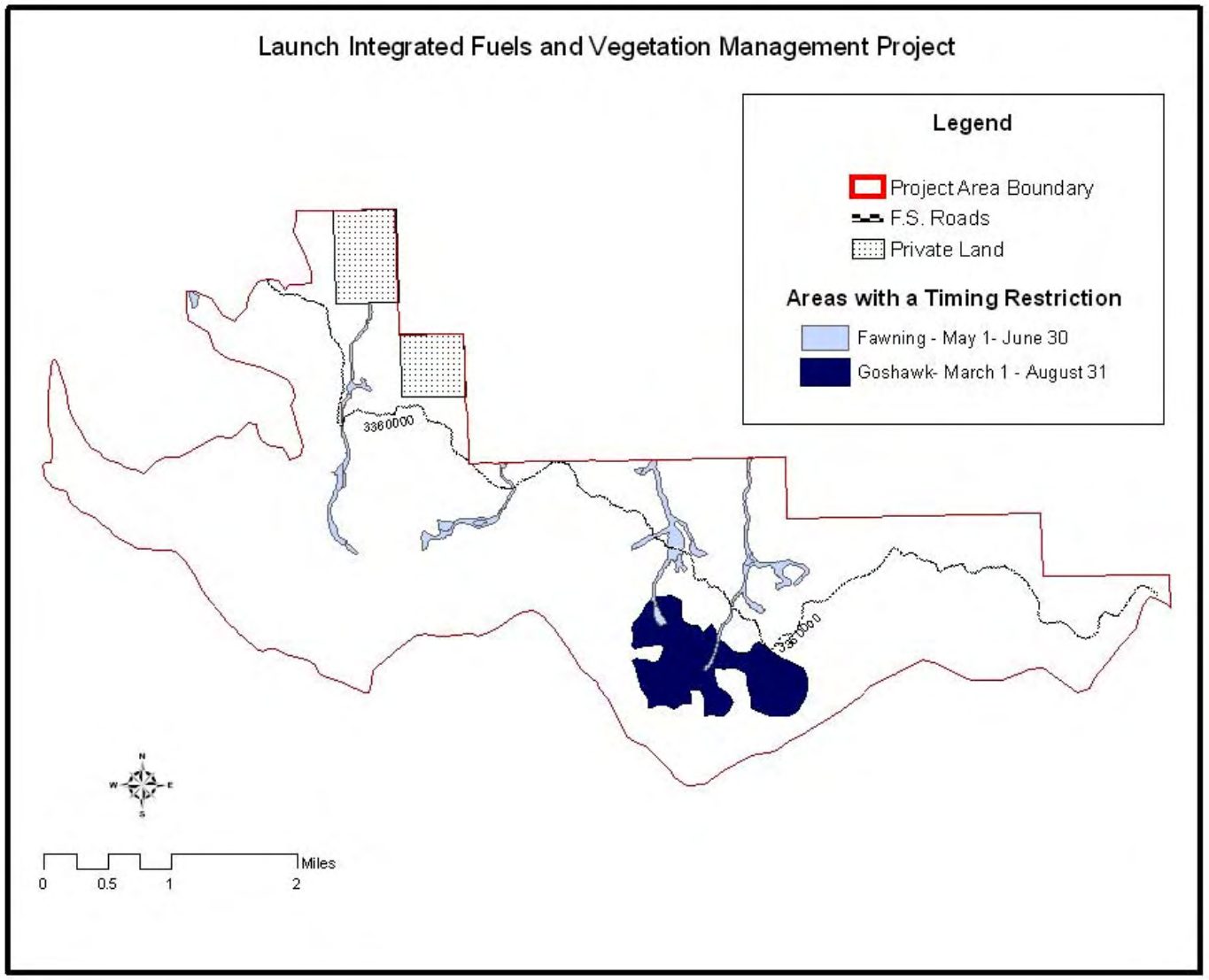


Figure 4: Wildlife Timing Restrictions



DETAILS OF AUTHORIZED ACTIONS
(for additional detail see EA, Chapter 2)

Harvest, Whip Fell and Burn – 3,202 acres. Mechanical thinning in conifer stands with commercial harvest down to an expected 5 to 7 inches diameter breast height (dbh) to a leave stocking level ranging from 30 Basal Area (BA) to 60 BA. Harvest includes both dead and green tree. All live ponderosa pine trees greater than or equal to 21 inches diameter breast height (dbh) would be retained, except for those felled for operations (primarily landing and temporary road construction) – see Forest Plan Amendment # 30.

Green trees that are retained to meet stocking level objectives would include those with forked or dead tops in order to provide current and future wildlife habitat.

Trees in the 0 to 5 or 7 inch range will be treated by one or more of the following:

1. Removed to the landing at the same time as harvest, under stewardship authorities. At the landing, materials will:
   - Be made available for firewood, posts, poles, etc. or
   - Become biomass or
   - Burned
2. Whip-felled
3. Mechanically treated

Small inclusions of riparian enhancement treatments will occur within harvest areas. These are typically small areas of aspen. Conifers under 21 inches dbh would be harvested in the 50-foot zone around these small inclusions.

Prescribed burning, based on post-activity assessments, will be applied when mechanized treatments have been completed. Where prescribed burning is implemented, 40 to 60 percent of the shrub component will be retained following burning.

Harvest, Predominately less than 12 inch Removal, and Burn – 703 acres

Similar to Harvest/Whipfell/Burn. In these areas, 40 to 60 percent of the shrub component will be retained following burning.

Harvest, Predominately less than 15 inch Removal, and Burn – 264 acres

Similar to Harvest/Whipfell/Prescribed Burning. In these areas, 40 to 60 percent of the shrub component would be retained following burning.

<u>Common to all Harvest</u>

Modified Alternative 2 is projected to produce 7 mmbf (million board feet) of sawtimber greater than 9 inches dbh and has the potential to produce 3+ mmbf of material less than 9 inches dbh and dead greater than 9 inches dbh. Continuing mortality and decay will change the actual outcome.

Connected Actions to Harvest:

- Temporary road construction – Approximately 6.7 miles. All, or nearly all, of the needed temporary road would be of that nature and not involve construction of a new road template. Temporary roads would be built to low-standards (minimum widths), used for only a short duration, and rehabilitated following use.
- Whole tree yarding (WTY)
- Landing Pile burning.
- Mechanical slash treatment, including mastication (using a "slash buster") in areas to be determined through post-activity monitoring.
- Operations tree felling (landing and temporary road construction).
- Road Maintenance and Reconstruction - Road maintenance (approximately 56 miles). Reconstruction activities (approximately 12 miles) includes drainage improvement (i.e. constructing new drain dips/water bars, installing larger/new culverts, constructing rock fords), and spot-rocking across the privately owned Withers Lake dam. The reconstruction in the vicinity of Withers Dam will necessitate closure of the area for public use for an estimated one month.
- Interplanting - ponderosa pine seedlings at a density of 50 to 100 trees per acre in order to restore the ponderosa pine component. Approximately 2,000 "gross" acres have a potential need for this.

Plantation Thin and burn – 138 acres

This includes thinning within existing plantations in order to promote the long-term development of sustainable LOS forest conditions. A minimum of 10 percent of the area treated will be managed as leave patches for wildlife habitat. Prescribed fire will be introduced when all other mechanized treatments have been completed. In these areas, 40 to 60 percent of the shrub component will be retained following burning.

Juniper/Burn – 782 acres

Introduction of low intensity fire in areas where fire has played a role in ecosystem development and existing fuel conditions are a risk to sustainable conditions. In these areas, 40 to 60 percent of the shrub component will be retained. Juniper thinning will be implemented where juniper has expanded beyond its historical range and/or density. All old growth juniper will be retained (definition of old growth juniper, Miller, 1999). Additionally, thinning of ponderosa pine trees (up to 12 inches dbh) will be implemented in those areas where tree densities exceed sustainable levels.

Danger Tree Harvest – 127 acres

Removal, through sale of timber, of trees along haul routes, maintenance level 3 roads and roads that provide public access to recreation sites including Withers Lake and Slide Lake. Trees classified as both imminent and likely, in accordance with the Regional Guide, within 150 feet of either side of the road will be included. A site-specific Forest Plan Amendment is included to permit the sale of green trees greater than 20.9 inches dbh in these areas.

Fuel Reduction Treatment – 314 acres

This includes fuels treatment not described above. Prior to the application of fire, these areas would receive mechanical or other fuels treatment, predominantly hand pile and burn, but could also include other methods such as lop and scatter. Some commercial harvest could occur in these areas.

Retention Areas

Retention will be provided in well-dispersed clumps in areas prescribed for:

- Harvest, Whip Fell (with post Activity Fuels Treatment) and Burn
- Harvest, Predominately less than 12 inch Removal, and Burn
- Harvest, Predominately less than 15 inch Removal, and Burn
- Plantation Thin and Burn

A minimum of 15 percent of the area treated will be managed as leave patches for wildlife habitat in small scattered retention areas. If available, these areas would be placed in areas with high densities of small diameter trees and where there is a lack of overstory structure. Retention area locations will be subject to final determination during pre-implementation layout, taking into consideration protection of cultural resources, logging systems and logistics, feasibility of avoidance during burning operations, stand structure, etc. Layout will be coordinated between wildlife biology and pre-sale crews. Though these areas will typically be 1 to 5 acres in size, during layout the amount, size, and distribution of leave areas may vary from area to area based on the stand conditions.

Snag Leave

This applies to the following treatment activities:

- Harvest, Whip Fell (with post activity fuels treatment,) and Burn
- Harvest, Predominately less than 12 inch Removal, and Burn
- Harvest, Predominately less than 15 inch Removal, and Burn
- Fuel Reduction Treatment

Dead trees will be left as primary cavity excavator habitat at levels compliant with the direction contained in Regional Forester's Amendment #2, as informed by a DecAID analysis. Each unit is to be evaluated at the time of implementation to determine existing estimated snag levels. If snag levels appear to be below an average of four (4) snags per acre, then dead tree removal will not be included. If dead tree removal is included in the harvest prescription, the following standards will apply:

- The 10 percent cover retention areas will contribute to retention of areas with high snag densities.
- No area greater than 20 acres should be left completely deficient of snags.
- To the extent possible, snag groups should be located greater than 200 feet from a road or landing.
- Desired species of snags in order of preference is: ponderosa pine, lodgepole pine, and white fir. However, tree species in snag clumps should be representative of the stand.
- The size in terms of diameter at breast height should reflect the size classes present in the stand, favoring larger diameter snags where available.
- Recently dead snags are to be targeted for leave snags to help mitigate the potential for becoming an imminent hazard tree during the life of the project.

Site-Specific Forest Plan Amendment

See description on Decision Notice page 10 and further discussion on Decision Notice pages 30 to 31.

ADDITIONAL PROJECT DESIGN CRITERIA, INCLUDING RESOURCE PROTECTION MEASURES

The following design features and/or resource protection measures are an integral part of Modified Alternative 2. Some are presented here in **summary.** For their full text see EA, Chapter 2.

Wildlife (see also Figure 4)

1. Should any proposed or listed endangered, threatened, or sensitive species be found during project activities within, adjacent, or near enough that activities could be a disturbance, activities will be halted until their effects can be determined and their significance assessed.

2. If an active raptor nest is found during operations "major activities such as logging and road construction adjacent (300 yards) to active raptor nests, should be postponed until young have fledged (usually around July 30)" (LRMP, p.180).

3. All temporary or currently closed roads opened to access treatment areas will be rehabilitated upon completion of operations.

4. There will be a restriction on mechanical treatment for 100 feet around the three springs in the project area to protect potential evening fieldslug habitat.

5. Snag loss during logging operations will be avoided to the extent possible by placing skid trails and landings away from snag clumps.

6. To assure that existing goshawk nest trees are not felled, a wildlife representative will survey the area. If any active nests are located, a restriction will be in place from 3/1 to 8/31 and the appropriate people will be notified and or consulted, with further actions being taken as needed.

7. Mitigate the effects of proposed activities on fawning by restricting activities from 5/1 to 6/30 within the areas identified on the map (Figure 2- 4) at the end of EA Chapter 2.

8. The identification of snag leave clumps will be coordinated with Wildlife personnel. Location of clumps should meet the following criteria:
   - No area greater than 20 acres should be left completely deficient of snags.
   - To the extent possible, snag groups should be located greater than 200' from a road or landing.
   - The desired species of snags in order of preference is: ponderosa pine, lodgepole pine, and white fir. However, tree species in snag clumps should be representative of the stand.
   - The size in terms of diameter at breast height should reflect the size classes present in the stand, favoring larger diameter snags where available.
   - Recently dead snags will be targeted for leave snags to help mitigate the potential for becoming an imminent hazard tree during the life of the project.

9. Existing down wood within harvest units will not be removed. Following implementation of all activities, including burning, a minimum of 80 lineal feet per acre will remain, as per LRMP (Soil Management) standards and guidelines. Activities will be managed to leave large organic debris (10 pieces per acre which are 8 feet long and twelve inches small end diameter) and other woody material (5-10 tons per acre less than 9 inch small end diameter) on site after implementation, where this can be attained and is part of the potential natural condition.

Aquatics and Soils

1. The guidelines in the soil productivity guide (USDA 2000) shall be followed for the protection of soil during any project activity. See Appendix B – Project Design Criteria Details.

2. Best Management Practices – All roadwork associated with implementation of the project will follow Best Management Practices. See EA Appendix B – Project Design Criteria Details.

3. INFISH standards and guidelines will be adhered to. Mechanical entry will be limited to the outer portions of RHCAs while inner areas will have traditional chainsaw lop and scatter methods.

4. All instream work will be conducted between July 1st and September 15th.

Botany

The Fremont-Winema Weed Prevention Strategy can be found in Appendix B – Project Design Criteria Details.

1. Noxious Weeds:

   A. From the 2005 Invasive Plant EIS ROD:

   - Actions conducted or authorized by written permit by the Forest Service that will operate outside the limits of the road prism (including public works and service contracts), require the cleaning of all heavy equipment (bulldozers, skidders, graders, backhoes, dump trucks, etc.) prior to entering National Forest System Lands.
   - Inspect active gravel, fill, sand stockpiles, quarry sites, and borrow material for invasive plants before use and transport. Treat or require treatment of infested sources before any use of pit material. Use only gravel, fill, sand, and rock that is judged to be weed free by District or Forest weed specialists.
   - Conduct road blading, brushing and ditch cleaning in areas with high concentrations of invasive plants in consultation with District or Forest-level invasive plant specialists.
   - Native plant materials are the first choice in revegetation for restoration and rehabilitation. Under no circumstances will non-native invasive plant species be used for revegetation.

   B. If noxious weed sites are discovered within the project area, report the sighting to District Weed Personnel.

Cultural Resources

1. Sites located in and near proposed treatment areas will be identified and avoided. Whenever possible, unit boundaries will be drawn or redrawn to entirely exclude sites.

2. There will be pre-operations coordination between the assigned Archaeologist and either the sale administrator, prescribed burning boss, or contracting officer's representative to discuss all information pertaining to cultural resource protection.

3. Underburning in or around cultural sites will be implemented following establishment of protection lines or other avoidance measures, such as lighting pattern.

4. If sites are discovered during on-the-ground preparation of sale units or at any time during harvest or any ground disturbing activity, the assigned Archaeologist will be notified. Project activity will stop in the immediate area while a plan to mitigate the effects is formulated.

Recreation

1. Use existing landings or new landings 200 feet or further away from recreation sites unless no practical options exist.
2. Heavy, project-generated slash requiring piling in the vicinity of recreation sites will be piled a minimum of 50 to 75 feet away from the sites.

MONITORING

The following is an integral part of Modified Alternative 2. Some are presented here in **summary** (see EA, Chapter 2).

Wildlife

1. Continued avian monitoring at the MAPS locations in the vicinity of the project area.

Cultural Resources

1. All cultural sites will be flagged and avoided.

2. All sites recorded will be monitored during harvesting, thinning, and/or underburning activities.

3. Twenty percent of recorded sites will be monitored and visited each year for any impacts.

Noxious Weeds

1. Revisit project areas, high use areas, wildfires, and revegetation sites to determine the effectiveness of prevention measures, and to detect new infestations before they spread.
    - Monitor project areas after ground disturbing activities are implemented for 1-3 years.
    - Monitor livestock unloading areas and areas of concentrated livestock use.
    - Monitor administrative sites, main roadways, and developed recreation areas.
    - Monitor gravel pits and stockpiles of fill, sand, or gravel.
    - Monitor areas burned by wildfire.

Recreation Sites

1. Monitoring of the developed recreation sites within the Launch project area to track the short and long-term effects of the project activities and associated project design criteria on these recreation resources will be accomplished by the following methods:

- Periodic condition review of dispersed and day use facilities
- Regular inspection and upward reporting of sites and surrounding area conditions

OTHER ALTERNATIVES
Other than Alternative 2, one other action alternative and a no-action alternative were analyzed in detail in the EA.

Alternative 1 – No Action
Under this alternative, no harvest, temporary road construction, juniper cutting, burning, plantation thinning, riparian enhancement, stream improvement, or Forest Plan Amendment would occur in response to the purpose and need. Ongoing management practices (such as road maintenance, fire suppression, and personal use firewood cutting) would continue with the selection of this alternative.

Alternative 3
Alternative 3 would result in between 15 and 20 percent less area treated and less commercial sawtimber produced than Alternative 2. It was designed and analyzed in response to the issues and concerns raised during the collaborative process, specifically:

- Providing adequate wildlife habitat, particularly mule deer cover and mule deer winter range habitat.
- Concerns about the use of site-specific Forest Plan amendments for a HFRA project, including the harvest of trees over 20.9 inches dbh.

In comparison to Alternative 2, it provides an overall increase in the acres of retention for wildlife habitat, less overall area of treatment (particularly on mule deer winter range), and no sale of green trees greater than 20.9 inches dbh.

ALTERNATIVES CONSIDERED, BUT ELIMINATED FROM DETAILED STUDY
For authorized HFRA projects outside of the Wildland-Urban Interface (such as the Launch Project) "*analyses must describe the proposed action, a no-action alternative, and an additional action alternative, if one is proposed during scoping or the collaborative process. If more than one additional alternative is proposed, the agency will select one and provide a written record describing the reasons for its selection"* (HFRA Section 104(c)).

The issues raised during the collaborative process presented a potential for possible alternatives to the Proposed Action. Two conceptual or outlined alternatives were proposed through written correspondence during the several phases of collaboration, scoping and comment (see below – "a." and "b."). These suggested alternatives were shared with the overall group of interested parties, including those attending the January public meeting or the Spring Open House.

For this project the evaluation of which (if any) additional alternative to study, within HFRA direction, came down to determining which suggested alternative could provide the most meaningful attainment of purpose and need. In that context, the following alternatives were evaluated:

a.) an alternative that included a design that would not necessitate site-specific Forest Plan amendment

b.) an alternative including the general parameters of:

- A 12-inch dbh upper diameter harvest limit (later modified to have "*some flexibility built into the diameter limit*")
- Maintenance of existing canopy closure.
- No commercial harvest in late seral stands.
- Limiting actions in unroaded areas greater than 1,000 acres to burning, mowing, and precommercial thinning

I have, as recently as six months ago, considered alternatives similar to "b.)," as documented in the Bridge Creek and Buck Creek Subwatershed Restoration Project planning record. As in the case of that project, establishing a smaller upper diameter limit would increase the numbers of acres on which stocking levels objectives for creating sustainable conditions would not be met. The initial document for proposing the Launch project under Section 102(a)(4) of the HFRA (Eglitis 2007), as well as disclosures in the Launch EA, provide the basis for designing the project under the Cochran stocking density guidelines. Because the stocking density standards for ponderosa pine type would not be met in some locations using an upper diameter of 21 inches dbh for green ponderosa pine (EA p.3-34), using a smaller upper diameter limit such as 12 inches dbh, 15 inches dbh or 18 inches dbh would provide even less attainment of those guidelines. The alternative labeled "a.)" above offers more potential of attaining purpose and need. For that reason I directed the IDT to fully analyze it.

REASONS FOR THE DECISION

I have read the Launch EA and have determined that there is sufficient information to provide a reasoned decision. The project was designed using an open collaborative process. In reaching my decision, I have considered the input received during that process. Briefly, Alternative 2 provides more protection from severe uncharacteristic wildfire and a greater likelihood of protecting the remaining LOS component from insects than would Alternative 3. The greater amount of commercially valuable timber included in either Alternative 2 (or Modified Alternative 2) will promote community assistance to a slightly greater degree than would Alternative 3.

The analysis documented in the EA explores the necessity for action (or no-action) in relation to three identified needs. The analysis also weighs the relative success of the alternatives in achieving four identified purposes.

Decision Factor - Why the Project is Needed (*the need for action versus no-action*)

1. There is an immediate need to address the established insect outbreak in the area in order to maintain the remaining large-tree component in ponderosa pine and mixed conifer stands, and to recruit replacements where large trees have already been lost (Eglitis, 2007). In the longer term, there is a need to need to transform the vegetative composition and fuels profile of the planning area to a ***sustainable condition***.

Density reduction has been well proven to be effective in preventing mortality from mountain pine beetle in ponderosa stands (Eglitis, 2007). The combinations of harvest, whipfelling, and follow-up fuels treatments that are a central component of the action alternatives would provide a reduction in mortality (vs. no-action) but some mortality is expected to continue at a reduced level. This is both because the stands would not be cut to a level that is expected to stop all stress-related mortality and because it takes five or more years for the trees to be able to fully adapt to their new conditions (EA, p.3-38). On the other hand, the primary effects of Alternative 1 would likely be the loss of most of the

mountain pine beetle host-sized ponderosa pine in the area (see the effects scenarios at EA pages 3-41 to 3-42).

Development of a sustainable forest with structural conditions closer to the Historic Range of Variability depends on maintaining stand conditions and fuels conditions that do not contribute to future fires with large-scale stand replacement mortality. The latter is practical only if fuels conditions allow facilitating the eventual return of characteristic fire (i.e. frequent, low-intensity, stand-tending fire) to areas that were historically fire-dependent.

The components of the action alternatives include the use of prescribed fire in many of the areas designed for harvest and whipfell. This will represent the first step in returning characteristic fire to the area. Those areas that will still need other fuels pre-treatment prior to prescribed fire application will at least move closer to a condition where characteristic fire can be reintroduced. Such a scenario would not occur with the No Action alternative and, therefore, Alternative 1 would not contribute to the need to transform the vegetative composition and fuels profile of the planning area to a sustainable condition.

2. The lumber and wood products sector, including secondary wood products, is a large contributor to the economic well being of the Lakeview, Oregon area. The Fremont National Forest Land and Resource Management Plan (LRMP) (1989), includes a Forest-wide management goal to provide sawtimber and other wood products to help sustain a viable local economy. A no-action scenario would do nothing to meet the ***need for commercially valuable timber from the project area***. As discussed later, the action alternatives provide varying levels of attainment in relation to this need.

3. ***High-quality fish and riparian habitat*** within the project area would not be advanced with the no action alternative. As noted in the EA (pages 3-145 to 3-150) there are numerous problems with the existing conditions of the stream and riparian zones in the project area. Most streams have less pool frequency than would be expected, at least partially due existing headcuts. The altered fire regimes throughout the area have promoted higher densities of conifers in most riparian areas, resulting in them being classified as "*functioning appropriately but at risk.*" In addition, the culverts on National Forest System lands on Wooley Creek are undersized and have gradients which are causing velocity barriers that are higher than sustainable for fish. Without action, the already high canopy densities would become denser. Junipers and conifers would continue to encroach into riparian areas and meadows. The resultant decreased shrub and grass densities, decreased soil cover, and decreased infiltration rates could contribute to increased overland flow and soil erosion to occur (EA pages 3-151, Fisheries and 3-162, Hydrology/Soils).

Alternatives 2 and 3 both include positive action to directly facilitate the creation and maintenance of such habitats, including treatment of headcuts (Wooley Creek), large wood additions (Slide Lakes and Withers Lake), culvert removal (and ford construction) on Wooley Creek and substantial amounts of vegetative prescriptions that would thin encroaching conifers and juniper and promote the recovery of aspen and other meadow and riparian vegetation.

Decision Factor - Meeting Project Purpose (*reasons Modified Alternative 2 provides the best overall attainment*); Responsiveness to Issues and Public Comment

I initially determined that Alternative 2 would provide greater attainment of purpose than Alternative 3. The primary driver of this project (its purpose) is to decrease the likelihood that the remaining large

ponderosa pine trees will experience mortality directly as a result of insect activity, or less directly (longer term) in the event of uncharacteristic fire. Alternative 3, by dropping 582 acres from full treatment, including over 400 acres of overly dense pine stands, simply leaves too large an area, positioned low in the project area, where mountain pine beetle breeding activity would continue and where fuels profiles would not be effectively altered. The arguments for dropping those 582 acres, and thereby creating the spatial design of Alternative 3, may be sound in the short term. Doing so maintains existing mule deer cover on the winter range portion of the project area. However, it is my judgment that the short term preservation of that cover would serve neither its intended habitat value in the long term, nor provide the best approach toward the maintenance of sustainable forest structural conditions. It is too apparent from the outcome of the neighboring Winter Fire (2002) that the prudent strategy to maintain either wildlife cover or large ponderosa pine trees is not to retain unsustainably dense conifer stands.

The other element of project purpose (providing forest products) would be served well by either action alternative, though slightly less (an estimated 15 to 20 percent) with Alternative 3.

Taking into account a key issue that was identified during the collaborative process, providing adequate wildlife habitat, particularly mule deer cover, I discussed with the IDT the possibility of modifying the design of Alternative 2 in a way that would improve the responsiveness to that issue.

The retention areas that are included in both action alternatives (10% in Alternative 2 and 15 % in Alternative 3) are intended to provide structural diversity for a variety of wildlife species. If available, these retention areas would be placed in areas with high densities of small diameter trees, where there is a lack of overstory structure, and/or around existing snag clumps. These areas will provide hiding and thermal cover, nesting habitat for Neotropical migratory birds, increased potential for future snag recruitment, and overall variability across the landscape.

In terms of mule deer cover, the LRMP (1989) is geared toward a definition of cover in which an area is classified as cover only if greater than 60 percent of a stand can hide 90 percent of a deer at 200 feet. Research on the Fremont National Forest has shown that less dense vegetation types with smaller localized clumps may also recognized as cover (Gay, 1998) by mule deer. By increasing the amount of retention in treatment area in Modified Alternative 2 from 10% to 15%, some additional locations that may not be in stands mapped as cover, but which contain dense understory structure, will be retained. Such locations contribute to the overall amount and distribution of functional cover for mule deer. The modification incorporated into Alternative 2 in this decision increases the assurance of enhancing the favorable juxtaposition of cover to forage. This finding is supported by discussion in the EA (see EA at 3-75).)

I have selected Modified Alternative 2, in part, because it offers a better solution to the key issues than Alternative 2. Mule deer cover is the focal point of one of those issues.

Conclusion

The decision framework established in the EA (Chapter 1, page 14) states:

> *"The decision regarding which combination of actions to implement will be determined by comparing how each factor of the project purpose and need is met by each of the alternatives and the manner in which each alternative responds to the issues raised and public comments received during the analysis. The alternative that the Responsible*

Official determines will provide the best achievement of prospective results in regard to purpose and need, while accounting for the issues and public comments, will be selected for implementation."

Alternative 3 is the most responsive to the key issues identified during the various scoping and comment periods. Alternative 3 is, however, less responsive to project purpose. All action alternatives promote a degree of overall ecosystem restoration and enhancement, including protection of stands from insects, disease and uncharacteristic fire. However, I believe that the specific design elements of Modified Alternative 2 will achieve the most balanced between achieving that purpose while presenting the optimal strategy for providing immediate and long term wildlife habitat components.

FINDING OF NO SIGNIFICANT IMPACT

Sufficient information has been disclosed in the analysis to make a reasoned choice among alternatives. No significant impacts on the quality of the human environment have been identified. Information available from past actions of similar context and intensity on the Paisley, or neighboring Silver Lake, or Lakeview Ranger Districts indicates that no significant impacts would be anticipated.

The actions described in this Decision Notice (DN) will be limited in scope and geographic application (40 CFR 1508.27(a)). The location of the actions within Township 33 South, Ranges 16, 17 and 18 are described on maps included in the EA (see EA pages 1-4, 2-22, 2-23, and 2-25 and Figures 1, 2, and 3 of this Decision Notice. The physical and biological effects are limited. No impacts were identified that went beyond the project area or the Foster, Wooley, and Worley Creeks Subwatersheds.

Based on the site-specific analysis summarized in the Launch EA and on previous experience with similar proposals, I have determined that implementation of the actions described in Modified Alternative 2 are not a major Federal action, individually or cumulatively, and will not have a significant effect on the quality of the human environment, considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. This determination is based on the design of the project, on the mitigation and resource protection measures included in the selected alternative (see Decision Notice pages 17-20, EA pages 2-14 to 2-17 and EA Appendix B – *Details of Project Design Criteria and Resource Protection Measures*), and on the consideration of the following factors:

1. Impacts that may be both Beneficial and Adverse (40 CFR 1508.27(b)(1)).

Beneficial and adverse impacts of implementing the action alternatives are fully considered within the EA. Some of expected impacts, as reported in the EA, include localized short-term adverse impacts to water quality/aquatic habitat as well as habitats for several wildlife species. I have considered these. In the following table I summarize some of the principal impacts noted in EA Chapter 3 and the reasons I have determined that these impacts are not significant.

Table 3: Non-significant Adverse Impacts

Resource and Adverse Impact as per EA	Reason the Impact is Not Significant
Fisheries/Water Quality - short-term adverse effects soon after thinning/harvesting in the uplands associated with heavy equipment use (potential soil compaction). Stream enhancement and fish passage projects will directly affect riparian vegetation and bank stability in the short-term through the use of heavy equipment instream and on streambanks.	Overall, both positive and negative effects are noted in chapter 3. Long-term effects will be beneficial. INFISH Riparian Management Objects will be attained (EA p. 3-157). By restoring the densities of shrubs and grasses to ecologically functional levels and restoring infiltration rates, overland flow would be lessened in the long term and potential sedimentation into the stream would be reduced. An increase in infiltration rates could promote an increase in stream flow during the critical dry summer months. (EA p. 3-152). Impacts from sediment delivery that may occur due to timber harvest, log yarding, and slashbuster operation would be minimized because most these activities would occur in locations greater than 150 feet from fish bearing streams and greater than 50 feet from intermittent streams (p. 3-152). Aquatic and Soil protection measures listed on EA pages 2-14 to 2-16) will keep impacts at a minimal level. The results of past activities in this area have not produced significant long term compaction (EA Table p. 3-71 on EA p. 3-159). Past experience has shown that the expected riparian plant mortality is be short-term in nature and that, within two years, the majority of the disturbed area would be completely recovered (EA p. 3-153).
Increase in the road density of the two subwatersheds due to **temporary roads**. Increase in sedimentation associated with temporary road rehabilitation.	Increase in road density will be short-term and minimal. Temporary roads are expected to total approximately 6.7 miles, portioned out over about 15 segments, none of which is longer than about ¾ mile (EA p. 2-25). All locations that are to be used for temporary roads already have a road template in place; therefore, little or no excavation would be required (EA p. 3-163). Roads will be rehabilitated upon completion of operations, either through re-contouring, subsoiling or scarification (EA p. 2-14).
Percent **cover** on mule deer winter range would be reduced from 51 percent to 17.	The decrease in cover is the result of treatments that will improve long term sustainability of the forest structure, including that component which provides cover. Cover reductions will be short term. It is anticipated that habitat for mule deer will improve in the long term (10+ years, EA p. 3-73). Cumulative effects considered, there would be an increase in foraging and fawning habitats and an improvement in habitat security in the future, with a net loss of cover and effective habitat (EA, p. 3-76). With no treatment, hiding cover is expected to decrease in areas of second growth ponderosa pine as mountain pine beetle densities continue to increase (EA p. 3-73).

Table 3: Non-significant Adverse Impacts (continued)

Resource and Adverse Impact as per EA	Reason the Impact is Not Significant
Preferred habitat conditions for **pileated woodpeckers** are expected to decrease due to decreased canopy closure and snag and down wood loss through the harvest operations.	Existing canopy closures contribute to non-sustainability and the threat of complete loss of LOS. Treatments are expected to protect remaining large diameter pine as well as promote the development of sustainable LOS. Dead trees would be left as primary cavity excavator habitat at levels compliant with the direction contained in Regional Foresters Amendment #2, as informed by DecAID. (EA p. 3-77).
Harvesting would decrease potential **pine marten habitat** in the short-term (up to 10 years) by decreasing canopy closure.	Removing smaller diameter conifers from these stands should afford some protection to the remaining large-diameter ponderosa pine and promote the development of sustainable LOS (EA p. 3-80).
Preferred habitat conditions for **black-backed woodpeckers** can be expected to decrease.	Snag retention strategies are designed to match the reference conditions in DecAID. Snag and down levels would exceed LRMP Standards and Guidelines (EA p. 3-94).
From B.E. (3-104): **Bald eagle, Pacific fisher, gray flycatcher and California wolverine** "May impact individuals or habitat....."	There would be both beneficial and adverse effects. Overall, the actions would not likely contribute to a trend toward federal listing or loss of viability to the population or species (EA pages 3-104 to 108; 110-111; 114 to 118).
Ground disturbing activities increase the amount of open disturbed habitat available for infestation and heighten the chance for introduction of **noxious weed** seeds.	Specific measures have been included in project design to minimize introduction of noxious weed (EA p. 2-16 and Appendix B). Overall, both positive and negative effects from the action alternatives are noted in Chapter 3. Performing fuels reduction activities would reduce the future risk for a high severity fire, which creates noxious weed habitat (EA p.3-199).
Apparent naturalness (in **unroaded areas**) would be diminished by impacts from harvest (932 acres) and temporary roads (0.6 miles within the unroaded area that was identified by *Oregon Wild*. Stumps would be visible in the foreground. There would be a short-term interruption of solitude due to equipment.	Approximately 55 percent of the "Boulder Springs" unroaded area occurs within the project area boundary. Approximately 20 percent of the "Hadley Butte" unroaded area occurs within the project area boundary (3-219). In other words, 45% of Boulder Springs and 80% of Hadley Butte are not within the area studied for proposals. Approximately one-fourth of that which is within the project area will be subject to ground-based harvest and temporary roads. The temporary roads will be coincident with existing road templates. Due to the small amount of area affected, the minimal amount of road use and the short period in which operations would be occurring, the overall effect will be minimal in relation to unroaded characteristics. (EA p.3-218).

EA Chapter 2, supplemented by Appendix B, provides a detailed list of all design features, resource protection measures and mitigation measures included in the selected Alternative. These protection measures pertain to wildlife, aquatics and soils, botany (including noxious weeds), and cultural resources. Together, as supported by the analysis in Chapter 3, these measures insure the potential effects of the alternatives remain at the level of insignificance.

Additional measures, which would have further reduced or eliminated some of the effects above, were considered, but not adopted because of the need to balance attainment of purpose and need with the consideration of the short term effects or the long term "trade-off" of beneficial and adverse effects. For example, a measure could have been adopted that would have eliminated all adverse effects in relation to sediment. However, that would have meant foregoing the stream enhancement and fish passage projects as well as upland silvicultural treatments, which are all needed in order to attain project purpose and need.

2. Degree of Effect on Public Health and Safety (40 CFR 1508.27 (b)(2)). Modified Alternative 2 will not significantly affect public health or safety. No significant effects to public health or safety have been identified. This finding is supported by knowledge of past similar projects in which no effects to public health or safety have occurred. The project could lead to a slightly beneficial effect upon public health and safety because of long-term reduction in intensity of future wildfires in the project area. The felling of danger trees along roads and near recreation sites will have a beneficial effect upon public health and safety. Additional aspects of safety are discussed in the EA (p. 3-227).

3. Unique Characteristics of the Geographic Area (40 CFR 1508.27(b)(3). There will be no significant effects on historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. All known historic or cultural resources have been avoided by project design (EA p. 3-172 and August 6, 2007 certification by Forest Archeologist under SHPO Programmatic Agreement). The area does not contain parklands, prime farmlands, or wild and scenic rivers. Stream enhancement and fish passage projects, as well as timber harvest and the use of prescribed fire, are all designed to be consistent with INFISH standards and guidelines. None of the alternatives would hinder or retard the attainment of INFISH Riparian Management Objects (EA p. 3-157). Adherence to INFISH (1995) direction provides the mechanism by which the Forest Service complies with the Executive Orders 11988 and 11990 which pertain to impacts on floodplains or wetlands.

4. Degree to which the effects on the quality of the human environment are not likely to be highly controversial (40 CFR 1508.27(b)(4)). The effects on the quality of the human environment are not likely to be highly controversial. These types of activities have taken place on the Silver Lake and Paisley Ranger Districts in similar areas and the resulting effects are well known and understood. In that sense, there is no known scientific controversy over the impacts of the project. CEQ guidelines relating to controversy refer not to the amount of public support or opposition, but to where there is a substantial dispute as to the size, nature, or effect of the action.

This project is planned under the regulation at 36CFR 219.35 (2000) and the Interpretative Rule of September 29, 2004. As required by 36 CFR 219.35, I have considered the best available science in making this decision. In considering the findings and recommendations contained in over 220 publications (See EA pages 4-5 to 4-18), the analysis followed a site-specific, science-based process, as documented in the EA. The project record demonstrates a thorough review of relevant scientific information, including that which presents applicable opposing views and scientific uncertainty.

Given the site-specific conditions and impacts disclosed in the EA (pages 3-1 to 3-229), the effects of implementation of this decision on the quality of the human environment are not likely to rise to the level of scientific controversy as defined by the Council of Environmental Quality.

5. **Degree to which the Possible Effects on the Quality of the Human Environment are Highly Uncertain or Involve Unique or Unknown Risks** (40 CFR 1508.27(b)(5)). The selected alternative does not impose highly uncertain, or involve unique or unknown, risks. The Forest Service has considerable experience with the types of activities to be implemented. The activities proposed in this decision are well-established land management practices. The risks are well known and understood. Based on previous similar actions, the probable effects of this decision on the human environment, as described in the EA, do not involve effects that are highly uncertain or involve unique or unknown risks.

6. Degree to which the Action May Establish a Precedent for Future Actions with Significant Effects or Represents a Decision in Principal about a Future Consideration (40 CFR 1508.27(b)(6)). Modified Alternative 2 does not set a precedent for other projects that may be implemented to meet the goals and objectives of the Forest Plan, nor does it represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)). While potential future actions (such as the need to re-introduce prescribed fire in a maintenance fashion) will be facilitated by this action, and in fact may occur, this action does not necessarily lead to or require any of future action. Such actions, when they are proposed will be analyzed within their own planning framework.

7. Whether the Action is Related to Other Actions with Individually Insignificant but Cumulatively Significant Impacts (40 CFR 1508.27(b)(7). The action authorized by the Decision Notice are not related to other actions with individually insignificant but cumulative significant impacts. The EA (Appendix A) provides a tabular display of all activities that already have occurred. No future actions, beyond those included in the action alternatives, have been proposed in this analysis area. By incorporating biomass removal into the action alternatives the analysis in the EA acknowledges the prospect for future biomass operations, though no biomass facilities are currently in operation in the area. The neighboring, soon-to-be-implemented, Kava and Trail Timber sales will occur on the other side of a significant watershed divide that lies between the project area and the Chewaucan River basin and are considered to the appropriate level in the cumulative effects analysis presented in Chapter 3.

There will be no significant cumulative effects to:

Fish - EA 3-155 to 3-246
Fuels - EA 3-53 and 3-63
Heritage Resources - EA 3-172
Hydrology and Soils - EA 3-159 and 3-164
Non-forested vegetation and Range – EA 2-205 and 3-205; 3-151
Recreation and Scenery – EA 3-225
Sensitive Plants – EA 3-184 to 3-186
Unroaded areas - EA 3-214 and 3-219 to 3-220
Vegetation, including spread of noxious weeds - EA 3-6 to 3-23; 3-201
Wildlife (by species):
    goshawk, EA 3-70

mule deer, EA 3-76
pileated woodpecker, EA 3-78
pine marten, EA 3-80 to 3-81
black-backed woodpecker, EA 3-102 to 3-103
red-naped sapsucker, EA 3-83 to 3-84
snag and cavity dependent species, EA 3-100 to 3-101
bald eagle, 3-107 to 3-108
Oregon spotted frog, EA 109
Pacific fisher, EA 3-111
Bufflehead, EA 3-113
California wolverine, EA 3-117 to 3-118
gray flycatcher, EA 3-115 to 3-116
Neotropical migratory birds, EA 3-126 to 3-127
northern leopard frogs, EA 3-120
northwestern pond turtles, EA 3-122
evening fieldslug, EA 3-123
old growth and connectivity corridor habitat, EA 3-129 to 3-130
Rocky Mountain Elk, EA 3-134
juniper habitats, EA, 3-133

8. Degree to which the Action may Adversely Affect Districts, Sites, Highways, Structures, or Objects Listed on the National Register of Historic Places or May Cause Loss or Destruction of Significant Scientific, Cultural, or Historic Resources (40 CFR 1508.27(b)(8). Cultural resource field surveys have been completed for all portions of this project that are authorized by the Decision Notice. The activities selected for implementation will not adversely affect districts, sites, highways, structures, or objects listed in, or eligible for, listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural or historical resources. This is because all known sites have been avoided and any sites discovered during implementation of the project will be avoided EA pages 3-172 and 2-217. Under the auspices of the June 2004 Programmatic Agreement with the State Historic Preservation Officer (SHPO), the Forest Archeologist has certified that the project meets the criteria in the Programmatic Agreement for a "Historic Properties Avoided" determination.

9. Degree to which the Action may Adversely Affect an Endangered or Threatened Species or its Critical Habitat (40 CFR 1508.27(b)(9). The selected actions associated with project are not likely to significantly adversely affect any endangered, threatened, or sensitive terrestrial wildlife species, aquatic species, plant species, or designated critical habitat under the Endangered Species Act of 1973 based on the following information from biological evaluations and assessments prepared for this project:

Plants: 26 vascular and 12 non-vascular sensitive plant species were considered for potential impact by the project. See EA, pages 3-187 to 3-195 for a summary of the expected effects. All plants were determined by the Sensitive Plant Species Biological Evaluation to be "no impact" or "project may impact individuals or habitat, but will not likely result in a trend toward federal listing or reduced viability for the population or species."

Aquatic Wildlife: The Biological Evaluation (B.E., Pyzik, July 31, 2007) determined that one sensitive aquatic species, redband trout, is potentially affected by implementation of the project. As reported in the EA, though redband trout are not suspected to occur within the project area, they are considered due to their suspected historical presence in Wooley Creek and the chance that they could still be occupying that creek (EA p. 3-144). The conclusion presented in the EA (p. 3-157) and in the Biological Evaluation is that the proposed project may impact individuals or habitat of redband trout however, this project is not likely to result in a trend toward federal listing or loss of viability of Region 6 sensitive fish species, redband trout." The B.E. further determined that project is Not Likely to Adversely Affect redband trout.

Terrestrial Wildlife: 19 terrestrial species that are listed as Sensitive, Threatened and/or Candidate species were evaluated. Conclusions in the Biological Evaluation (contained on EA, pages 3-103 to 3-124), ranged from "No Impact" to "No Effect" to "may impact individuals or habitat, but will not likely result in a trend toward federal listing or reduced viability for the population or species".

10. Whether the Actions Threatens a Violation of Federal, State, or Local Environmental Protection Law (40 CFR 1508.27(b)(10). This decision is in compliance with relevant Federal, State, and local laws, regulations, and requirements designed for the protection of the environment (40 CFR 1508.27(b)(10). Applicable laws and regulations were considered in the EA (see Chapter 3 sections, by resource, under the heading "Regulatory Framework").

The Project is consistent with the intent and purposes of Title I of the Healthy Forests Restoration Act of 2003. As discussed earlier in this Decision Notice (pages 5-6), the project was developed collaboratively with a broad group of individuals, agencies and organizations (see also EA pages 1-14 to 1-17). The project will reduce reduces hazardous fuels and increase the resiliency of the area to withstand severe, uncharacteristic fires. The project provides at least a partial means to protect stands from further incidence of insects and disease, specifically the further loss of large ponderosa pine trees, an important ecosystem component in the Launch project area. The evidence of that risk of loss, as it relates to the existence of an insect epidemic, and the chance that it will spread, was initially established by the site-specific Eglitis Report (2007), briefly summarized in EA Chapter 1 (EA p.1-7), and further substantiated by findings presented in EA Chapter 3 "*Forested Vegetation*".

SITE-SPECIFIC FOREST PLAN AMENDMENT #30

My decision includes a site-specific Forest Plan amendment to the Fremont National Forest Land and Resource Management Plan.

The amendment **reduces the standards for cover on the winter range portions of the project area, from a current LRMP S&G of a minimum of 40 percent to a minimum of 17 percent.** The loss of cover is a result the prescribed harvest, whipfell, and burn actions in specific locations on winter range. This amendment applies only to the area covered by the Launch Project EA. The analysis in the EA provides an opportunity to examine how this amendment relates to attainment of purpose and need. Alternative 3 offers that comparison, because it does not include actions that would necessitate an amendment for mule deer cover (EA, 3-46 to 3-47). I agree with the determination in the EA that the best areas for retaining LOS in the project areas are the eastern stands and many of the stands in the lower ground. The low ground area is generally also in the winter range. These are the areas that would be deleted from treatment with Alternative 3. Treating these stands, which will reduce their current cover value, provides the opportunity to reduce the on-going mortality associated with insects and provides the best long term opportunity for sustainable forest conditions.

The amendment also **allows commercial harvest of live white fir and lodgepole pine trees that are greater than 20.9 inches dbh**, in areas that were historically ponderosa pine forests, when doing so would increase resiliency of remnant ponderosa pine trees by facilitating the attainment of density objectives. Chapter 1 of the EA, citing Eglitis 2007, a report site-specific to this project, discusses the HFRA basis for the project and provides a rationale of the need for designing the project under the Cochran stocking density guidelines. The management density standard for the ponderosa pine type is to maintain stands below Cochran's Upper Management Zone (UMZ). These guidelines, developed by Pat Cochran from the Bend Silviculture Lab, predict the risk of bark beetle attack in Central Oregon. They provided the IDT silviculturist with the basis for the stocking density prescriptions used for the proposed action (Alternative 2). Attaining this stocking level is facilitated by Amendment #30. It is estimated that existing tree species configurations and density conditions and will necessitate using this amendment on about 2,500 acres. This will almost always be applied in relation to white fir trees, rather than lodgepole pine trees.

Finally, the amendment allows commercial removal of trees **that are greater than 20.9 inches dbh** of all species that are cut for **safety reasons or operations** reasons such as establishing landings or temporary roads. In Modified Alternative 2, 129 acres of Danger Tree Harvest are identified. In these areas, trees classified as both imminent and likely, in accordance with the Regional Guide, within 150 feet of either side of the road would be harvested. It is expected that the operations aspects of the amendment will be applied very infrequently because temporary roads or landings will require Forest Service approval and will use previously established locations where clearing will be minimal. To a limited degree it will increase the attainment of purpose and need because it will allow commercially valuable timber to be used for forest products.

I have determined that this change to the Forest Plan is **not significant**, based on NFMA planning requirements and Forest Service handbook direction. I have reaching this conclusion by considering the scope and applicability of the plan amendment, including its relation to the ability of the Forest to achieve project purpose, need and management prescriptions (FSM 1926.51 – *Changes to the Land Management Plan That are Not Significant*). The action will not significantly alter the multiple-use goals and objectives for long-term land and resource management. The changes in standards and guidelines are minor and apply to a limited area. The amendment associated with this decision is only for the site-specific situation in this project and does not apply to a larger management area. The changes contribute to achievement of the management prescription.

This plan amendment is being made as the Forest Plan is about 18 years old (though there have been some important Regional amendments during that period) and scheduled for revision in the next several years. It is realistic to conclude that the actions which necessitate this amendment will be considered during that revision.

A relatively small area is affected. The planning area as a whole represents less than four percent of the Paisley Ranger District. The total amount of proposed actions represents about two percent of the District. The elements of the proposal that trigger the need for Plan Amendment represent about one percent of the District. Projects of this size and scope are not frequent on the district, rather, they are typically planned or implemented about once per year (or less). The short term loss of mule deer cover is balanced by the increased potential for long term forest sustainability. The removal of large white fir in some areas is balanced by the improved chances for retaining existing large ponderosa pine trees, specifically in areas that historically were ponderosa pine forests.

OTHER FINDINGS

Federal regulations require that permits, contracts, cooperative agreements, and other activities carried out on the Paisley Ranger District are consistent with the Fremont National Forest Land and Resource Management Plan (Forest Plan), as amended.

I have reviewed my decision against Forest Plan direction, and I have determined, taking into consideration Forest Plan Amendment #30, that this action conforms with Forest Plan standards and incorporates appropriate Forest Plan guidelines. In evaluating the information presented in the EA, it is my judgment that project elements were developed particularly with regard to the goals and standards detailed for the following management areas (which represent the allocations found within the project area – See EA, Chapter 1, pages 1-1 to 1-10):

MA 1: Mule Deer Winter Range – (see also FONSI for FP Amendment # 30 above)
MA 5: Timber and Range Production (amended by Regional Forester's Eastside Forest Plan Amendments #1 and #2, and FP Amendment # 30)
MA 6: Scenic Viewshed
MA 7: Special Management Areas (Slide Mountain Geological)
MA 14: Old-Growth Dependent Species Habitat
MA 15: Fish and Wildlife Habitat/Water Quality (amended by INFISH)

Modified Alternative 2 complies with the Inland Native Fish Strategy (INFISH, 1995). The project meets the "does not retard attainment" of Riparian Management Objective requirement of INFISH.

The procedures used to initiate and complete the planning of the project are consistent with the 1999 Memorandum of Agreement between The Klamath Tribes and the U.S. Forest Service. The project is not expected to have an adverse effect on Treaty Rights or treaty right resources, other than the short term effects on cover, explained above (also see EA, 3-176).

This decision is in compliance with Executive Order 12989 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (EA page 3-226). The project also complies with Executive Order 13112 (invasive species) and Executive Order 11990 (protection of wetlands). Adherence to INFISH (1995) direction provides the mechanism by which the Forest Service complies with Executive Order 11990. Adherence to Regional and Forest direction for the prevention of noxious weeds (see EA p. 2-16 and Appendix B; and page 18 of this Decision Notice) provides the mechanism by which the Forest Service complies with Executive Order 13112.

This decision is consistent with recent Forest Service Manual direction regarding roads analysis. I have determined that additional roads analysis is not needed for this project because no new Classified Roads will be built.

ADMINISTRATIVE REVIEW AND IMPLEMENTATION

This decision is not subject to appeal pursuant to 36 CFR 215.12 (Decisions and actions not subject to appeal). The objection process pursuant to 36 CFR 218 provided the sole means of administrative review for this HFRA project. This objection process has been completed.

Implementation of this project may begin immediately.

Karen Shimamoto *4 Feb 08*

KAREN SHIMAMOTO **Date**

Forest Supervisor
Fremont-Winema National Forests

Contact Person:

Northeast Zone Planning Staff
Silver Lake Ranger District
P.O. Box 129
Silver Lake, OR 97638 Phone: (541) 576-7569 Fax: (541) 576 - 2450

Distribution

Joseph Kirk, Tribal Chairman – The Klamath Tribes
Allen Foreman – The Klamath Tribes
Perry Chocktoot, Cultural and Heritage Director – The Klamath Tribes
Will Hatcher, Tribal Forester – The Klamath Tribes
Joe Hobbs, Chairman – Klamath Indian Game Commission
Mike Parazio – Klamath Indian Game Commission
James Barney – Klamath Indian Game Commission
Wanda Johnson, Tribal Chairperson – Burns Paiute Tribe
Craig Foster, District Wildlife Biologist - Oregon Department of Fish and Wildlife
Mary Jo Hedrick, Wildlife Biologist, Summer Lake Office - Oregon Department of Fish and Wildlife
Greg Pittman – Oregon Department of Forestry
Kelly Carlsen – Oregon Department of Forestry
Gary Johnson – Collins Timber
Mark Douglas – Chewaucan Lumber
Bill Duke – Lake County Resources Initiative
James K. Walls - Lake County Resources Initiative
Anna Kerr – Lake County Watershed Council
Alan and Ginger Withers – Paisley
John O'Leary - Paisley
Chandra LeGue -Oregon Wild
George Sexton - Klamath-Siskiyou Wildlands Center
Mike Anderson - The Wilderness Society/Lakeview Stewardship Group
Doug Heiken -Oregon Wild