DECISION NOTICE

and

Finding of No Significant Impact (FONSI)

Finding of Non-Significant Amendment

for

COBBLER TIMBER SALE AND FUELS REDUCTION PROJECT

USDA Forest Service
Umatilla National Forest
Walla Walla Ranger District
Wallowa and Union Counties, Oregon

Legal Location: Portions of T. 4N., R. 40E., sections 1, 2, 3, 4, 10, 11, 12, 14, and 15; T.5 N., R.40 E., sections 1, 12, 13, 14, 23, 24, 25, 26, 34, 27, 33, 34, 35, and 36; T. 4N., R. 41E., sections 5, 6, 7, and 18; T. 5N., R. 41E., sections 1 to 34; T. 5N., R. 42E., sections 4, 5, 6, and 7; T. 6N., R. 41E., sections 25, 26, 27, 33, 34, 35, and 36; and T. 6N., R. 42E., sections 29, 30, 31, 32, 33, and 34, W. M. surveyed.

BACKGROUND

Stands in the project planning area have been altered from historical conditions by fire suppression, insects and disease, and past forest management practices. A majority of current forest stands originated as a result of fire disturbances occurring over one hundred years ago, and they have not experienced fire since then. There have been repeated insect defoliation episodes followed by salvage harvest. Lodgepole pine stands have been harvested, and the remaining mature stands in the project planning area are at the age to be highly susceptible to mountain pine beetle, which is currently experiencing an increasing population. Late seral tree species have become dominant after long periods without disturbance and generally are more susceptible to disturbance-caused mortality than early seral species. Forest stands have become overstocked and are above recommended stocking levels that will maintain stand growth and vigor. Timber stands of seral tree species such as western larch and ponderosa pine are infilling with grand fir.

Fire regime condition classes, which describe deviation from natural fire regimes in terms of fire return intervals and vegetative change from historical composition and density, have been modified in the project planning area mainly by past harvest history and fire suppression. Approximately 40 percent of the project planning area has changed from a historical fire regime (Class 1) to a moderately altered fire regime (Class 2) and 10 percent of the area has changed to a significantly altered fire regime (Class 3). Fuels that would have historically been consumed during periodic wildfires have increased, and in many areas surface and aerial (within the canopy) fuel loadings are above historical levels. Today, fires in the dry and moist forests would have moderate to severe effects characterized by high fire severity and intensity on landscapes that historically displayed low to moderate severity. Fire ignitions today would not function as a natural disturbance process within their historical range of variability with regards to fire size, frequency, intensity, severity, or landscape patterns.

Fuel loads in Grande Ronde Canyon have been increasing primarily due to the lack of fire in that area. Fire behavior fuel models that describe how a fire would burn (flame length and rate of spread) through a particular wildland fuel type show that historically fire in this area would have been a fast moving but low intensity surface fire, but with existing fuel loads would be a fast moving, high intensity crown-replacement fire.

In the project planning area there are 23 sites (approximately 115 acres) of hardwood stands (aspen, mountain mahogany, and black cottonwood) that need management in order to be protected and restored. One of the sites needing protection is located in the Elk Flats Meadow area (approximately 70 acres) which is currently allocated in Umatilla Land and Resource Management Plan (Forest Plan) as management area D2 – Research Natural Area (RNA). Elk Flats Meadow was a proposed candidate for RNA status to represent an aspen forest. Evaluations by the Blue Mountain's Forest Ecologist, after completion of the Forest Plan (1990), indicated that formal RNA designation is not appropriate for Elk Flats Meadow because of the small size of the parcel, and because the aspen clones are ecotonal (i.e. transitional between forest and meadow) rather than true aspen forest.

Another area of concern within the project planning area is a series of dry meadows surrounded by dense forest dominated by grand fir. Photo history and field visits indicate there used to be a transition zone made up of low density ponderosa pine, western larch, and Douglas-fir between the meadows and interior stands. Past fire suppression has resulted in young, small diameter trees encroaching on these meadows where there used to be only grass.

DECISION

After careful review and consideration of the public comments and analyses disclosed in the Cobbler Timber Sale and Fuels Reduction Project environmental assessment (EA) and project file I have decided to select Alternative B as described in the EA, Chapter 2, pp. 2-9 to 2-21.

As part of my decision, I will implement project-specific design features and management requirements (EA, Chapter 2, Table 2-6) including best management practices listed in the EA, Appendix D. These requirements are expected to minimize effects of management activities, and implementation of these measures is considered highly effective. I will also implement monitoring measures (EA, Chapter 2, pp. 2-28 and 2-29) to assure those aspects of my decision are carefully tracked during implementation. My decision amends the Forest Plan to reallocate acres in management areas D2-Research Natural Areas, A9-Special Interest Area, and E2-Timber and Big Game. The following table summarizes activities that will occur with implementing Alternative B:

Alternative B – Summary of Activities

Activity	Alternative B
Commercial thinning (HITH)	1,890 acres
Commercial thinning with seed-tree cut (HITH/HSST)	100 acres
Commercial thinning with non-commercial thinning (HITH/NCT)	230 acres
Shelterwood seed cut with commercial thinning (HSSW/HITH)	30 acres
Shelterwood or seed-tree cut (HSSW/HSST)	250 acres
Total	**2,500 acres***
Planting	175 acres
Natural Regeneration	165 acres
Total	**340 acres***

Activity	Alternative B
Conventional ground based (tractor)	380 acres
Harvester/forwarder	1,830 acres
Skyline	230 acres
No Yarding	60 acres
Total	**2,500 acres***
Material removal** and mastication - 3-9 inch DBH material	400 acres
Material removal** and prescribed fire - 3-9 inch DBH material	100 acres
Mastication or grapple pile	1,320 acres
Mastication or grapple pile and/or prescribed fire, t	410 acres
Burn piles at landings	230 acres
Hand pile burning in units	40 acres
** If economically feasible	
Total	**2,500 acres***
Open system roads used	50 miles
Gated closed system roads used and then reclosed	40 miles
Seasonally open roads used	1.5 miles
New road construction (will become a closed system road)	0.25 miles
Temporary road construction (decommissioned after use)	0.2 miles
Total	**92 miles***
Landscape prescribed fire	8,000 acres
Hardwood restoration	115 acres
Meadow restoration	275 acres
Non-commercial thinning	1,900 acres
Danger tree removal along haul routes and around trailheads	Yes
Forest Plan amendment	Yes
*acres and miles are approximate	

REASONS FOR THE DECISION

I carefully considered the issues and concerns raised by those who participated and commented in this analysis to help make my decision. My conclusion is based on a review of the project record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk.

I considered nine alternatives. Three were analyzed in detail and six were considered but eliminated from detailed study. The following narrative explains why I did not select Alternative A (no action) and Alternative C, two of the alternatives considered in detail. I also discuss how my decision responds to the purpose and need, and how I considered the most relevant issues in making this decision.

Reasons for Not Selecting Alternative A (No Action)

I considered, but did not select Alternative A, the no action alternative, which was considered in detailed study. No action at this time will allow forest stands to continue to increase in density of late seral species and become more susceptible to insect, disease, and fire damage. Multi-layered stands will continue to increase while single-layered stands will decrease. Dry old forest stands will be at risk of

becoming more multi-layered. I find that the no action alternative fell short of addressing the stated purpose and need for this project, and that it would be an irresponsible course of action to do nothing at this time.

Reasons for Not Selecting Alternative C

I considered, but did not select Alternative C, which was considered in detailed study, because it is not as responsive to the need to improve health, vigor, and resiliency of stands in the area, nor reduce fuel loads as compared to my decision of selecting Alternative B. Alternative C would not reduce any late seral ingrowth in stands currently dominated by trees 21 inches diameter at breast height (DBH) or greater in the project area. I noted that Alternatives B and C are both fully consistent with applicable laws, regulations, and the Forest Plan. Both alternatives considered and applied current science in developing design features for each alternative with the intent to lessen negative effects to the environment. Current science (EA, Literature Cited) was also used to help predict the effects to the environment and the EA clearly discloses the positive and negative effects of all alternatives. Considering these details, I believe Alternatives B and C would provide sufficient safeguards to protect the environment from unnecessary degradation. I recognize Alternative C does address the purpose and need but on fewer acres than Alternative B. I believe that Alternative B best balances the purpose and need and protects the environment.

Reasons for Not Selecting Other Alternatives

I considered six additional alternatives for this project. Some of the alternatives were requested for consideration in response to scoping, and some were requested for consideration after the 30-day comment period. See the EA, Chapter 2, pp. 2-33 to 2-35 for reasons why these alternatives were considered but eliminated from detailed study.

Purpose and Need

Implementing Alternative B will make considerable progress in moving more acres in the area toward historical vegetative and fuel conditions. I find that both action alternatives (B and C) address the project objectives but to different extents with different effects and trade-offs. As mentioned above, I considered the potential outcome to this area if I had selected no action. I concluded that by acting now to reduce stand densities and alter structure and species composition, future stand and habitat conditions within Cobbler project planning area will improve. Activities, including fuels reduction, reintroduction of fire to the landscape, danger tree removal, and hardwood and meadow restoration projects, as well as a Forest Plan amendment to manage existing aspen stands in Elk Flats Meadow, will also benefit the Cobbler project planning area. I believe I have chosen the best course of action to meet the needs we have identified for land management. Implementing Alternative B will make important progress in moving more acres in the area toward desired historical conditions.

Based on the following statements and considerations listed below, I believe my decision affirmatively addresses and fulfills the purpose and need for action, and is responsive to and consistent with Forest Plan goals identified in the EA, Chapter 1, p. 1-4. A quantitative summary comparison of how each alternative considered in detail responded to the purpose and need is located in the EA, Chapter 2, Table 2-11, pp. 2-37 to 2-38.

- **Reduce stand densities in upland forest to recommended stocking levels in order to increase resiliency of stands to disturbance from insects, disease, or uncharacteristic wildland fire intensity.**

  In Alternative B, stand density will be reduced on a total of about 4,040 acres of forest stands through commercial and non-commercial thinning. Alternative C would reduce stand density on about 2,900 acres. Alternative B will reduce stand densities on more acres of upland forest to recommended stocking levels based on plant association. Stand health, vigor, and resilience will be increased by lowering stand densities. Thinning stands and reducing competition between individual trees will improve the probability of survival of large trees. This reduction will meet the need to restore historical amounts of stands dominated by large trees, reduce insect and disease susceptibility of forest stands, and reduce the levels of mortality of existing large diameter trees within late and old structure stands.

- **Reduce late seral ingrowth in stands currently dominated by early seral species and/or large trees in order to retain these more resilient trees.**

  My decision increases the representation of early seral species in stands that are departing from historical conditions. Compared to historical conditions, dry upland forest currently supports too much of the grand fir and interior Douglas-fir forest cover types and too little of the ponderosa pine forest cover type; moist upland forest supports too much of the grand fir forest cover type and too little of the western larch and Douglas-fir cover types. In Alternative B more acres will be thinned with early seral species being the preferred leave species. In stands that are currently dominated by early seral species, competition from late seral ingrowth will be reduced by commercial and non-commercial thinning on approximately 1,460 acres in Alternative B, as compared to 1,300 acres in Alternative C. Having more of the early seral species in stands and across the landscape is valuable as they are more resistant to insects, disease, and fire. Treatments in Alternative C would not bring species composition as close to the historical range of variability (HRV) for dry upland forests as will Alternative B. In moist upland forest Alternative C would increase the proportion of early seral species on fewer acres than in Alternative B. I find this to be important to move the project planning area closer to a sustainable species composition.

- **Move forest stand structural conditions toward the historical range of variability (HRV)**

  Approximately 485 acres of old forest multi strata that are proposed for thinning in Alternative B will change stand structure from old forest multi strata to old forest single stratum structure. The trees removed will be the smaller trees in the stands, and approximately two-thirds of the basal area will remain in each stand after thinning. This will move the percentage of old forest single stratum closer toward HRV. Stands that are classified as stem exclusion closed canopy will change to stem exclusion open canopy after thinning.

  This shift in structure will meet the need to restore historical amounts of stands dominated by large trees. Implementation of Alternative B will move Cobbler project planning area and the landscape closer to the HRV for forest structure. By reducing multistory structures and increasing single story structure across the landscape the risk of fire spread into the upper canopy will also be reduced, and thereby contribute to the reduction in the potential for a stand replacement wildfire. No thinning (0 acres) in old forest is proposed in Alternative C, and there is no trend to move old forest single stratum closer to HRV.

By implementing Alternative B, there will be a net change of approximately 530 acres from outside structural class HRV to within HRV, as compared to approximately 255 acres in Alternative C.

- **Modify the intensity and resulting fire behavior along the rim of the Grande Ronde and along Forest Road (FR) 62 for safe and effective fire suppression actions and reducing ladder fuels to lower the risk of fire spread into the upper canopy.**

  Since Alternative B proposes the largest amount of treatment acres to accomplish fuel reduction objectives, it provides the best choice for creating safer conditions to take fire suppression action in this area. Treatment units with the objective of fuel reduction were selected because there was a significant ladder fuel component present and they were in a strategic location for fire suppression (i.e. along the rim of the Grand Ronde, Forest Road 62). Harvest of 3 to 9 inch diameter at breast height (DBH) material will remove trees that occupy low to intermediate canopy positions in stands dominated by commercial sized timber. Following removal of these ladder fuels, crown base height (average height from the ground to the base of tree crowns) will increase. By also rearranging and reducing surface fuels through mechanical treatments to levels characterized by a fuel model 8, surface fires will not burn with enough intensity to ignite tree crowns in the stand. This combination of surface and crown fuel treatments effectively reduces the risk of initiation and propagation of crown fires. Therefore, the strategically located treatments will provide firefighters with areas of reduced fire behavior where they can safely and effectively fight fire.

- **Reduce ground fuel that would contribute to uncharacteristic wildfire intensity and resource damage.**

  My decision to implement fuel treatments in Alternative B (10,200 acres) as compared to Alternative C (9,150 acres) will reduce future ground fuel loading to levels which will more closely resemble fuel loadings that existed under a natural fire regime. These treatments will also serve to make future stands less susceptible to crown-fire, and help reduce the potential for uncharacteristic wildfire, and help reduce the level and extent of destruction caused by this type of wildfire. Treatments have the potential to help prevent widespread changes to large tracts of forest and wildlife habitat, minimize damage to the forest floor and underlying soils, and shorten the time for the landscape to heal.

- **Provide sawlogs and wood fiber products for utilization by regional and local industry.**

  Alternative B has the least cost per acre, and the highest value per hundred cubic feet (CCF) above base rates of the two action alternatives (EA, Chapter 3, pp. 3-132 to 3-133). Since more acres will be commercially harvested, it maximizes the economic benefits (jobs and dollars) to the regional and local economy. Since more acres will be harvested by implementing Alternative B there will be more trust funds (Knutson-Vandenberg) available for sale area improvements to resources in the area following the completion of timber harvest (EA, Chapter 2, pp. 2-32 to 2-33). Estimated volume of timber to be harvested by implementing Alternative B is approximately 29,000 hundred cubic feet (CCF).

- **Return fire to Grande Ronde River canyon to maintain the character of a frequent fire regime, particularly in grasslands and brush.**

  The Alder and Bear Creek drainages of the Grande Ronde River canyon have missed at least two fire return intervals, and due to the area's inaccessibility has never had any harvest activity. My decision will allow fire managers to reintroduce landscape fire on approximately 8,000 acres in the Grande Ronde canyon. This will begin the process of returning stands to Condition Class 1 (historical range),

and maintain the character of a frequent fire regime by decreasing surface and ladder fuels, decreasing fire intolerant species, and promoting those tolerant of fire.

- **Reduce risk of personal injury by removing danger trees along trailheads and haul routes used for project activities.**

  The safety of forest users will be improved by removal of danger trees along trailheads and haul routes (approximately 92 miles) used for project activities. Trees with an imminent failure potential and those deemed likely to fail within a 5-10 year period will be felled along open system roads. Only danger trees with an imminent failure potential will be felled on closed system roads. Danger trees within Riparian Habitat Conservation Areas (RHCAs) will be felled and left to provide additional coarse woody debris.

- **Protect and enhance vegetative conditions of hardwoods by maintaining and or increasing vigor of existing stands.**

  With my decision to implement Alternative B, much needed restoration on 23 hardwood sites (aspen, black cottonwood, and mountain mahogany), encompassing approximately 115 acres will occur. This includes one site that contains several aspen stands at Elk Flats Meadow, 10 additional aspen stands scattered within the Cobbler project planning area, 11 cottonwood stands, and 1 mountain mahogany stand. Most of these stands have only mature or over-mature hardwood trees with little or no regeneration, or regeneration that is being severely browsed.

- **Influence stocking levels, growth, health, and vigor of plantations by implementing non-commercial thinning.**

  This decision will allow non-commercial thinning on about 1,900 acres within Cobbler project planning area. This activity will reduce stocking in young stands including some plantations, enhance growth and vigor, and reduce excess fuel loads.

- **Amend the Forest Plan to allocate Elk Flats Meadow (70 acres) from management area D2-Research Natural Area (RNA) to management area A9-Special Interest Area in order to allow for vegetation management, including cutting and leaving of trees, to maintain or enhance existing aspen, which have declined precipitously, and encourage aspen and other hardwood regeneration in the project planning area. In the same vicinity, an adjacent portion of management area E2 (30 acres) which is primarily comprised of meadows would be changed to A9, and a small area of D2 (10 acres) that does not contain hardwood stands or have any special interest features would be changed to management area E2.**

  Elk Flats Meadow is currently not compatible with the current Forest Plan management area designation of D2 – Research Natural Area. Evaluations by the Blue Mountain's Forest Ecologist, after completion of the Forest Plan, indicated that formal RNA designation is not appropriate for Elk Flats Meadow because of the small size of the parcel and because the aspen clones are ecotonal (i.e. transitional between forest and meadow) rather than true aspen forest.

  Amending the Forest Plan with this decision will reallocate Elk Flats Meadow (70 acres) as management area A9- Special Interest Area, which will allow for restoration treatments of existing aspen stands. This amendment will also allow an adjacent portion of management area E2 (30 acres) to be reallocated as A9, and a very small area (10 acres) in D2 that does not contain any hardwood stands to be reallocated to management area E2. The goal for both management areas, A9 and D2, is

to preserve areas of significant botanical characteristics. Aspen stands will continue to be preserved and protected in Elk Flats Meadow with this amendment. These reallocations were selected to best allow site-specific management and preservation of aspen stands (EA, Chapter 2, pp. 2-20 and 2-21 and map in Appendix A).

Issues

Both individuals and groups raised issues and concerns during the development of this project and I considered them to help make my decision. Two significant or key issues (old forest and elk habitat) were used to develop alternatives to the proposed actions. More detailed information concerning issues can be found in Chapter 2, pp. 2-2 to 2-7 and Chapter 3 of the EA. For a summary of comparison of effects by indicators selected for key issues and other resource issues see Chapter 2, Table 2-12, pp. 2-29 to 2-43.

I observed that environmental effects disclosed in the EA, Chapter 3 for many resource topics did not vary by alternative or only in minor ways and that the intensity of the predicted effects may be limited in time or extent or minimal altogether. Because of this, those resource issues influenced my decision in minor ways and are not discussed in detail in this decision document.

I recognize that the public was passionate about what they felt was best for the land, and that there is no single management strategy that could totally satisfy all concerns expressed about the Cobbler project. I have selected an alternative that addresses the concerns expressed, but is not likely to resolve conflicting points of view. The resource issues most relevant to me in making my decision are discussed below.

Soils

Concern was expressed that ground disturbing activities would damage soil productivity. I share that concern, and have decided to fully implement the design features and management requirements (EA, Chapter 2, Table 2-6) that were recommend by the Forest Soil Scientist and other interdisciplinary (ID) team members, tailored fuel treatments, and applicable best management practices (EA, Appendix D). I am confident that these recommendations will address and lessen impacts to soil productivity.

Past monitoring of harvest activities on our forest indicate these features will effectively limit ground disturbing activities on sensitive soils (EA, Chapter 3, pp. 3-6 to 3-9). Post-activity effects analysis indicated that no activity units will exceed detrimental soil condition (DSC) standards in the Forest Plan (EA, Appendix E). The cumulative effects to DSC are fully consistent with Forest Service policy and Pacific Northwest Region 6 Supplement 2500.98-1. Based on this information, I accept the trade-off of harvesting more acres to better meet the purpose and need, knowing that adequate soil protection measures are in place to meet Forest Plan standards and address this issue.

Hydrology/Water Quality

Some people said they were concerned that commercial harvest, temporary road construction, road use, and prescribed burning would degrade water quality. Hydrologic processes and effects to water quality were considered and disclosed in the EA (Chapter 3, pp. 3-9 to 3-22). As with soils; both action alternatives were developed with design features (EA, Chapter 2, Table 2-6), and as applicable, best management practices (EA, Appendix D) to lessen impacts to water quality. Past monitoring demonstrates the forest has been successful implementing best management practices, PACFISH standards, and skidding guidelines for disturbed soils. These measures effectively limit unwanted effects to water quality. Cumulative effects disclosed in the EA indicate activities to be implemented in Alternative B are fully consistent with all applicable state and federal water quality standards (Chapter 3, p. 3-22), and the Clean Water Act.

Projects have been designed and mitigated to prevent or minimize damage to ground cover, erosion, and sedimentation. Road drainage improvement, especially on forest road (FR) 6222 could cause some short-term (less than one week) sedimentation. The potential for sedimentation from other actions is negligible. The North Zone Hydrologist found that project activities proposed in Alternative B offer no opportunity for measurable cumulative effects with ongoing actions (EA, Chapter 3, p. 3-20).

Fisheries

A concern was raised that commercial harvest and associated activities may have the potential to affect fish habitat for Threatened, Endangered and Sensitive (TES) and Management Indicator Species (MIS). Fish occupancy has been confirmed in the Grande Ronde River, Meadow Creek, Elbow Creek, Squaw Creek, Alder Creek, Bear Creek, Wenaha River, and Cross Canyon Creek. Fish occupancy has not been confirmed for Big Hole Canyon Creek, Swamp Creek, Elk Creek or Burnt Canyon Creek, but it is likely that fish use at least the lower portions of these streams as well.

To reduce potential effects on TES and MIS fish habitat, design features and management requirements were developed (EA, Chapter 2, Table 2-6) and are included in both action alternatives. A summary of biological evaluation findings for listed species, essential fish habitat under Magnuson-Stevens Act, and findings for sensitive species can be found in the EA, Chapter 3, pp. 3-40 to 3-41. Letters of concurrence without terms and conditions by United States Department of the Interior (USDI) Fish and Wildlife Service (March 31, 2009) and National Marine Fisheries Service (May 7, 2009) were received and are in the project file (EA, Chapter 3, p. 3-136). My decision is in compliance with the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act. Based on this information, I accept the trade-off of commercially harvesting more acres to better meet the purpose and need knowing that fish and their habitat are protected.

Vegetation

Forest sustainability was the focus of the vegetation analysis. We defined sustainability as an ecosystem-oriented approach that allows the utilization of forests for multiple purposes, without undermining their availability and quality for present and future generations (EA, Chapter 3, pp. 3-42 to 3-57).

As discussed above under the heading Purpose and Need, Alternative B best moves vegetation in Cobbler project planning area to historical and sustainable conditions. Based on this information, I recognized that more stands will show a greater trend toward improvements in species composition, forest stand structure, and forest stand density by implementing Alternative B than Alternative C (EA, Chapter 2, Table 2-11, pp. 2-37 and 2-38).

Diseased Large Tree Removal

One commenter raised a concern that the project as planned would further harm the ecological integrity of the area by its planned removal of far too many of the area's old and mature trees. It is estimated, that with implementing Alternative B, the number of diseased trees greater than 21 inches DBH that will be harvested in regeneration units is between 10 and 50 trees (Chapter 2, p. 2-12). Diseased trees (infected with specified levels of dwarf mistletoe) greater than 21 inches DBH will be removed only in the moist forest biophysical group, which is within the historical range of variability, and only in regeneration units (shelterwood and seed tree cut) where the disease would be passed from residual trees to the young regenerated stand. None of the large diseased trees that will be removed are in stands classified as old forest structure. Regeneration harvest will occur on approximately 350 acres, which is less than one (1) percent of the total planning area (34,000 acres) and less than two (2) percent of the acres in the planning area where timber harvest is scheduled. Based on this information, I accept the trade-off that a small number of diseased trees greater than 21 inches DBH will be harvested to avoid infecting newly regenerated stands with high levels of dwarf mistletoe, and this action is consistent with the Eastside Screens amendment (EA, Appendix F).

Fuels

Alternative B will allow for safer and more effective fire suppression, and will reduce ladder and ground fuels on more acres in Alternative B than Alternative C. Fuel treatments will be implemented in areas where successful suppression efforts can occur and provide or maintain a network of stands that can be used to control the size and spread of wildfire (EA, Chapter 3, pp. 3-68 to 3-72). The objective of understory thinning is to raise the canopy base height so that a fire burning through surface fuel does not transition into overstory tree crowns. I believe that fuel treatments in this project will use fire disturbance to shape forest cover that will be more reflective of the structure and fire intensity associated with historical forest types. Ground fuels will also be reduced to levels that more closely resemble fuel loadings which existed under a natural fire regime.

Old Forest (Key Issue)

Early in the development of the project concerns about the reduction and amount of connectedness of old forest habitat stands were expressed during the scoping period. This concern was used to develop an alternative to the proposed action (Alternative C).

If I selected Alternative A and implemented no action, some stands over time will develop habitat characteristics that will result in additional old forest and connective corridors. Other stands will trend towards overstocked, unproductive stands with limited value as wildlife habitat. Dry upland forest will likely continue to develop into multi-storied, overstocked stands with encroaching fir.

In choosing Alternative B, I was aware that the amount of old forest in the area will remain within HRV. Approximately 485 acres will be thinned in old forest multi-story, and some dry, old forest multi-story will be converted to old forest single stratum. This represents a positive effect for some wildlife species and a negative effect for others. I was also aware from the environmental effects analysis that connectivity is not a limiting factor for old forest species in this project planning area (EA, Chapter 3, p. 3-87).

Although no timber harvest will occur in old forest stands in Alternative C, I accepted the trade-off in Alternative B that proposed harvest treatments will cause a short-term loss of existing old forest structural complexity, but a long-term gain will result due to increased resiliency to potentially large scale disturbances such as insect outbreaks, disease, and wildfire and that the overall amount of stands classified as old forest will not change (EA, Chapter 3, p. 3-88).

Elk Habitat (Key Issue)

Comments received after scoping expressed concerns about restoring big game habitat and not decreasing any existing habitat. The concern was that proposed harvest could decrease the density of canopy cover converting satisfactory[1] cover to marginal[2] cover and it could reduce the effectiveness of security areas when screening vegetation is removed. Alternative C was developed in response to this issue to retain more cover for big game.

The majority of commercial thinning will occur in Forest Plan management area allocations C4-Wildlife Habitat and E2-Timber Big Game. By implementing Alternative B, total cover (marginal plus

[1] **Satisfactory cover** – A stand of coniferous trees 40 or more feet tall with an average canopy closure equal to or more than 70 percent. Umatilla Forest Plan defines it as cover used by animals to ameliorate the effect of weather.

[2] **Marginal cover** – A stand of coniferous trees 10 or more feet tall with an average canopy closure equal to or more than 40 percent but less than 70 percent and generally capable of obscuring at least 90 percent of a standing elk from the view of humans at a distance of 200 feet.

satisfactory) in management area C4 will be reduced by 2 percent, and total 59 percent, which is above the Forest Plan standard of 30 percent. Total cover in management area E2 will be reduced by 1 percent, and total 51 percent, which is above the Forest Plan standard of 30 percent. In Alternative C, existing satisfactory cover will not be harvested in management areas C4 and E2. Although the net reduction in satisfactory and marginal canopy cover in Alternative B will be about 360 acres, it will continue to be consistent with Forest Plan standards and guidelines for total cover.

In making my decision I considered information in the wildlife biologist's environmental effects report that reduction of hiding cover is somewhat dependent upon topography and distance to open roads. Since most of the roads are closed, hiding cover is less critical to elk in this area (EA, chapter 3, p. 3-92). Closed roads used for project activities will not be open to the public during implementation and will remain closed after the project is completed.

Another factor I considered was the habitat effectiveness index (HEI) for elk. HEI will not change with implementation of any action alternative and will remain within Forest Plan standards for management areas C4 and E2 (EA, Chapter 3, p. 3-90 to 3-91). Based on all of this information, I accept the trade-off of harvesting more acres to better meet the purpose and need, knowing that my decision is consistent with Forest Plan standards and guidelines for elk habitat which was selected as a key issue in the EA.

Dead wood and snags

The amount of dead wood and snags being left in the area was an expressed concern. In selecting Alternative B, I carefully reviewed all analysis and information discussed relative to dead wood and snags. I considered the design features for snag retention listed in the EA, Chapter 2, Table 2-6, and the effects analysis completed by our wildlife biologist for snags on the landscape. The analysis was accomplished using a tool called the Decayed Wood Advisor (DecAID, Mellen et al. 2006), which I believe incorporates the best science available for dead wood habitat. My decision to implement Alternative B is consistent with Forest Plan standards and guidelines for snags and dead wood (EA, Chapter 3, pp. 3-100 to 3-101).

Wild and Scenic River

The ecological integrity of the Grande Ronde Wild and Scenic was brought up as a concern. Landscape prescribed fire is the only management activity that will occur within the wild and scenic corridor. Implementation of prescribed fire will not cover the whole landscape in a single burn and will likely take two to four burn entries. This will reduce the visual impacts, and since past burns outside the planning area have already recovered there will be no cumulative effects. Environmental effects analysis shows that this area is transitioning to more complex fuel conditions and a wildfire will cause severe visual impacts due to mortality in the small to large tree sizes. In making my decision I was aware that implementation of activities in the Grande Ronde Wild and Scenic area will be consistent with the Wallowa and Grande Ronde Rivers Final Management Plan, the Oregon State and Scenic Waterways Program, the Oregon Scenic River Program, and the Forest Plan (EA Chapter 3, pp. 3-126).

Climate Change

I recognize the agency's responsibility to consider climate change in making a decision to implement a project. I am aware of the potential release of greenhouse gases as a result of implementing Alternative B (EA, Chapter 3, pp. 3-133 to 3-135). It will be difficult to determine the quantitative effect of this project on greenhouse gases directly, and therefore climate change indirectly, because there are currently no federal statues, regulatory standards, or policy direction on such effects. Until meaningful, accepted thresholds are adopted against which to weigh any project-related greenhouse gas emissions, it will not be possible to determine a specific project's effect on greenhouse gases or climate change. Any attempt to place this project in the context of global warming will have to focus on portions related to carbon fixing,

storing, and releasing. It is not possible to determine the incremental cumulative effect on a global climate from emissions associated with any particular action of this project.

PUBLIC INVOLVEMENT

Public involvement for this project began when a description of the project was listed in the Winter 2008 quarterly edition of the Umatilla National Forest's Schedule of Proposed Actions (SOPA). Public scoping began on February 22, 2008, with letters describing the proposed action mailed to representatives of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and Nez Perce Tribe and to approximately 115 interested organizations, individuals, and other agencies that have indicated an interest in this type of project. The District received four letters with comments. Two of the letters received represented timber industry concerns (American Forest Resource Council, and Boise Building) and two represented concerns from environmental organizations (Oregon Wild, and Sierra Club and Hells Canyon Preservation Council). Issues raised during scoping were used to develop alternatives along with resource issues presented by Forest Service resource specialists. On January 28, 2009, the District began the 30-day comment period consistent with CFR 215.3 and 215.5. The District received comments from three responders; neither of the tribes responded. Our responses to comments made during the 30-day review period are located in Appendix G of the EA.

ALTERNATIVES CONSIDERED

The EA considered nine alternatives, three were analyzed in detail and six were considered but eliminated from detailed study for reasons stated in the EA, Chapter 2, pp. 2-33 to 2-35. A detailed description of the three alternatives analyzed in detail can be found in the EA, Chapter 2, pp. 2-8 to 2-32. A comparison of these alternatives by activity, issues, and purpose and need can be found in the EA, Chapter 2, pp. 2-36 to 2-43. Below is a summary of the alternatives considered in detail, see EA, Chapter 2 for additional information.

Alternative A – No Action

The theme of the No Action alternative was to allow current biological and ecosystem processed to continue with the associated risks and benefits, and to provide a baseline for comparison with other alternatives. With implementation of this alternative, all activities identified in the proposed action would not be approved to occur in Cobbler project planning area. Previously approved ongoing activities such as domestic cattle grazing, fire protection, firewood cutting, recreation, and road maintenance would continue.

Alternative B – Proposed Action and Selected Alternative

- Commercially harvest approximately 2,500 acres using logging systems that include the following: conventional ground based tractor (380 acres), harvester/forwarder (1,830 acres) and skyline (230 acres).
- Activity and natural fuel treatments in harvest units on 2,500 acres using a variety of treatments.
- Reforestation of 340 acres
- Roads used for project activities include 50 miles of open system roads 40 miles of gated closed system road used and then reclosed, about 1.5 miles of seasonally open roads, approximately 0.25

miles of new road construction which will become a closed road after project activities, and 0.2 miles of temporary road construction that will be decommissioned after use.
- Danger trees will be removed along all haul routes and trailheads. Danger trees located within defined riparian habitat conservation areas (RHCAs) will be cut and left to provide additional coarse woody debris. All other danger trees will be removed and sold as part of a timber sale, if economically feasible.
- Landscape prescribed burning on about 8,000 acres
- Hardwood restoration of aspen, black cottonwood, and mountain mahogany on approximately 23 sites (115 acres). Restoration will include release from conifers and construction of protective fencing.
- Meadow restoration on an estimated 275 acres. Restoration work includes cutting small conifers and burning the meadows to rejuvenate vegetation and reduce conifer encroachment.
- Non- commercial thinning on about 1,900 acres outside of commercial harvest units.
- Forest Plan amendment to change acres in management area allocations in D2-Research Natural Area, E2-Timber and big Game, and A9-Special Interest Area to allow for restoration of existing aspen stands.

Alternative C

- Commercially harvest approximately 1,300 acres using logging systems that include the following: conventional ground based tractor (330 acres), harvester/forwarder (870 acres) and skyline (100 acres).
- Activity and natural fuel treatments in harvest units on 1,300 acres using a variety of treatments.
- Reforestation of 295 acres
- Roads used for project activities include 50 miles of open system roads 30 miles of gated closed system road used and then reclosed, 1.5 miles of seasonally open roads, approximately 0.25 miles of new road construction which will become a closed road after project activities, and no temporary road construction.
- Danger trees would be removed along all haul routes and trailheads. Danger trees located within defined riparian habitat conservation areas (RHCAs) would be cut and left to provide additional coarse woody debris. All other danger trees would be removed and sold as part of a timber sale, if economically feasible.
- Landscape prescribed burning on about 8,000 acres
- Harwood restoration of aspen, black cottonwood, and mountain mahogany on approximately 23 sites (115 acres). Restoration would include release from conifers and construction of protective fencing.
- Meadow restoration on an estimated 275 acres. Restoration work includes burning the meadows to rejuvenate vegetation and reduce conifer encroachment.
- Non- commercial thinning on about 1,900 acres outside of commercial harvest units.
- Forest Plan amendment to change acres in management area allocations in D2-Research Natural Area, E2-Timber and big Game, and A9-Special Interest Area to allow for restoration of existing aspen stands.

FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the EA, I have determined that these actions 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 site-specific environmental analysis documented in the EA, Chapter 3,

and supporting documentation that describes direct, indirect, and cumulative impacts of this decision. I have found that the context of the environmental effects of this decision is limited to the local area and is not significant. I have also determined the severity of these impacts is not significant.

Context

The actions included in Alternative B are described in detail in Chapter 2 of the EA. The disclosure 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 activities' effects on the human environment (EA, Chapter 3). Cobbler project planning area includes about 34,000 acres. The selected alternative included vegetation modification activities on 2,500 acres, about 7 percent of the project planning area and fuel treatments on an additional 8,000 acres, about 24 percent of the project planning area. Activities were designed to improve ecosystem function and resilience to natural disturbance by moving stocking levels, species composition, forest structure, and fuel loads toward their historical ranges. Water quality and flow will not be measurably impacted by project activities. The management activities applied, will improve the ability to suppress wildfires and reduce environmental effects should a wildfire occur. Wildlife and its habitat, soil stability and productivity, air quality, and the regional economy will also be affected. The impacts of Alternative B on each of these resources are disclosed in Chapter 3 of the EA. The analyses also found that the activities may affect but are not likely to adversely affect Snake River steelhead, Snake River Spring Chinook salmon, Snake River Fall Chinook salmon, or Columbia River bull trout. For the same reasons Alternative B may impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the populations of Region 6 sensitive redband trout or margined sculpin. Therefore, in context, this project is local in scope.

Intensity

The environmental effects of the following actions are documented in Chapter 3 of the EA: commercial and non-commercial harvest of trees; mechanical fuels reduction (including removal of forest products and reduction of fuels by prescribed fire and mastication); a very small amount of road construction; temporary road construction and decommissioning; temporary use of roads designated as closed system roads in the District Motorized Access and Travel Management Plan; restoration of hardwoods and meadows; danger tree removal; non-commercial thinning; and amending the Forest Plan. The beneficial and adverse direct, indirect, and cumulative effects discussed in the EA have been disclosed within the appropriate context and effects are expected to be low in intensity because of project design, including design features and management requirements and best management practices (Chapter 2, Table 2-6, and Appendix D) developed to protect or reduce impacts to resources. Significant effects to the human environment are not expected. The rationale for the determination of significance is based on the environmental assessment. I base my finding on the following:

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

My finding of no significant environmental effects is not biased by the beneficial effects of the action. In the EA the interdisciplinary team analyzed and disclosed the direct, indirect and cumulative effects of the actions on the following: soils (Chapter 3, pp. 3-4 to 3-9); water quality (Chapter 3, pp. 3-9 to 3-22); aquatic habitat and fish (Chapter 3, pp. 3-23 to 3-42); forest vegetation (Chapter 3, pp. 3-42 to 3-57); fire severity and fuels (Chapter 3, pp. 3-58 to 3-72); air quality (Chapter 3 pp. 3-72 to 3-75); invasive plants (Chapter 3, pp. 3-76 to 3-81); threatened, endangered and sensitive plants (Chapter 3, pp. 3-81 to 3-83); wildlife and wildlife habitat (Chapter 3, pp. 3-83 to 3-113); range (Chapter 3, pp. 3-113 to 3-116); transportation (Chapter 3, pp. 3-116 to 3-118); recreation (Chapter 3, pp. 3-118 to 3-120); visual resources (Chapter 3, pp. 3-120 to 3-122); wild and scenic rivers (Chapter 3, pp. 3-122 to 3-126); inventoried roadless areas (Chapter 3, pp. 3-127 to 3-130); economics (Chapter 3, pp. 3-130 to 3-133); and Climate Change (Chapter 3, pp. 133 to 135). A brief summary of direct, indirect, and cumulative effects of implementing Alternative B included the following:

- The project may slightly increase the amount of acres within the project planning area with detrimental soil conditions, however, all activity units are consistent with the Forest Plan standard.
- Areas of prescribed burns may add incrementally to the total area of severely burned soils in the area, but should be minimal if ignited within the burning prescription. Exposed soil created by prescribed fire will be short-term, approximately one to two months for spring burns, and up to six months for a fall burn, until the vegetation recovers.
- Road maintenance and reconditioning associated with the proposed timber sale will improve drainage and reduce risk to the hydrologic system from existing inadequate drainage.
- Logging systems will cause some exposure of mineral soil. This soil exposure will be scattered and will be interspersed with undisturbed ground surface. Surrounding undisturbed vegetation and RHCA protection will prevent transport of any eroded sediment into surface waters.
- Proposed activities will not increase stream temperature.
- Proposed harvest and landscape burning will have negligible effect on hydrologic functions, capture, storage, and release of water.
- More early seral species will be left in stands across the landscape resulting in stands that are more resistant to insects, disease, and fire.
- Species composition will be more representative of historical conditions.
- There will be no direct effects to any aquatic species, because there will be no project activities in fish-bearing stream, or even in RHCAs of fish bearing portions of streams.
- Road density will be increased by less than 0.01 miles/square mile in Wenaha-Rock Creek subwatershed. This will be entirely outside of RHCAs and will have no damaging effects to any component of aquatic habitat.
- There will be some short-term sedimentation, lasting less than one week, from road drainage improvement work.
- There will be no net loss in old forest structure. The approximately 485 acres of old forest multi strata that will be thinned are expected to remain old forest. Stands will change from old forest multi strata to old forest single stratum because the lower canopy will be reduced.
- The reduction in stand stocking levels to recommended levels will allow faster growth and will increase resilience of remaining trees.
- Fuel treatments will reduce future ground fuel loadings to levels that more closely resemble fuel loadings which existed under a natural fire regime. Future stands will be more crown-fire resilient and will reduce the potential for the spread of uncharacteristic wildfire.
- The fire regime condition class ratings at the stand and landscape level will improve in the project planning area.
- Proposed harvest treatments will cause short-term loss of existing old forest structural complexity, but a long-term gain will result due to increased resiliency to potentially large scale disturbances such as insect outbreaks, disease, and wildfire.
- Satisfactory cover in management area E2-Timber and Big Game will be reduced below the desired condition of 15-20 percent, but will be at or above the Forest Plan minimum standard of 10 percent. Total cover in E2 will be reduced by 1 percent, and total 51 percent which is above the Forest Plan standard of 30 percent.
- Habitat for species dependant on dry forest habitat and aspen will improve.
- Effects to snags will be relatively minor in dry forest because existing snag levels are close to reference conditions. Within harvest units, snags will be retained at levels required in the Forest Plan.
- Activities will have no effect to gray wolf, Canada lynx, and sensitive wildlife species, with the exception of white-headed woodpecker and Lewis' woodpecker. Activities may affect these woodpecker species, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the populations.

- Silviculture treatments will reduce canopy closure and structural complexity on about 2,000 acres outside of old forest. This could affect goshawk prey species and reduce goshawk nest success. Since nesting by goshawk in the area is unknown at this time, the degree of effect is unknown.
- Reduction of crown and ladder fuels will reduce habitat for some birds, but it will also reduce the chances that a large scale uncharacteristic wildfire will eliminate large areas of forest habitat. Timber harvest in the area will improve stand health and resiliency by reducing overstocking, disease, and fuels, and subsequently restore a diversity of tree species.
- There will be an increased probability of noxious weed establishment and spread in the project planning area.
- Past logging activities are visible in the project planning area. Past harvest visual effects will continue to moderate towards a near-natural appearance over time. The majority of acres harvested will leave fully stocked stands and will not affect the process of moving the area toward a near-natural appearance.
- Some recreationists could be displaced from their campsites during project activities, but the effects will be limited to a small number of sites at one time, and will cease as soon as treatment of a unit is completed (generally one to two weeks as work is occurring).
- Proposed activities (landscape fire and less than an acre of aspen restoration) in the Grand Ronde inventoried roadless area (IRA) will not change the roadless area character, and will not affect the factors and or criteria used for future evaluation of the area as a potential wilderness.

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

There will be no significant effects on public health and safety, because water quality will not measurably change and is consistent with the Forest Plan and the Clean Water Act (EA, Chapter 3, p. 3-22). Prescribed burning will ensure compliance with air quality standards (EA, Chapter 3, pp. 3-72 to 3-75) and the State of Oregon's Smoke Management Implementation Plan in order to reduce the effects of smoke on public health. At the project scale and considering the lack of effects that can be meaningfully evaluated under current science, modeling, and policies I cannot discern significant climate change effects of this project (EA, Chapter 3, pp. 3-133 to 3-135). Design features and management requirements (Chapter 2, Table 2-6) and best management practices (Appendix D) will reduce effects to acceptable levels.

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

Avoidance measures will be implemented to protect cultural resources (EA, Chapter 3, p. 3-136). Landscape prescribed fire and less than one acre of aspen restoration are proposed in a portion of the Grande Ronde IRA which will conserve the roadless character and not affect any wilderness characteristics for future designation (EA, Chapter 3, p. 3-130). A portion of the Grande Ronde Wild and Scenic River is within the project planning area. This project is consistent with the Wallowa and Grande Ronde Rivers Final Management Plan, Oregon State Scenic Waterways Program, and with the Oregon Scenic River Program (EA, Chapter 3, p. 3-126). There are no floodplains or wetlands within the project planning area (EA, Chapter 3, p. 3-137). There are no parklands or ecologically critical areas that could be affected by this action.

4. **Effects on the quality of the human environment that are 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 because there is no known scientific controversy over the environmental effects of the project. There are differing opinions in the community on the management actions necessary and the science used to improve forest

health and reduce fire intensity in Blue Mountain forest ecosystems. The level of controversy or interest in what course of action to take regarding forest management is not the focus of this criterion, rather the degree of scientific controversy over the effects disclosed in the analysis. No significant disagreements have been identified with the disclosure of effects in Chapter 3 of the EA. While some comments differed with my conclusion that the proposed action will affirmatively respond to the purpose and need, the reasons for this difference are based on opinions, not with the disclosure of effects. The Umatilla National Forest Land and Resource Management Plan (Forest Plan) permits all of the activities proposed in this project and these activities have historically been conducted in this area. The EA, Chapter 3 effectively addressed and analyzed all major issues associated with the project. During scoping, 30-day public review and comment period of the EA, and effect's analysis, no scientific controversy over unacceptable effects was identified. Concerns voiced during the 30-day comment period and our response to those comments are listed in Appendix G of the EA.

5. **Effects on the human environment that are highly uncertain, or involve unknown risks – 40 CFR 1508.27 (b) (5)**

We have considerable experience with the types of activities to be implemented. The effects analysis shows that the effects are not uncertain, and do not involve unique or unknown risk (EA, Chapter 3). The best available scientific information provided the foundation for designing the Cobbler project (EA, Literature cited). Commercial harvest using a variety of silviculture prescriptions, mechanical fuels reduction, road work, landscape prescribed fire, danger tree removal, and restoration of hardwoods and meadows have been implemented successfully on the Walla Walla Ranger District. These past activities have been monitored (project file) and the monitoring results provide a good baseline for predicting future outcomes. Past 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 (EA, Chapter 3, p. 3-22, and Appendix D). I am satisfied that the project, as designed, and the effects disclosed in the EA present no highly uncertain or unknown risks.

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)**

The action is not likely to establish a precedent for future actions with significant effects, because timber harvest is not a new activity within this project planning area and the proposed landscape prescribed burning and mechnical treatment of natural and activity fuels has occurred in numerous parts of the Umatilla National Forest. Commercial harvest using silvicultural prescriptions of thinning, shelterwood seed cut, or seed tree cut along with prescribed burning, non-commercial thinning, road construction and decommissioning, danger tree removal, and hardwood and meadow restoration activities are all allowed activities in this area by Forest Plan management allocation. The EA, Chapter 3 effectively addressed and analyzed all major issues associated with the project. While sustaining forest stands at or near historical conditions will require increased use of prescribed fire in the future, this will also reduce fuel loads and continuity so that wildfires will have lower risk of catastrophic effects. The Forest Plan amendment to reallocate acres in management area allocations to allow for restoration and preservation of existing aspen stands will last beyond project duration and will remain in effect until the Forest Plan is revised (see below for finding of non-significant amendment).

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

The cumulative effects findings in Chapter 3 of the EA are not significant. The list of past, present, and reasonably foreseeable future activities in the area that were considered for the cumulative effects analysis for each resource topic is in the EA, Chapter 3, pp. 3-1 to 3-4. I recognize some cumulative effects will

occur; however, these cumulative effects are not considered to be significant at the scale and time frame addressed by this analysis and decision.

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 1508.28 (b) (8)**

Implementation of the selected alternative will have no significant effect on district sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because all sites will be protected by avoiding them (Chapter 2, Table 2-6). This action will also not cause loss or destruction of significant scientific, cultural, or historical resources. Identified sites and any newly recorded sites will be protected from all project activities. The Forest has complied with Section 106 of the National Historic Preservation Act for the Cobbler EA (EA, Chapter 3, p. 3-136).

9. **Cobbler Timer Sale and Fuels Reduction 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 (ESA) – 40 CFR 1508.27 (b) (9)**

The selected alternative will conserve endangered, threatened, and sensitive species and their habitats as required under the Endangered Species Act and Regional guidelines for sensitive species. There are no unique or isolated populations of aquatic, plant, or terrestrial species (EA, Chapter 3, pp.3-23 to 3-42; 3-81 to 3-83; and 3-101 to 3-107). Biological assessments and evaluations for aquatic, terrestrial, and plant species are in the project file. It has been determined that the project "may affect but is not likely to adversely affect" Snake River steelhead, Snake River Spring Chinook salmon, Snake River Fall Chinook salmon, and Columbia River bull trout. Consultation with USDI Fish and Wildlife Service and the National Marine Fisheries Service has been completed and letters of concurrence with their findings are located in the project file. It has also been determined that the project may impact individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to populations of Region 6 sensitive redband trout or margined sculpin.

Activities will have no effect to gray wolf, Canada lynx, and sensitive wildlife species, with the exception of white-headed woodpecker and Lewis' woodpecker. Activities may affect these woodpecker species, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the populations

Implementation of the project including all proposed activities will have no effect on threatened plant species and no impact on sensitive plant species. Threatened, endangered, and sensitive terrestrial species also have a biological determination finding of no effect for threatened and endangered species and a no impact finding for sensitive species

10. **Cobbler Timber Sale and Fuels Reduction 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 action will not violate federal, state, and local laws or requirements for the protection of the environment. This project complies with the 1918 Migratory Bird Treat Act (MBTA) and the Migratory Bird Executive Order 13186 (EA, Chapter 3, p. 3-113). There are no floodplains or wetlands (EA, Chapter 3, p. 137). The project is in compliance with the Clean Water Act (EA, Chapter 3, p. 3-22) and the Clean Air Act (EA, Chapter 3, p. 3-136). This action will not violate federal, state, and local laws or requirements for the protection of the environment (EA, Chapter 3, pp. 3-136 to -138). The Forest Plan amendment does not violate any federal, state, or local law.

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 (Alternative B) does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement (EIS) is not needed.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

Consistency with Umatilla Land and Resource Management Plan (Forest Plan) Direction

This decision to implement timber harvest to improve species composition, structural diversity, stocking densities and reduce fuels, and other proposed activities such as hardwood and meadow restoration, landscape prescribed burning, non-commercial thinning, and danger tree removal is consistent with the intent of the Forest Plan's long term goals and objectives (Forest Plan (FP), pp. 4-1 to 4-3 and 4-15 to 4-46). This project was designed in conformance with Forest Plan standards and incorporates appropriate guidelines for soils, wildlife habitat, riparian and fisheries habitat, vegetation, water quality, fuels, air quality, pest management, threatened, endangered, and sensitive species, visual resources, wild and scenic rivers and management area guidelines (FP pp. 4-47 to 4-195).

The Forest Plan was developed and approved June 11, 1990 using the provisions of the planning rule in effect prior to November 9, 2000 (1982 planning rule). The Forest Service now has a new planning rule (36 CFR 219, published in the Federal Register on April 21, 2008) referred to as the 2008 planning rule. The 2008 planning rule specifically states at 36 CFR 219.14 (b) (4) that, for plans developed under the 1982 rule, the 1982 rule is without effect. There remain no obligations from that regulation, except those that are specifically in the plan. The only requirement specifically provided in the 2008 rule related to projects is at 36 CFR 219.8(e), requiring that projects and activities must be consistent with the applicable plan components. As required by 36 CFR 219.8(e), I have found that this project is consistent with the Forest Plan (EA, Chapter 3 – Findings of Consistency, pp. 3-9, 3-22, 3-42, 3-57, 3-75, 3-81, 3-113, 3-116, 3-118, 3-120, 3-122, 3-126, 3-130, and 3-133).

Consistency with National Forest Management Act

As discussed in the EA, Chapter 3, pages 3-57 and 3-58, all action alternatives will provide timber to help meet the demand for wood products and provide socioeconomic benefits to the American people. The action alternatives would harvest wood products and economic value from those products, thereby, contributing to a portion of the Forest Plan's allowable sale quantity (FP, Chapter 4).

The National Forest Management Act of 1976 (P.L. 94-588), including its amendments to the Forest and Rangeland Renewable Resources Planning Act of 1974 (P.L. 93-378), states that when trees are cut to achieve timber production objectives, the cuttings shall be made in such a way that "there is assurance that such lands can be adequately restocked within 5 years after harvest" (P.L. 93-378, Sec. 6, (g), (3), (E), (ii)). The Forest Plan also includes this standard (see FP, page 4-70).

All of the timber harvest areas proposed for regeneration harvest, except those dominated by lodgepole pine, are proposed for tree planting to ensure that they will be adequately restocked within 5 years after harvest. Stands dominated by lodgepole pine are expected to regenerate naturally to at least minimum acceptable stocking levels within 5 years after harvest. The FP lists natural regeneration as the preferred reforestation method where site conditions and objectives are appropriate (FP, page 4-72).

All intermediate harvest (thinning), regeneration harvest, reforestation (tree planting and natural regeneration), and hardwood restoration proposals be consistent with National Forest Management Act requirements (EA, Chapter 2, p. 2-12) to maintain forested lands in appropriate forest cover, and with related Forest Plan goals, objectives, standards and guidelines: promoting a stand structure and species composition minimizing risks from insects, disease and wildfire (FP, page 4-67); a wide variety of activity methods are allowed, including site preparation, tree improvement, reforestation, tree protection, release and weeding, noncommercial thinning, fertilization, pruning, commercial thinning, salvage harvest and regeneration (final) harvest (FP, page 4-68); natural regeneration should be the preferred forest regeneration alternative where economic, stand, and site conditions are appropriate and where natural regeneration does not conflict with other resource objectives identified and documented during the project planning process (FP, page 4-72); favor species during development of silvicultural prescriptions for long-term stand health, vigor and productivity as specifically related to insect and disease impacts; economic efficiency; and biological diversity needs for wildlife species, visual quality or other resource values (FP, page 4-72); for mixed-conifer forest, maintain stands dominated by early-seral species, including ponderosa pine, western white pine and western larch, because the potential for insect and disease depredation is high if late-seral tree species are favored in these forest types (FP, page 4-73); in the ponderosa pine working group, silvicultural prescriptions will feature ponderosa pine while other associated tree species will be maintained at low levels sufficient to provide for ecological diversity needs; in the lodgepole pine working group, tree species diversity should be encouraged by promoting western larch and Engelmann spruce (FP page 4-73); special and unique ecological communities such as aspen and other hardwood species should receive special attention; silvicultural prescriptions will specifically address measures to protect, maintain and enhance aspen and other hardwood clones, clumps and sprouts (FP, page 4-74). Implementation specifications for the tree planting activity will ensure that Forest Plan minimum stocking level standards (EA, Chapter 2, Table 2-1) are met.

FINDING OF NON-SIGNIFICANT AMENDMENT

Implementation of Alternative B requires a Forest Plan amendment by the Forest Supervisor. The Umatilla Land and Resource Management Plan (Forest Plan) will be amended to reallocate acres in management area allocations D2- Research Natural Area, E2- Timber and Big Game, and A9-Special Interest Area to allow for restoration and preservation of existing aspen stands.

Elk Flats Meadow (70 acres) which is currently designated as management area D2 as a proposed research natural area (RNA) candidate will be reallocated to management area A9- Special Interest Area, in order to allow vegetation management, such as fencing and removal of competing conifers to maintain, preserve, and or enhance existing aspen stands and encourage aspen regeneration. Elk Flat Meadows is the largest aspen site on Walla Walla Ranger District and is one of the largest sites in the Blue Mountains. Aspen clones on this site are severely declining (Powell 2007b, Spiegel 2003, Schmitt 1999, Crowe 1998, Schmitt 1992) (EA, Chapter 3, p. 3-48). In the same vicinity, an adjacent portion of management area E2 (30 acres) which is primarily comprised of meadows will be reallocated to A9, and a small area of D2 (10 acres) that does not contain hardwood stands or have any special interest features will be reallocated to management area E2. This amendment will last beyond project duration and will remain in effect until the Forest Plan is revised. This decision will include the amendment and document the significance of the amendment.

The 2008 planning rule provides for a three year transition period for forest plan amendments (36 CFR 219.14 (b) (2)). During the transition period, amendments may be made using the procedures from the 1982 planning rule. This decision includes a forest plan amendment to the Umatilla National Forest Plan

following the 1982 planning rule procedures. The Forest Service Land Management Planning Manual (Forest Service Manual 1926.51) lists four changes to the Forest Plan that may not be significant when those changes result from:

(1) Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management.

This criterion concerns analysis of the overall Forest Plan and the various multiple-use resources that may be affected. This Forest Plan amendment changes management area allocations as listed in the table below, also see the map in Appendix A of the EA.

Management Area Changes with Forest Plan Amendment

Present Management Area Allocation	Forest Plan Amendment Reallocated to	Acres Reallocated
D2 - Research Natural Area (Elk Flats Meadow)	A9 - Special Interest Area	70
E2 - Timber and Big Game (aspen stands)	A9 - Special Interest Area	30
D2 - Research Natural Area	E2 - Timber and Big Game	10
Total		**110**

Management area D2 will decrease by about 80 acres, management area A9 will increase by 100 acres and management area E 2 will decrease by 20 acres.

This amendment increases the acres of land not scheduled for timber harvest by 20 acres, both management areas D2 and A9 do not allow timber harvest. Management area E2 which does allow timber to be managed on a schedule basis will be reduced by 20 acres. This reduction of 20 acres is minor (well less than one percent) as compared to the approximately 618,000 acres that were considered suitable for timber production in the Forest Plan (FP p. 4-16). It will not result in a measurable decrease in the amount of wood products offered to communities across the forest in the foreseeable future. In addition, the changes in land allocations (management emphasis) will not change or require future changes to livestock grazing permits, mining plans of operations, and the access and travel management plan for the Pomeroy Ranger District (EA, Chapter 3, p. 3-55). As such, the anticipated changes brought about by this amendment in the levels of resource activities and outputs (FP, p. 4-16) projected for this planning period are not expected to be measurable.

There is no risk to water quality from the Forest Plan amendment to change management allocations of Elk Flats Meadow RNA to a Special Interest Area (EA, Chapter 3, p. 3-18) and will have no effect to old forest stands (EA, Chapter 3, p. 3-87). This amendment will allow a few dead trees to be cut where they are intermixed with aspen, but the effect will be minor because of the high density of snags in that area (EA, Chapter 3, p. 3-101). Hardwood protection will benefit species such as Williamson's sapsuckers. This amendment will be beneficial to lynx because it will maintain or create habitat for key lynx prey species such as snowshoe hare and grouse (EA. Chapter 3, p.3-103).

(2) Adjustments of management area boundaries or management prescriptions resulting from further on-site analysis when the adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management.

Elk Flats Meadow is currently identified as Forest Plan management area D2- Research Natural Area. Elk Flats Meadow was site-specifically evaluated by Forest Service ecologists who determined that this site should not be recommended for official designation as an established RNA, but that designating the site as a "special interest area" might provide more options to sustain aspen (Johnson 2000) (EA, Chapter 1, p. 1-3 and Chapter 3, p. 3-49).

Elk Flats Meadow (70 acres) which is currently designated as management area D2 as a proposed research natural area candidate will be reallocated to management area A9- Special Interest Area, to allow vegetation management, including cutting and leaving of trees, in order to maintain, preserve and or enhance existing aspen and encourage aspen regeneration (EA, Chapter 3, p. 3-55 and 3-56). In the same vicinity, an adjacent portion of management area E2 (30 acres) which is primarily comprised of meadows will be changed to A9, and a small area of D2 (10 acres) that does not contain hardwood stands or have any special interest features will be changed to management area E2 (see EA, Chapter 2, pp. 2-20 and 2-21 and map in Appendix A).

The planning area of Umatilla National Forest is 1.4 million acres. The reallocation of 110 acres is insignificant in the context of the entire planning area. This amendment will last beyond project duration and will remain in effect until the Forest Plan is revised.

(3) Minor changes in standards and guidelines.

There will be no changes to any Forest Plan standards and guidelines. This amendment will reallocate acres of Forest Plan management areas to be representative of existing conditions and allow for the management of aspen stands in Elk Flats Meadow. Forest Plan management area A9 – Special Interest Area allows for the management of existing aspen stands. Timber harvest will not be scheduled in this management area (A9), but tree cutting and vegetation management may be permitted in order to maintain or enhance the special features of the interest area (EA, Chapter 3, p. 3-56).

(4) Opportunities for additional projects or activities that will contribute to achievement of the management prescription.

No additional management practices are included in this Forest Plan Amendment. This amendment does not apply to any other areas outside the Cobbler project planning area. The Forest Plan amendment will only affect approximately 110 acres across the 34,000 acre project planning area. Also see response to (2) above.

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 administrative review (appeal) pursuant to 36 CFR 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer: Mary Wagner, Regional Forester, USDA Forest Service, ATTN: Appeals Office, P.O. Box 3623, Portland, Oregon 97208-3623.

The location for hand-delivery: 333 SW 1st Ave, Portland, Oregon. Send faxes to: 503-808-2255. The office business hours for those submitting hand-delivered appeals are: 7:45 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to appeals-pacificnorthwest-regional-office@fs.fed.us. It is the responsibility of persons providing comments by electronic means to ensure that their comments have been received. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice of decision in the *East Oregonian*, our newspaper of record. Appeals received after the 45 day appeal period will not be considered. The publication date in the *East Oregonian* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who provided comments or otherwise expressed interest in this project by the close of the comment period specified at 36 CFR 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

CONTACT

For additional information concerning this decision or the Forest Service appeal process, contact Betsy Kaiser, Project Team Leader, Umatilla National Forest, Walla Walla Ranger District, 1415 West Rose, Walla Walla, WA 99362 or call (509) 522-6290.

/s/ Kevin Martin May 18, 2009

KEVIN MARTIN Date
Forest Supervisor
Umatilla National Forest