DECISION NOTICE,

FINDING OF NO SIGNIFICANT IMPACT, and FINDING OF NON-SIGNIFICANT AMENDMENT

for the

PEDRO/COLT TIMBER SALE and FIRE REINTRODUCTION PROJECT

USDA Forest Service
Umatilla National Forest
Walla Walla Ranger District
Union County, Oregon

T. 1 N. R. 37 E. sections 1 and 12; T. 2 N. R. 37 E. sections 25 and 36; T. 1 N. R. 38 E. sections 1 to 6; T2 N. R. 38 E. sections 3 to 5, 7 to 11, 14 to 19 and 26 to 35; T. 3 N. R 38 E. sections 33 to 35, Willamette Meridian.

Background

The Pedro/Colt Timber Sale and Fire Reintroduction Project was developed using information and studies prepared for the Blue Mountain Demonstration Project, the Phillips/Gordon Watershed Assessment, and the Upper Grande Ronde Water Quality Management Plan. Findings from these studies and site-specific analysis indicate the project area historically was maintained by low intensity, short return interval wildland fire. Largely because fire has been excluded from the ecosystem for the past century, the landscape's resilience to natural disturbances such as wildland fire, insects, and disease is compromised and the area is at risk of uncharacteristic, high intensity wildland fires. The southern portion of the planning area is within wildland urban interface identified in the National Fire Plan and Federal Register (August 17, 2001).

Management actions were identified and proposed to increase early seral, fire resistant, tree species (ponderosa pine and western larch) and to restore ecosystems so they function within, or closer to, the range of disturbance processes from which they evolved. Actions were also designed to lower wildland fire intensity and improve fire suppression capability. Expected benefits include reduced risk to the public and fire fighters, adjacent local communities, water beneficial uses, and listed or indicator species habitat.

The environmental assessment (EA) for the Pedro/Colt Timber Sale and Fire Reintroduction Project was initially released for public comment March 2003. District Ranger Mary Gibson signed a decision for the Colt portion of the project on July 18, 2003. The decision was appealed and, after reviewing the appeal, the decision was withdrawn. Comments received during the appeal period and further analysis brought about the need for revisions to the March 2003 EA. In March 2004 another EA was sent out to the public for comment. Changes were incorporated into the document based, in part, on public comment. The updated EA is available for public review at the Walla Walla Ranger District in Walla Walla, Washington or at the Forest Supervisor's headquarters in Pendleton, Oregon. The EA is also available on-line at http://www.fs.fed.us/r6/uma/projects/readroom/. Because the Pedro/Colt project amends the forest plan, Forest Supervisor Jeff Blackwood becomes the responsible official.

Decision

After careful review of the public comments and analyses disclosed in the EA and analysis file I have selected Alternative E except I decided to not implement timber harvest in Units 4, 5, 8, 9, 29, 44, and 94. The following table summarizes some outcomes of my decision.

Total Acres of Underburning	5,619 acres
Underburning with Harvest Pretreatment	875 acres
Underburning of Native Fuels	4,610 acres
Harvest, Masticate, and underburn	134 acres
Harvest, grapple pile, and burn or masticate	205 acres
Forwarder Harvest	804 acres
Helicopter harvest	410 acres
Total Sale Volume	7, 930 mbf
Miles of Haul route	39
Miles of Maintenance	10.0
Miles of spot rocking	2.2
Road Closures Barriers replaced with a gate	3
Miles of Road Decommissioning	7.5
Forest Plan Amendment	Exchanges 127 acres of C1 and E2. Changes 880 acres of C3 to C4.

Approximately 4,980 mbf from 804 acres would be removed using a forwarder and 2,950 mbf from 410 acres with a helicopter. Fuel reduction and insect and disease treatments would occur on approximately 1,650 acres of Condition Class 1 with harvest pretreatments on 194 acres; 4,000 acres of Condition Class 2 with 810 acres proposed for harvest pretreatment; and 350 acres of Condition Class 3 with harvest pretreatment on 210 acres. Under burning in unit 94 would be implemented prior to identification of trees for harvest. My decision also includes the specific management requirements, mitigation, and monitoring listed for Alternative E. The forest plan amendment will remain in effect until the forest plan is revised, estimated to be about three years.

I recognize there are differences between some numbers in this table and those presented in the EA for Alternative E. The numbers in the EA were based on preliminary field work. The change (reduction) in acres has to do with a combination of factors including; unit boundaries have been surveyed to exclude RHCAs and other project design criteria using global positioning system (GPS) technology, units have been cruised; and I decided to not harvest the seven units listed above.

Reasons For The Decision

The following factors were considered in making the decision:

The action alternatives (B,C,D, and E) all restore forest resilience in various ways, locations, and amounts. Alternative E is the most comprehensive and ambitious of the alternatives because it combines the methods most likely to be feasible and successful across the greatest number of acres. As discussed above, the boundaries of Units 4, 5, 8, 9, 29, 44, and 94 were surveyed using global positioning system (GPS) technology to exclude RHCAs and other project design criteria. I chose to drop Units 4, 5, 8, 9, 29, 44, and 94 because the remaining unit fragments were not of sufficient size to warrant the expense of treatment and the intended changes in composition, structure, and fuel reduction could not be achieved. After careful review I have determined my decision will have less impact to the environment compared to the effects disclosed in the EA for Alternative E because I dropped seven harvest units (a reduction of approximately 200 acres of harvest).

Reducing fuels is a national and regional emphasis and I believe Alternative E best addresses this important issue. Alternative E provides the highest level of protection to adjacent communities and private lands. Lastly, the environmental effects of Alternative E are expected to be negligible and fully consistent with the Forest Plan (EA, pages 104 and 105).

I considered, but did not select the no action alternative because it does not address the purpose and need and leaves the forest and adjacent private lands at the greatest risk of a potentially large, unwanted, wildland fire. I considered, but did not select Alternative B because it treated fewer acres compared to Alternative E and did not provide treatments along the forest boundary. The resulting potential increase in risk to adjacent private land was unacceptable to me. I considered, but did not select Alternative C because it would not adequately provide for needed fuel reduction treatments and improvements in resiliency in moist forest stands. I recognize these stands currently provide important cover for big game, however I also note the predicted changes in big game cover are consistent with the forest plan in this alternative and also in the alternative I selected; Alternative E. Because big game and their habitat were adequately protected in both alternatives I selected the alternative that treated greater acres. I considered, but did not select Alternative D because it treated fewer acres compared to Alternative E and substituted stewardship contracts to remove fuels instead of a timber sale contract. At this time a stewardship project in this area is unlikely to receive funding and a stewardship contract would be much more expensive to the government compared to a timber sale contract.

Purpose and Need

I believe my decision affirmatively addresses and best meets the purpose of and need for action. The following table compares some outcomes of my decision with the purpose and need.

Restore Resilience	5,824 acres of fuel reduction; 1,214 acres harvest; 41.9 percent of the frequent fire regime in the planning Area is treated and 20 percent of the mixed; 140 acres for stocking level control and regeneration to increase stand vigor and productivity.
Protect Resource Values and Communities at risk	223 acres treated for root rot; Wildland Urban Interface treatments along the Forest boundary; break up landscape fuel continuity; restoration of open forest habitat
Restore Ecosystem Functions	75 percent of the treatment acres are in condition class 2 and 3; 74.6 percent of the treatment area is in the Frequent fire regime.
Provide Products	1,214 acres harvest; 7,980 mbf
Decrease risk for Crown fires	5,824 acres of fuel treatment; provides a mixture of vegetation management treatments at the landscape scale.
Improve public and fire fighter safety	Hazard trees are removed along forest road 3200 and reduction in fuels and their continuity may reduce future fire intensities.

My decision is consistent with findings that recommend a mixture of treatments to holistically restore landscapes. The decision provides the best mix of prescriptions to treat along the forest boundary adjacent to National Fire Plan Wildland Urban Interface. It emphasizes restoration of frequent fire character in sites historically dominated by ponderosa pine using both noncommercial and commercial mechanical pretreatments (EA, pages 33 to 34 and 91 to 94). The treatments will improve the landscape's resilience to major disturbance events such as unwanted catastrophic wildland fire and insect and disease epidemics by thinning overstocked stands and reducing surface and ladder fuels (important for reducing the risk of crown fire). This, in turn, will reduce the risk to fire fighters and help them control and confine the spread of fire (EA, pages 81 to 86). The decision would also return public access to Finley Ridge that was lost when Forest Road 3217 was decommissioned.

Issues

Both individuals and groups raised issues and concerns during the development of this project. Most supported the purpose and need, but others felt the proposed actions were not necessary or they could be accomplished without timber harvest. I considered the issues and concerns raised by the public during scoping and the EA comment period to help make my decision.

Commercial Timber Harvest: Several groups and individuals expressed concerns about the need for timber harvest. In response to this concern, Alternative D was developed to analyze the use of methods other than a conventional timber sale contract to harvest and remove timber (EA, page 21-25). Two other alternatives were considered but eliminated from detailed study. One of these considered treatment using only landscape prescribed fire and the other using only non-commercial thinning of small diameter ladder fuels. Before making a decision, I studied these alternatives (EA, page 10). I also reviewed the analysis that was completed for the Eden Timber Sale and Fire Reintroduction Project Environmental Assessment, which analyzed in detail an alternative that only used landscape fire. After reviewing this information and the analysis in the EA, I concluded commercial timber harvest is necessary to meet the purpose and need established for this project. In many areas of the project, harvest is necessary to reduce fuel levels before prescribed fire can be accomplished safely. Responding to the issues in the project area requires a variety of tools, as described in the ICBEMP report.

Harvest of 21 inch trees: I carefully reviewed the need to harvest trees over 21 inches in diameter because some groups opposed this activity. Two units in Alternative E will harvest trees greater than or equal to 21 inches. The trees over 21 inches proposed for cutting are grand fir and both units will be burned after logging is competed. Past experience has taught us that when we burn near grand fir, even with snow on the ground, the grand fir will likely die. Following harvest and the prescribed fire, both units will still have sufficient large diameter fire resistant trees and sufficient snags to be considered late old structure as defined in the forest plan (Screens). Therefore, I concluded removing and recovering wood fiber from trees that are expected to die, would be consistent with the Forest Plan and an appropriate activity.

Late Old Structure: Even though activities are planned within LOS, all of these stands will continue to meet the definition of late old structure when the project is complete. In general, this project leaves on the landscape the largest, healthiest, most fire resistant trees possible while reducing the stocking to a level that can sustain healthy trees. The goal is a forest resilient to disturbance, whether its fire, disease, or insects.

Activities in Condition Class 1 and Mixed and Infrequent Fire Regimes: In some units, activities are prescribed in stands that are in Condition Class 1 or in the mixed and infrequent fire regimes (EA, page 27) to address insect and disease activity and mortality and reduce fuels. Some commenters felt that it was not necessary to treat these stands, and that doing so would be outside of the project's purpose and need. My decision, however, will do much more than reduce fire risk; it also seeks to improve ecosystem resiliency to disturbance processes, including insect epidemics and root diseases (EA, page 2 and 25) and to reduce fuels, especially in strategic locations to improve fire fighter safety. I feel these stands need to be treated to meet the purpose and need established for the project.

Wildland Fire Risk: There were mixed opinions about the effectiveness of the project in reducing wildland fire risk. The District relied on ICBEMP science as well as other studies (EA, page 81 to 86) in the development of this project and the project design follows ICBEMP recommendations. As recommended by ICBEMP, the selected alternative uses a mixture of harvest; prescribed fire; and other tools to remove surface and ladder fuels, shade tolerant tree species; and return open forest habitat to the landscape. I believe that when followed, the practices described in this research will be effective in developing open forest conditions capable of retaining desired forest characteristics following a fire and also reduce the risk of a large, unwanted wildland fire.

Wildlife and Achieving Forest Heath, Sustainability, and Biodiversity: The analysis indicated large portions of the landscape developed into a multistructure condition favorable to certain management indicator species because of past management practices. The activities planned in the dry forest landscape will reduce the multistructure component and thus reduce the amount of preferred habitat available for some wildlife species. I realize there is a trade-off between the purpose and need for the project, which includes developing and maintaining desired forest structure and composition, and loss of multistructure habitat. Before making my decision I carefully reviewed the wildlife analysis included in the EA and planning record. Although there will be a reduction of habitat favored by some species, the selected alternative will meet Forest Plan standards and guidelines for wildlife (EA, pages 61 to 66) and increase the amount of preferred habitat available for other wildlife species. I believe the change in habitats is necessary and acceptable to meet the overall objective of restoring resilience to the forest.

Soils, Hydrology, Fish, And Wildlife: I do recognize there are environmental effects associated with timber harvest and specific concerns were raised about the potential effects timber harvest could have on soils, hydrology, fish, and wildlife. The environmental effects of the selected alternative are expected to be negligible and fully consistent with the Forest Plan (EA, pages 104 and 105):

Only low impact logging systems, i.e. helicopter and processor/ forwarders, would be used (EA, pages 66 to 73). In addition, where soil conditions warrant, extra protection, such as dry season logging, will be practiced. A field survey of soils was conducted to ensure appropriate planning. It is worth noting that the numbers in the EA overstate the occurrence of soils concerns in the project area because some areas of concern overlap. For example, acres of puddling and acres of potential displacement (exposed soil) are simply added together, even though the areas overlap.

The area has a ridge top road system, most stream channels near activity areas are dry by mid July, and RHCAs are protected through no harvest and restricted to backing prescribed fire. Where timber haul is near water to cause concern, i.e. along Philips Creek, dry weather haul is required. The hydrologist concluded there would be no discernable effects on water (EA, pages 73 to 78), and the fisheries biologist concluded there would be negligible effects to fish (EA, pages 78-81).

Lynx habitat was site specifically mapped for this project consistent with recent scientific literature and Region 6 policy. No activities will occur within lynx habitat (EA, pages 96 and 97). The project considered new information about snags and down wood and will exceed Forest Plan requirements. The exchange of equal acres (127) of management area C1 and E2 will improve public safety along a forest road and not change the amount of dedicated old growth. The change in land allocation from C3 to C4 maintains the existing emphasis on big game within Phillips Creek area and no measurable impact to elk or their habitat is expected (EA, pages 15, 47, 95, and 96). Anticipated impacts to big game habitat will be consistent with the Forest Plan.

Access and Travel Management: Concern was expressed about road density. Implementation of the selected alternative will result in 7.5 miles of road decommissioning and no road construction. Forest road 321740 will change from closed to open road. Total road miles would be reduced from the current 3.6 miles per square mile to 3.4, however open road density would increase slightly from 1.1 miles per square mile to 1.2. The open road density will be lower than the 1.6 miles per square mile established in the 1993 Access and Travel Management Plan. The increase in open road density will be in Forest Plan management area E2 to provide access to Finley Ridge. I believe this change is warranted since it restores needed public access that was lost when forest road 3217 was decommissioned. In addition, the increase in open road density meets the management objectives for E2 and the big game standard for HEI will be met with this change (EA, page 63). Forest road 3217040 is located on a ponderosa pine grassland ridge top and is far from any fish bearing stream. Open road access into the C4 area will not change and wildlife concerns would continue to be met.

Alternatives Considered

The EA considered 5 alternatives, including the no action. All action alternatives (B,C,D and E) include a forest plan amendment that exchange equal acres (127) of management area C1 (Dedicated Old Growth) and E2 (Timber and Big Game) as well as change 880 acres of management area C3 (Big Game Winter Range) to management area C4 (Wildlife Habitat). A detailed description and comparison of all alternatives, including three alternatives considered but eliminated from detailed study, can be found in Chapter 2 of the EA.

Alternative A – No Action

The alternative represents the existing situation, uses, and environmental processes. No new management actions would take place. Current management direction and existing activities, fire protection, and road maintenance would continue. Current biological and physical processes creating stand disturbance and changes would be allowed to continue. Current management plans would continue to guide management of the project area (EA, page 11).

Alternative B – Modified Proposed Action, Forest Health

This alternative uses a landscape approach to restore ecosystem functions and break up fuel continuity using prescribed fire and/or timber harvest. Associated haul and maintenance activities would occur on approximately 40 miles of road (EA, pages 11 to 18). The table below summarizes the outcomes and activities of this alternative.

Total acres underburning	5,345 Acres
Underburning with Harvest Pretreatment	797 Acres
Underburning Natural Fuels	4,452 Acres
Harvest, Masticate, and Underburn	96 Acres
Harvest, grapple pile and burn or masticate only	215 Acres
Forwarder Harvest	608 Acres
Helicopter harvest	500 Acres
Total Sale Volume	10,000 mbf
Road Closures Barriers replaced with a gate	3
Miles of Decommissioning	7.5

Alternative C – Ridgetop Treatments of Ponderosa Pine Stands

Alternative C avoids treatments in western larch stands or other moist forest stands that provide satisfactory cover for big game. Treatments focus on dry forest with historic short fire return interval in ponderosa pine stands. Associated haul and maintenance activities would occur on approximately 34 miles of road (EA, pages 18 to 21). The table below summarizes the outcomes and activities of this alternative.

Total acres underburning	1,979 Acres
Underburning with Harvest Pretreatment	1,280 Acres
Underburning Natural Fuels	551 Acres
Harvest, Masticate, and Underburn	153 Acres
Harvest, grapple pile and burn or masticate only	158 Acres
Non-commercial thinning, mastication	140 Acres
Forwarder Harvest	1,012 Acres
Helicopter harvest	574 Acres
Total Sale Volume	10,100 mbf
Road Closures Barriers replaced with a gate	3
Miles of Decommissioning	7.5

Alternative D – Fuels Reduction without Commercial Harvest Contract
Alternative D, raised by the public, addresses fuels and fire protection along the wildland urban interface without the use of a conventional timber sale contract. Service contracts would be used to remove merchantable trees placing the logs in decks. The decked material would be sold later. Fuels reduction was concentrated to those areas identified in Alternative B and C as needing active management for restoring habitat diversity reflective of historic landscape disturbance processes (EA, pages 21 to 25). The table below summarizes the outcomes and activities of this alternative.

Total acres underburning	2,276 Acres
Underburning with Harvest Pretreatment	1,530 Acres
Underburning Natural Fuels	551
Harvest, Masticate, and Underburn	195 Acres
Harvest, grapple pile and burn or masticate only	256 Acres
Non-commercial thinning, mastication	140 Acres
Forwarder Harvest	1,378 Acres
Helicopter harvest	603 Acres
Total Sale Volume	13,100 mbf
Road Closures Barriers replaced with a gate	3
Miles of Decommissioning	7.5

Alternative E – Fuels Reduction Using Landscape Prescribed Fire and Harvest Pretreatments
Alternative E uses a combination of landscape prescribed fire and associated commercial and non-commercial tree removal to mechanically pretreat areas before reintroducing fire. The commercial harvest, non-commercial thinning, and prescribed burning units identified in Alternative D plus the landscape prescribed fire areas of Alternative B are combined into this alternative. Stands are treated along the forest boundary in an area of wildland-urban interface as well as using landscape prescribed fire treatments to restore and maintain ecosystem character in frequent fire regime (EA, pages 25 to 27). The table below summarizes the outcomes and activities of this alternative.

Total acres underburning	6,245 Acres
Underburning with Harvest Pretreatment	1,530 Acres
Underburning Natural Fuels	4,520 Acres
Harvest, Masticate, and Underburn	195 Acres
Harvest, grapple pile and burn or masticate only	256 Acres
Non-commercial thinning, mastication	140 Acres
Forwarder Harvest	1,378 Acres
Helicopter harvest	603 Acres
Total Sale Volume	13,100 mbf
Road Closures Barriers replaced with a gate	3
Miles of Decommissioning	7.5

Public Involvement

The Pedro/Colt Timber Sale and Fire Reintroduction Project was listed in the Fall 1998 Schedule of Proposed Actions. The project was presented at a public meeting sponsored by the CTUIR on February 8, 2001. Public scoping began on May 25, 2001. The District received 4 written responses from a mailing to 112 individuals, organizations and governments (EA, pages 3 to 8). Issues raised during public scoping were used in alterative development. The environmental assessment was released for public comment March 2003.

District Ranger Mary Gibson signed a decision for the Colt portion of the project on July 18, 2003. The decision was appealed and, after reviewing the appeal, the decision was withdrawn. Comments received during the appeal period and further analysis brought about the need for revisions to the March 2003 EA. March 2004 another EA was sent out for review and comment to the twelve individuals and organizations that had expressed previous interest in the project. Concurrently a letter was sent to 119 individuals, Tribal governments, or agencies announcing the availability of the second EA for review and comment. Two comments were received.

Finding of No Significant Impact

My determination of significance is based on careful consideration of the EA and project file as compared to the context and intensity factors listed in 40 CFR 1508.27.

Context

The actions included in the selected alternative are described in Chapter 2 of the EA. The detection of effects may differ by the resource and by the scale of analysis. Therefore, multiple scales and levels of analysis were used to determine the significance of the actions' effects on the human environment. The overall project area for the Pedro/Colt analysis included about 22,000 acres near the town of Elgin, Oregon. The selected alternative included vegetation modification activities on 5,825 acres, about 30 percent of the planning area. It would restore ecosystem function and resilience to natural disturbance by moving stocking levels, species composition, forest structure, and fuel loads toward their historic ranges. Water qualities and flows would not be impacted along Phillips and Dry Creeks. The management activities applied would reduce fuels along the Forest boundary and thus reduce fire severity. Wildlife and its habitat, soil stability and productivity, and the regional economy would also be affected. The impacts of the selected alternative on each of these are disclosed in the EA (Chapter 4). These analyses also found that there would be no effect to lynx or lynx habitat and not likely to adversely effect any listed fish species or critical fish habitat. Therefore, in context, this project is local in scope.

Intensity

The environmental effects of the following actions are documented in Chapter 4 of the Pedro/Colt Timber Sale and Fire Reintroduction Project Environmental Assessment: Commercial and non-commercial thinning of trees, landscape prescribed fire, reduction of fuel by mastication and grapple piling, temporary roads, opening closed roads, and closing/decommissioning roads. The beneficial and adverse direct, indirect, and cumulative impacts discussed in the EA have been disclosed within the appropriate context, and effects are expected to be low in intensity because of project design and mitigation. Significant effects to the human environment are not expected. The rationale for the determination of significance is based on the environmental assessment, in light of the factors listed below:

1. Impacts that may be both beneficial and adverse (40 CFR 1508.27(b)(1))

The interdisciplinary team analyzed and disclosed the direct, indirect, and cumulative effects of the actions on ecosystems and diversity (EA, pages 56 to 60), wildlife habitat (pages 60 to 66), soils (pages 66 to 73), water (pages 73 to 78), fire and fuels (pages 81 to 86), air quality (pages 86 to 87), range (page 88), transportation (pages 89 to 91), timber (pages 91 to 94), visual quality (pages 94 to 95), and pest management (page 95).

The direct, indirect, and cumulative effects of the selected alternative included the following:

Return of landscape vegetation to the character reflective of the short fire interval	Lower the intensity of any wildfire
Restore the landscape's resilience to wildfire	Aid in the control of wildfire
Provide fuel reduction along the wildland urban intertface	Increase firefighter and public safety
Smoke emissions from prescribed burning	Improve road drainage, access, and safety
Increase stand vigor and resistance to insect and disease	Short-term impacts to visual quality
Provide greater diversity of habitat across the landscape	Improve habitat for open forest dependent species
Reduce number of dead standing trees (although these numbers would remain within Forest Plan standards)	A shift of satisfactory cover to marginal cover (although marginal and total cover would remain within Forest Plan Standards)
Compaction and mobilization of soil from mechanized harvest and temporary road constructions (although no mobilized soil would reach streams)	Improve water quality and quantity along Phillips and Dry Creeks

While the EA discloses short-term and minor deviations from the existing conditions, in my experience on similar projects, none of these effects have been found to be significant. All of these effects would result in conditions that are consistent with the Forest Plan.

2. Effects to public health and safety (40 CFR 1508.27(b)2)).

Management Requirements and project design (EA, pages 28 to 31), including best management practices (pages 108 to 112), will reduce risks to acceptable levels. Beneficial uses of water are described in the EA, pages 38 to 40. The analysis determined the projects to be compatible wit the findings and recommendations of the Upper Grande Ronde River Subbasin Total Maximum Daily Load and Water Quality Management Plan (EA, pages 41 and 102 to103). Beneficial uses would not be impacted within or downstream of the planning area. Past experience has shown that air quality declines are limited in scope to the general burn area and are of short duration. Prescribed fire occurs at a time when the air is unstable and smoke can mix with the upper atmosphere. Monitoring by EPA for PM10 particles has shown thresholds of health concerns are not reached during periods of wildfires or prescribed fire (EA, pages 86 to 87). Road maintenance will provide for increased public safety on roads because of the improved surface. Although surfaces would be bladed and Forest Road 321740 would be improved and opened, speeds are not expected to increase (EA, pages 89 to 91). Increased fire fighter and public safety will result from reducing wildfire intensity and severity. The combined harvest and surface fuel treatments would lower the intensity and rate of spread of wildfires allowing for safer control measures to be taken (EA, pages 81 to 86). The Forest Plan changes along Forest road 3200 will increase public safety by permitting hazard trees to be removed (EA, pages 2, 16, 95 and 96).

3. Effects to unique characteristics of the geographic area (40 CFR 1508.27(b)(3)).

Avoidance measures will be implemented to protect Cultural Resources. Twenty-four sites are considered potentially eligible for inclusion in the National Register of Historic Places and would be protected from project activities associated with the project. There would be no effect to any cultural property (EA, page 96). No actions are being proposed in roadless areas. A portion of the inventoried North Mount Emily Roadless is within the planning area (EA, pages 52 to 53). Character and values in areas without roads will not be impacted (EA, pages 52 to 53 and 100 to 102). The project will not impact wetlands or floodplains (EA, page 102). There are no wild and scenic rivers in the project area. The Grande Ronde Wild and Scenic River is approximately 17 miles downstream from the planning area. The project will not impact wild and scenic river character. The change in Forest Plan Management Area C1 protects current moist forest late old structure in exchange for dry forest and grasslands. The new C1 comes out of Management Area E2 (EA, pages 2, 16, 95 and 96).

4. Effects on the quality of the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)).

There are differing opinions in the community on the importance or role fire disturbance and timber harvest should play in the ecosystem. The level of controversy or interest in what course of action to take regarding the use of timber harvest and prescribed fire to achieve desired conditions in the Forest Plan and the purpose and need for this project are not the focus of this criterion, rather the degree of controversy over the effects disclosed in the analysis.

No significant disagreements have been identified with the disclosure of effects in the EA or public comments. While some comments differed with our conclusion that a combination of prescribed fire and timber harvest would help move the existing vegetative conditions in the planning area closer toward desired conditions listed in the Forest Plan and the purpose and need; the reason for this difference are based on opinions, not with the disclosure of effects. Although there is controversy and disagreement among the public over the potential for significant effects from a project of this size, the professional experts and scientific research consulted agree that the activities can be implemented without significant adverse effects on the environment. All actions meet Forest Plan Standards and Guidelines (EA, Chapter IV and pages 103 to 105). Concerns of the public voiced during scoping are listed and responded to in Chapter 1 of the EA.

5. Effects on the human environment that are highly uncertain, or involve unknown risks (40 CFR 1508.28(b)(5)).

Past monitoring and experience with these types of activities has shown that the effects disclosed in the EA are not uncertain, and do not involve unique or unknown risk. Recent monitoring has found that Best Management Practices for the protection of soil and water resources are effective in keeping detrimental impacts to within Forest Plan standards and in compliance with the Clean Water Act.

6. Establishment of a precedent for future actions with significant effects or implication of a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).

Harvest is not a new activity within this analysis area and the proposed prescribed burning of natural and activity fuels has occurred in numerous parts of the Umatilla National Forest. Harvest, thinning, planting, and prescribed burning are allowed in this area by the Forest Plan. The EA effectively addressed and analyzed all major issues associated with the project. While sustaining dry forest stands at or near historic conditions would require increased use of prescribed fire in the future, this would also reduce fuel loads and continuity so that wildfires would have lower risk of catastrophic effects. The Forest Plan amendment for adjustments in Management Areas does not set a precedent for future amendments. The associated guidelines will impact future management decisions for the areas impacted by the change (EA, pages 95 and 96).

7. Relationship to other actions with individually insignificant but cumulative significant impacts (40 CFR 1508.27(b)(7)).

EA, pages 31, 32, and 35 list existing permits, contracts, and uses both within and adjacent to the planning area along with reasonable foreseeable future projects. These actions were considered when the cumulative effects for various resources were discussed in Chapter IV. Past actions were also included when analyzing the impacts to water quality, through the use of equivalent clearcut acres (ECA); big game with HEI and cover to forage ratios and by estimating the residual detrimental soil condition from past ground based skidding. Private lands below the Forest boundary were also considered in determining cumulative effects. The analysis did not indicate significant cumulative effects. Forest standards and guidelines would still be met and the activity on the Forest would not cause measurable impacts below the Forest boundary.

ECA approached the National Marine Fisheries Service threshold of concern, however research, including local monitoring and studies does not indicate a significant cumulative impact. The Forest Plan change from C3 to C4 allows greater flexibility with managing the landscape but does not exceed Forest Plan standards when combined with other activities in C4 (EA, pages 95 and 96).

8. Effects to resources listed or eligible for listing in the National Register of Historic Places, and significant scientific, cultural, or historic resources (40 CFR 1508,27(b)(8)).

The planning area has been surveyed and cultural sites were inventoried. Twenty-four sites have been determined as eligible for listing in the National Register of Historic Places. These sites and any sites found later will be protected by avoidance. No activities will occur on known sites (EA, page 96). The Forest Plan has not designated any Research National Areas in the planning area. The neotropical bird MAPS site would not be impacted by the project. There will be no impact to cultural, historical, or scientific sites. Oregon State Highway 204 forms the eastern boundary of the planning area. No actions are proposed adjacent to the highway. Smoke from prescribed fire has the potential to drift onto the highway. Ignitions would not occur when smoke does not dissipate or when inversion conditions would severely impact visibility and driving safety (EA, pages 86 and 87).

9. The Pedro/Colt Timber Sale and Fire Reintroduction Project would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)).

The selected alternative would protect endangered, threatened, and sensitive species and their habitats as required under the Endangered Species Act. There are no unique or isolated populations of wildlife or plants (EA, pages 97 to 100; and Biological Evaluations for aquatic, terrestrial, and plant species in the Analysis File). The actions will have no effect on North America lynx, Middle Columbia River Steelhead, Columbia River bull trout, and Mid-Columbia spring chinook salmon. The action alternatives will not adversely affect essential chinook salmon habitat. The project has been consulted under the Blue Mountain Expedited Process as a "may effect not likely to adversely effect" Snake River steelhead. Impacts to Snake River steelhead are discountable (EA, pages 97 to 100). The Forest Plan amendment for changes to management area does not impact listed species. The change in C1 protects additional uplands along Dry Creek and steelhead spawning habitat. Effects to listed species would be determined on a project-by-project basis given the standards and guideline for the area. The current activity enters the old C3 area and was consulted.

10. The Pedro/Colt Timber Sale and Fire Reintroduction Project does not threaten a violation of Federal, State or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10))

The project complies with the USFWS Director's order #131 related to applicability of the MBTA to federal agencies and requirements for permits for "take" and E.O. 13186. Conservation measures have been developed (EA, pages 96 and 97). There are no wetlands (EA, page 102). The project is in compliance with the Clean Water Act (EA, pages 102 and 103). Water quality is protected by project design (EA, pages 28 to 31), using low soil disturbance logging systems (EA, pages 66 to 73), and BMPs (EA, pages 108 to 112). The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (EA, pages 96 to 105). The action is consistent with the Umatilla National Forest Land and Resource Management Plan (EA, pages 103 and 105). The Forest Plan amendment does not violate any Federal, State, or Local laws.

Finding

On the basis of the information and analysis contained in the EA as disclosed above, it is my determination that implementation of my selected alternative does not constitute a major Federal Action significantly affecting the quality of the human environment. Therefore an Environmental Impact Statement is not needed.

Findings Required by Other Laws and Regulations

NFMA and Forest Plan Consistency

This decision to harvest and use landscape prescribed fire is consistent with the intent of the forest plan's long term goals and objectives summarized on EA, pages 8 and 9. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for soils, wildlife habitat, riparian and fisheries habitat, timber, ecosystems and diversity, water, soils, fire and fuels, air quality, pest management, threatened, endangered, and sensitive species, visual resources, and management area guidelines (Land and Resource Management Plan, pages 4-47 to 4-195).

No thinning, yarding, prescribed fire ignition or temporary roads would occur within Riparian Habitat Conservation Areas and these activities would be mitigated so they will not cause detrimental changes in riparian areas (EA, pages 28 to 31). Soil and water would be conserved through project design and mitigation (EA, pages 29 to 31), consistent with Forest Plan Amendment #10 PACFISH (EA, pages 78 to 81 and 104). The selected alternative would also be consistent with the Regional Forester's Forest Plan Amendment, also know as the "Eastside Screens" (EA, pages 104 to 105).

In accordance with 36 CFR 219.27, I conclude from the results of site-specific analysis documented in the EA and analysis file that timber harvest would only occur on those lands identified in the Forest Plan as suitable for timber production (EA, pages 103 to 104). The selected alternative is consistent with the Umatilla National Forest Land and Resource Management Plan Final Environmental Impact Statement, Record of Decision, the accompanying Land and Resource Management Plan (USDA Forest Service 1990), dated June 11, 1990 (EA, pages 104 to 105).

Finding of Non-Significant Amendment

The Forest Service Land and Resource Management Planning Handbook (Forest Service Handbook 1909.12) lists four factors to be used when determining whether a proposed change to a Forest Plan is significant or not significant: timing; location and size; goals, objectives and outputs; and management prescriptions.

Timing: The timing factor examines at what point over the course of the Forest Plan period the Plan is amended. Both the age of the underlying document and the duration of the amendment are relevant considerations. The handbook indicates that the later in the time period, the less significant the change is likely to be. The Record of Decision for the Umatilla Forest Plan was signed June 11, 1990, so we are in year 14 of 15. This amendment will remain in effect until the plan is revised, expected to be about three years.

Location and Size: The key to location and size is context, or "the relationship of the affected area to the overall planning area. [T]he smaller the area affected, the less likely the change is to be a significant change in the forest plan." The planning area for the Umatilla National Forest is about 1.4 million acres (Forest Plan, page 1-4).

This amendment changes 127 acres of management area C1, Dedicated Old Growth adjacent to a forest road into E2, Timber and Big Game. This amendment also changes 127 acres of management area E2, Timber and Big Game into C1, Dedicated Old Growth (EA, pages 4 and 15). Equal acres are exchanged within the Dry Creek watershed and together are less than one percent of the forest planning area (1.4 million acres). Therefore, the total acres allocated to the C1 (about 41,000 acres) and E2 (about 200,000 acres) management areas remain the same across the planning area as well as within the Dry Creek watershed.

The 880 acre Phillips Creek big game winter range (management area C3) is less than one percent of the overall planning area and about three percent of the 277,677 acres of C3 winter range allocated across the forest (Forest Plan, page 4-151). About 259,000 acres (18.5 percent) of the forest is allocated to management area C4, wildlife habitat (Forest Plan, page 4-94). In this situation, the Phillips Creek C3 winter range is adjacent to management area C5 to the west, C4 to the east and non-forest service lands to the north and south (Forest Plan, Map 35). The change in land allocation maintains an emphasis on big game within the Middle Ridge location of Phillips Creek. A decrease of 880 acres (less than one percent) in the total land allocated to C3 winter range across the forest and an 880 acre increase of the C4 management area will not appreciably change their proportional relationships in terms of location and size across the forest planning area (1.4 million acres).

Goals, Objectives, and Outputs: The goals, objectives, and outputs factor involves the determination of "whether the change alters the long-term relationship between the level of goods and services in the overall planning area" (Forest Service Handbook 1909.12, section 5.32(c)). This criterion concerns analysis of the overall Forest Plan and the various multiple-use resources that may be affected. In this criterion, time remaining in the 15-year planning period to move toward goals and achieve objectives and outputs are relevant considerations.

The exchange of equal acres of C1 and E2 management areas in the Dry Creek watershed is not expected to result in a measurable change in the levels of resource activities and outputs projected in the plan; especially considering there is one year remaining in the planning period and three years remaining until the plan is revised. A change in 880 acres of C3, big game winter range into C4, wildlife habitat is not expected to result in a measurable change in the levels of resource activities and outputs projected in the plan (Forest Plan, page 4 - 15-18); especially considering there is one year remaining in the planning period and three years remaining until the plan is revised. For example, the amendment would have no measurable effect on the ability of the State of Oregon to manage for and address their elk population objectives for the area (EA, page 95 to 96). The existing road closures in the C4 area would not change. The affected 880 acres remain suitable for scheduled harvest.

Management Prescriptions: The management prescriptions factor involves the determination of (1), "whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area" and (2), "whether or not the change alters the desired future condition of the land and resources or the anticipated goods and services to be produced" (Forest Service Handbook 1909.12, section 5.32(d)). In this criterion, time remaining in the 15-year planning period and changes in desired future conditions or the anticipated goods and services to be produced are relevant considerations.

The exchange of equal acres (127 acres) of C1 and E2 management areas in the Dry Creek watershed does not change the relative amount of lands managed for the C1 and E2 desired future conditions. The changes in land allocation and management prescription will apply to future decisions until the plan is revised. A change in 880 acres of C3, big game winter range into C4, wildlife habitat will change the desired future conditions for the affected lands and these changes will apply to future decisions until the plan is revised. The goals and desired conditions of the C3 and C4 management areas are similar in that they both provide for high levels of potential habitat effectiveness; a variety of native and seeded grasses, sedges, forbs, scrubs, and forested conditions; and emphasize secure calving and fawning areas. Vehicle travel is restricted as needed to meet the desired

conditions. Management area C4 provides exceptions to the achievement of habitat effectiveness where C3 does not provide this flexibility.

As stated above in the goals, objectives, and outputs factor the exchange of equal acres of C1 and E2 management areas and a change in 880 acres of C3, big game winter range into C4, wildlife habitat is not expected to contribute to a measurable change in the anticipate levels of goods and services to be produced; especially considering the one year remaining in the planning period and three years remaining until the plan is revised.

Finding

On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is my determination that adoption of the management direction reflected in my decision does not result in a significant amendment to the Forest Plan.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with Forest Service regulations at 36 CFR 215.11. Any written appeal must be postmarked or received by the Appeal Deciding Officer, Linda Goodman, Regional Forester, ATTN 1570 Appeals, P.O. Box 3623 Portland, OR 97208-3623 within 45 days of the legal notice announcing this decision in the East Oregonian Newspaper. The Appeal must meet the content requirements of 36 CFR 215.14.

The street location for hand delivery: 333 SW 1st Ave, Portland, OR (office hours: 8-4:30 M-F). Send faxes to 503-808-2255. Appeals may be emailed to: appeals-pacificnorthwest-regional-office@fs.fed.us

For further information regarding these appeal procedures, contact the Forest Environmental Coordinator Dave Herr at 541-278-3869

Contact

For additional information concerning this decision contact Glen Westlund, District Planner, Walla Walla Ranger District, 1415 West Rose Street, Walla Walla WA, 99362. Phone Number is 509-522-6009 and E-Mail is gwestlund@fs.fed.us. Or contact Dave Herr, Umatilla National Forest, 2517 SW Hailey Avenue, Pendleton, OR 97801, phone number is 541-278-3869 and E-mail dherr@fs.fed.us.

JEFF BLACKWOOD
Forest Supervisor

5/13/04
Date