Decision Notice

Finding of No Significant Impact

& Finding of Non-significant Amendment

USDA Forest Service, Umatilla National Forest, Heppner Ranger District

Wildcat Fuels Reduction and Vegetation Management Project

T 5 S, R 27 E; T 5 S, R 28 E; T 6 S, R 27 E; and T 6 S, R 28 E; Willamette Meridian
Morrow and Grant Counties, Oregon

Decision and Reasons for the Decision

This decision notice documents my decision and rationale for selecting a course of action to be implemented for the Wildcat Fuels Reduction and Vegetation Management Project. This project area is located in the central portion of the Heppner Ranger District about 15 air miles south of the town of Heppner, Oregon. It is in the Little Wall Creek/Skookum and Swale Creek subwatersheds of the Wall Creek Watershed which drains into the North Fork John Day River.

Background

The project area has been altered from historical conditions from a combination of factors including, fire suppression, insect and disease, and past forest management practices. Stand density, stand structure, species composition, and fire regime condition class have changed at both the stand level and the landscape level.

The majority of the project area is composed of dry upland forest. Past management of the area included harvesting of large trees resulting in a multi-layered stand comprised mostly of small-diameter Douglas-fir understory and incidental amounts of large overstory ponderosa pine. Forests once dominated by open park-like stands of ponderosa pine have closed in with shade tolerant species of Douglas-fir and grand fir. Today, the dry upland forests are comprised of dense multi-layered canopies of shade tolerant/fire intolerant species, which are not characteristic of historic conditions.

The northern portion of the project area is comprised mostly of cold and moist upland forest. Spruce budworm caused widespread mortality in Douglas-fir and grand fir species in the late 1980s and early 1990s resulting in increased snags, dead topped trees, and up to 70 tons/acre of down woody material. Salvage and regeneration harvest activities occurred in response to the spruce budworm outbreak and an earlier pine beetle outbreak. Currently, much of the cold and moist upland forest areas are an open structure with a low to moderate overstory density and abundant reproduction in the understory. The *Wall Ecosystem Analysis* states that these stands will remain in this condition until they burn or are treated. The analysis also identifies portions of the subwatersheds in the project area (north half of Little Wall Creek-Skookum Creek and the

north and east portion of Swale Creek) that have a high need for fuel treatment in order to mitigate large fire potential.

The *Wall Ecosystem Analysis* describes historical conditions within the watershed and the project area that were dominated by multi-aged ponderosa pine open park-like stands (with a component of western larch on the moister sites) that were maintained by ground fires. This analysis identified a need for actions in the Wildcat project area as a high concern for vegetation sustainability. Specifically, portions of the subwatershed (west half of Swale Creek and the south and west portions of Little Wall Creek-Skookum Creek) were recommended as high priorities for treatment to move middle structure classes toward late/old structure classes.

The purpose of the Wildcat project is to reduce the risk of stand loss due to competition between individual trees, insect and disease caused mortality, and wildfire damage and to provide wood products and opportunities of jobs as a result of vegetation management in accordance with the Forest Plan.

There is a need to:

- Move structural conditions toward the historic range of variability.
- Reduce stocking in stands dominated by trees less than 21 inches in diameter at breast height to promote growth and development of large trees.
- Restore historic amount of stands dominated by large trees.
- Reduce the levels of mortality of existing large diameter trees within the late and old structured stands by reducing understory competition.
- Protect and enhance the vegetative conditions of aspen by increasing the vigor of existing stands.
- Reduce insect and disease susceptibility and mortality in forested stands by reducing competition between trees.
- Reduce ladder fuels to reduce risk of fire spread into the upper canopy
- Reduce ground fuels that would contribute to wildfire intensity and resource damage
- Reduce fuel densities to allow for the reintroduction of prescribed fire on a historical occurrence level.

The environmental assessment (EA) documents the analysis of 3 alternatives to address these needs.

Decision

Based upon my review of all alternatives, I have decided to implement Alternative 2 – modified (Selected Alternative). Implementing the Selected Alternative will result in the following activities:

Commercial Thin		**1,943 acres**
Thin from below	1,699 acres	
Variable density thin	244 acres	

Forwarder[1]	1,142 acres	
Tractor	698 acres	
Skyline	93 acres	
Mechanical Fuels Treatment		**2,113 acres**
Forwarder	1,725 acres	
Skyline	388 acres	
Noncommercial Thinning		**2,878 acres**
Within commercial thin units	230 acres	
Within mechanical treatment units	1,785 acres	
Outside units	863 acres	
Aspen Stand Treatment		**40 acres**
Forest Plan amendment (21")	12 acres	
Associated Road Use/Activity		**88 miles**
Open roads	39 miles	
Closed roads	41 miles	
Construct temporary roads	5.3 miles	
Decommission existing roads	2.4 miles	
Prescribed Fire[2]		**10,288 acres**

The project design elements that were developed reflect existing direction found in the Umatilla National Forest Land and Resource Management Plan and program direction established on the Forest. The specific project design elements associated with the Wildcat Project that will be implemented are listed on pages 2-20 to 2-25 of the EA.

Activities and their effects, including the implementation of project design elements, will be monitored by the Forest Service as described on pages 2-25 of the EA.

The Selected Alternative includes the following modifications to Alternative 2:

- Commercial thinning will not occur in units 63, 67, 68, 177, and 191 within the C3 Management Area.
- Commercial thinning will not occur in units 14 and 30 within the C4 Management Area.
- Unit boundaries will be modified in units 32, 33, and 74 within the C4 Management Area.
- Non-commercial thinning will not occur within 6 mechanical fuels treatment units (units 1, 10, 94, 99, 101, and 117)

[1] Activity fuel reduction on 1,142 acres would be treated either mechanically or by prescribed fire and 698 acres would be treated as part of the 10,288 total acres of landscape burning.
[2] Burn control lines would be minimally constructed as needed along the outer boundary of thinning units and individual burn blocks.

- Non-commercial thinning will not occur in units 222, 225, and 227.
- Implement variable density thinning in units 39, 85, 111, the east half of unit 43, and the southwest finger of unit 27.
- The 2.2 mile specified road designed to access the mechanical fuels units in the north portion of the project area will be constructed as a temporary road. The road will be decommissioned after implementation of the project.

Reason for Decision

I have reviewed the Wildcat Fuels Reduction and Vegetation Management Project EA, the information in the analysis file, the Forest Plan, the Wall Ecosystem Analysis, public comments, and applicable laws and regulation. I have determined that there is adequate information to make a reasoned choice among the alternatives.

In making the decision, I considered how each alternative addresses the stated purpose and need and complies with applicable, laws regulations, and policies. I have also considered how each alternative responds to the issues and have also considered the public and agency comments submitted in response to the 30 day comment period.

Response to Purpose and Need

I find that all of the action alternatives (Alternatives 2, 3 and 4) address the project objectives but to different extents with different effects and tradeoffs. I considered the potential outcome to this area if I had selected no action. I concluded that by acting now and reducing fuel levels, thinning stands, and altering structure and species composition; future stand conditions and habitat conditions within the Wildcat area would improve and address the purpose and need for action.

I find that Alternative 1, the no action alternative, fell well short of addressing the purpose and need for action and it would be an irresponsible course of action to do nothing.

I find that the Selected Alternative provides for a balanced approach to addressing the purpose and need for action goals, while responding to the major issues and public comments. Although the Selected Alternative does not address the vegetation and fuel related purpose and need objectives to the same extent as Alternative 2, it makes significant progress in moving the area toward historical structural conditions, increasing large tree dominated stands on the landscape, decreasing insect and disease susceptibility and associated mortality, reducing ladder and ground fuel and providing stand conditions that would allow the reintroduction of prescribed fire in areas where low intensity wildfire historically occurred on a regularly basis.

The Selected Alternative will help modify stand structure from stem exclusion closed canopy to stem exclusion open canopy and shift old forest multi strata to old forest single strata in the dry upland forests within the Wildcat project area (EA Page 3-9). This shift in structure will meet the need to restore historic amounts of stands dominated by large trees. This will move the project area and the landscape closer to the historic range of variability for forest structure. By reducing multistory structures and increasing single story structure across the landscape the risk of fire spread into the upper canopy would also be reduced and thereby contribute to the reduction in the potential for a stand replacement wild fire.

The Selected Alternative will reduce stand densities of upland forest to recommended stocking levels based on plant association. Stand health and vigor 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 in competition will meet the need to restore historic amount of stands dominated by large trees, reduce insect and disease susceptibility of forested stands, and reduce the levels of mortality of existing large diameter trees within the late and old structure stands.

The Selected Alternative increases the ponderosa pine and mixed ponderosa pine dominated stands, increases mixed Douglas-fir stands and reduces mixed grand fir dominated stands in the dry upland forest. I find this to be important to move the project area and the landscape closer to a sustainable species composition.

The Selected Alternative also protects the existing aspen stands in the project area that are in a state of degradation due to increased competition from conifers. I feel that by acting now these aspen stands can be retained as a functioning and important unique ecological feature on the landscape. Because these aspen stands provide a specific habitat niche and this habitat has been reduced from what occurred historically, I feel it is very important to treat these areas now to increase the vigor of the existing aspen.

The Selected Alternative also reduces ground fuel in the moist and cold upland forest where past insect outbreaks have resulted in an extensive amount of dead and down fuel. Treatment in this area will reduce the intensity of a wildfire adjacent to the Texas Butte Inventoried Roadless area and nearby private lands. Reducing the fuel load would also reduce the risk of resource damage that would occur in the event of a wildfire.

The fire regime condition class will be improved and maintained on both an individual stand and landscape level through thinning of vegetation, removal of dead and down material, and underburning. Following project implementation, condition class 2 and 3 will be moved to condition class 1 on nearly 5,500 acres. Thinning, fuel removal, and landscape burning will improve and maintain the fire regime condition class on almost 80 percent of the Wildcat landscape and will decrease any effects to key ecosystem components on the landscape should a wildfire occur. The project will also reduce the possibility that a large scale wildfire would develop. Landscape burning throughout the dry upland forest would help to manage fuel densities through the use of prescribed fire at a historical frequency.

Response to Major Issues

In making the decision to select Alternative 2-modified I also considered its response to the issues. Big game habitat and water quality/sediment were identified as major issues. Issues that were not considered major are addressed in the Response to Comments and Resources section of my decision. Alternative 3 directly responds to the issues of big game habitat in both the winter and summer range and Alternative 4 responds to water quality issues identified during scoping and alternative development. I made specific modifications to Alternative 2 and have included project design elements to respond to both the big game issue and water quality.

In making this decision I recognize that vegetative treatments have the potential to affect big game habitat. In selecting Alternative 2 – modified I considered the potential effects and made the following adjustments:

- Maintain all existing cover in the Monument Winter Range. Total cover in the winter range would continue to meet the Forest Plan standard (30% total cover) and HEI would continue to remain at 68. Because no actions of the Selected Alternative affect the variables used to calculate Habitat Effectiveness Index (HEI) there is no need to amend the Forest Plan. I believe that maintaining the current elk habitat in the winter range is important to do at this time in order to continue to provide sufficient cover habitat as well as continue to contribute to the elk population management objectives of the Oregon Department of Fish and Wildlife (EA page 3-100). The habitat in the Wildcat project area provides a high level of potential habitat effectiveness and will maintain elk populations in the winter range near management objectives (EA page 3-102).

- Incorporate variable density thinning to provide patches of hiding cover to aid in reducing big game vulnerability, particularly along FS Road 21. The variable density thinning will allow silvicultural treatment of overstocked stands while creating a mosaic of open forage areas and small dense patches of vegetation across the landscape. Retaining these patches of vegetation will minimize increased vulnerability by reducing sight distances in treated stands, and breaking up the outline of elk (EA page 3-103).

- Retain some areas of marginal cover in the C4 – Wildlife Habitat management area north of the 21 road (units 14, 30, and modified units 32, 33, 74) because this area is used by elk during the summer months. I feel it is important to maintain these areas of marginal cover within the Heppner Big Game Management Unit. Retaining cover would reduce the potential impacts to elk in an area where satisfactory cover has been reduced in the past, while still meeting the purpose and need to improve overall forest health and resistance to the effects of a wildfire, disease, or insect outbreak (EA page 3-103).

- Reduce down wood densities in the mechanical fuels treatment units to improve accessibility for elk that currently have difficulty or do not use these stands due to the abundance of down wood. Removal of a portion of the downed wood in these stands, non-commercial understory thinning, and removal of diseased trees would improve forage conditions in the short and mid term, and provide for healthy marginal and satisfactory cover habitat in the long term (EA page 3-100). The Selected Alternative will construct and decommission a temporary road to treat 755 acres of this dead and down fuel. Although located behind a year round closure, decommissioning this temporary road and eliminating the use for administrative purposes will reduce disturbance to big game and other wildlife (EA page 3-103 and 3-119).

- Retain some areas of hiding cover distributed throughout the north-central portion of the project area in the cold and moist stands. Within the fuel treatment units, 356

acres of hiding cover will be retained to reduce elk vulnerability now and in the future. These areas will be located adjacent to marginal cover and foraging areas treated with mechanical fuels reduction.

In making this decision I recognize that timber harvest, associated road use, noncommercial thinning and fuels reduction using mechanical equipment, and prescribed burning have the potential to affect water quality. In making the decision to implement the Selected Alternative I have incorporated project design elements (EA p. 2-21 thru 2-25) and best management practices (EA, Appendix A) to protect water quality and fish habitat during implementation. Past experience has shown these methods have been effective at specifically addressing these concerns (EA page 3-173).

In addition my decision includes the decommissioning of three road segments that are long term contributors of sediment into the East Fork Alder Creek, a tributary, and down stream. In developing and implementing project activities the use of Best Management Practices and project design elements are incorporated to minimize potential effects to water and to maintain water quality (EA page 3-173). I also find the Selected Alternative is consistent with the Clean Water Act including no degradation to streams listed on the State's 303d list (EA page 3-173).

Response to Comments and Resources

In addition to how the Selected Alternative meets the purpose and need and addresses the major issues, I considered how the alternatives respond to resources and comments received during the scoping and the 30 day review and comment period. I observed that the environmental effects disclosed in 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 that were expressed about the Wildcat project. I have selected an alternative that addresses the concerns expressed, but is not likely to resolve conflicting points of view.

Several comments received focused on concerns associated with big game cover and the plan amendment proposed for treatments within the Monument Winter Range. As discussed earlier, the Selected Alternative incorporates several adjustments to address the big game issue. The Selected Alternative does not propose any commercial treatment within marginal or satisfactory cover within the Monument Winter Range. This modification to Alternative 2 eliminated the need for a site specific forest plan amendment and avoided the potential for cumulative impacts to cover habitat from timber harvest within the Monument Winter Range. In addition, the Selected Alternative retains some additional areas of marginal cover in the C4 Management Area above those identified in Alternative 2. Although the C4 area is well within Forest Plan Standards for total cover, I believe leaving some of these areas untreated would provide a better spatial distribution of cover in the area north of the 21 road. Finally, as suggested by some members of the public, I have incorporated variable density thinning in 244 acres in areas around the 21 road to help address the elk vulnerability issue.

Additional comments received during the 30 day comment period were related to areas that some members of the public felt have undeveloped character. In making the decision to select Alternative 2 -modified, I considered several points.

- First, there are no inventoried roadless areas or wilderness areas within the Wildcat project area and therefore no activities are planned within these areas.

- Secondly, the Forest Service prepared an inventory of areas with wilderness potential following procedures and criteria found in Forest Service Handbook 1909.12, Chapter 70. Lands with characteristics consistent with the criteria meet the statutory definition of wilderness and were included in the inventory of areas with wilderness potential. The Selected Alternative proposes no timber harvest, noncommercial thinning, mechanical fuel activities, or road construction within inventoried areas with wilderness potential.

- Finally, the Selected Alternative better addresses the concern expressed by some members of the public that the specified road construction proposed under Alternative 2 should not occur. A temporary road located on the ridge top would be constructed and decommissioned after project implementation as suggested during the 30 day comment period. I considered the effects of not treating this area as analyzed in Alternative 4 and felt that missing this opportunity to treat this area now would be detrimental to the soil, wildlife and riparian habitat, air quality, and forested ecosystems both within the project area and beyond should a wildfire either start or spread into this heavy fuel bed. I also considered the need for this system road in the future for the management of the area. Because this road would not be required to continue the needed management of the area over the next 20 years I have determined that a temporary road would provide the needed access to treat the area. I also considered alternative ways to access this area. Access to this area could be obtained from the south along three roads that are located within the Riparian Habitat Conservation Areas. Instead of using these existing roads to reduce fuels this decision will decommission these roads to improve water quality and fish habitat. I feel it is important to locate the temporary road on the ridge and decommission the roads in the riparian areas.

During project development a public field trip was held, and comments were received in relation to the proposed removal of large diameter (>21") conifers from aspen stands and its associated Forest Plan Amendment. Initially a plan amendment was proposed to remove large diameter conifers from 3 aspen stands. Based on public input, aspen stands were re-evaluated and the plan amendment would only apply to 2 aspen stands, units 77 and 82 which total 12 acres. I want to be clear that only a portion of the large diameter trees are proposed for removal in each of these areas and tree selection will be coordinated with silviculture and wildlife biologists.

In making this decision, I recognize the Umatilla Land and Resource Management direction on species diversity which states, "Special and unique ecological communities such as aspen and other hardwood stands, seeps, springs, bogs, and other riparian areas should received special attention and protection from potentially damaging management activities. Silvicultural prescriptions will specifically address measures to protect, maintain and enhance aspen and other hardwood clones, clumps, and stands." (LRMP 4-74).

During that field trip, it was also suggested that some larger diameter spike top trees and untreated patches be retained in the mechanical fuels treatment units north of the 21 road. In response to this comment, design elements 32 and 33 were incorporated into the project and are included in the Selected Alternative (EA page 2-24).

Some of the comments I received expressed a concern that ground-based logging disturbs and compacts the soil. Forest plan standards, project layout and project design elements are developed for areas of concern (EA, p. 2-21 thru 2-25); these include designation, timing, and methods of equipment operation. Additionally, monitoring will determine if operations need to be altered to meet objectives. The short and long term effects to soil resource are expected to be negligible and fully consistent with the Forest Plan (EA page 3-41, and Appendix E).

Another comment expressed concerns over the reduction of vegetation, sedimentation, and loss of soil productivity following the decommissioning of temporary roads. Under the Selected Alternative all temporary roads would be located outside of RHCA and either in areas where old road templates exist or where vegetation is currently minimal. Temporary roads are located only in areas where rehabilitation and closures will be effective based on soil type and topography. Old road templates used as temporary roads will be rehabilitated to a condition beyond the current state. I base this on experience from recent projects in the area and changes from past operating procedures.

Other roads used during project implementation would have little effect on water and soil resources due to project design elements (EA pages 2-21 to 2-25) and best management practices for water quality (EA, Appendix A).

Other comments received indicated concerns over habitat changes for many species dependant on snags. Any felling of snags would be incidental to green tree harvest and will be maintained at density levels based on potential vegetation groups as required for wildlife species. I considered the snag density levels at the watershed scale. The distribution of snag density groups would become more inline with what occurred on the landscape historically. In the short-term, habitat for primary cavity excavators within treatment units is expected to be reduced slightly, but will still be within Forest Plan standards; conversely, burning could recruit snags through direct mortality (EA page 3-86). Further snag recruitment will occur within the mosaic of open and high density forest patches created through variable density thinning and untreated portions of the project area (EA page 3-89). Patches of dense forest will allow for locally high populations of insects and disease, which will encourage snag recruitment. These patches will provide sources of clumped snags that will provide nesting and foraging habitat for a number of primary cavity excavator species. Snag densities in excess of the Forest Plan standard would be maintained in commercial thin and mechanical fuel treatment units and snags will be well distributed across the landscape in untreated forested areas (and within portions of treatment units (EA, Project design elements 25, 26, 32, and 33). Forest Plan standards for snag densities are currently being met within the analysis area, and will continue to be met throughout project implementation and following treatment activities (EA, page 3-87).

I recognize the agency responsibility to consider climate change in making a decision to implement a project. I recognize the potential release of green house gases as a result of the Selected Alternative and also of not implementing this project. It would be difficult to determine

the effects of this project on greenhouse gases directly, and therefore climate change indirectly, as there are currently no Federal statutes, regulatory standards, or policy direction on such effects. Until meaningful, accepted thresholds are adopted against which to weigh any project-related green house gas emissions, it will not be possible to determine a specific projects effect on green house gases or climate change. Any attempt to place this project in the context of global warming would have to focus on portions related to carbon fixing, storing, and releasing. The scale of this action will likely be immeasurable when considered at a global scale.

In consideration of how well the alternatives respond to the purpose and need, issues, and concerns; I have concluded that Alternative 2-modified provides the most balanced approach for management within the Wildcat project area at this time.

Public Involvement

A proposal to commercially thin dry site stands to reduce tree competition and improve stand health and vigor and non-commercially thin young conifer stands to reduce stocking in the understory has been listed in the Schedule of Proposed Actions since January 2007. The proposal was provided to the public and other agencies for comment during scoping on March 2, 2007. In addition, as part of the public involvement process, a field trip was provided to interested individuals to visit the project area to discuss issues and project development. These scoping efforts resulted in three people attending the field trip and responses from three individuals, three environmental organizations, two industry organizations, and one state agency. A field trip was also held with interdisciplinary team members and NOAA Fisheries Service on August 5, 2008 to review the project area and proposed activities. Documentation of the scoping process may be viewed in the project record, on file at the Heppner Ranger District.

Using the comments from the public, other agencies, and organizations, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included amending the Forest Plan habitat effectiveness index standard in order to treat marginal cover within the Monument Winter Range and the effects on quantity and quality of cover habitat that may result in increased vulnerability for big game (elk) in the summer range (EA, pages 1-15). Another main issue was the potential increase in sedimentation to streams as a result of harvesting and burning. To address these concerns, the Forest Service created the alternatives described below.

Alternatives Considered

In addition to the Selected Alternative (Alternative 2-modified), I considered three alternatives in detail and four alternatives were considered and dropped from detailed study for various reasons (EA, pages 2-17 through 2-20). The three action alternatives considered in the EA examine varying combinations and degrees of vegetative treatments and were developed to address the major issues and the purpose and need. For additional details on these alternatives, see the EA (Chapter 2, Alternatives 2 through 4).

Alternatives Considered in Detail

Alternative 1 – No Action

- Under the No Action Alternative, current management plans would continue to guide management of the project area.

Alternative 2

- Commercial thin 2,218 acres. Whole-tree timber harvest using skidders would occur on 739 acres, ground-based systems using harvesters and forwarders would occur on 1,387 acres, and skyline systems would be used on 93 acres.
- Mechanical fuel reduction treatment of 2,113 acres. Harvest systems would include 1,725 acres of cut to length harvester system and 388 acres would use skyline systems. Planting 942 acres within the sanitation units where regeneration has not fully stocked the stands.
- Roads used for access and haul of forest products would include 41 miles of closed road to be temporarily reopened, 3.6 miles of temporary road used and decommissioned, 2.2 miles of new system road to be constructed and closed, and 39 miles of open road maintained.
- Decommission 2.4 miles of closed road.
- Activity fuel reduction on 1,387 acres would be treated either mechanically or by prescribed fire and 831 acres would be treated as part of the 10,288 total acres of landscape burning.
- Landscape burning would occur on 10,288 acres. Burn control lines would be constructed using mechanical equipment along 9.6 miles of the outer boundary of the thinning units and using hand or wet line along 6.3 miles of the boundary of individual burn blocks.
- Noncommercial thinning would occur on approximately 3,069 acres: 956 acres outside commercial thin units, 230 acres within commercial thin units, and 2,113 within the mechanical fuels treatment units.
- The total area receiving treatment would be 3,160 acres of commercial, noncommercial thinning, 2,113 acres of sanitation treatment, and 10,288 acres of landscape burning only for a total of 13,927 acres treated.
- Forest Plan amendments to alter habitat cover within the Monument Winter Range and to remove trees $\geq$ 21 inches from two aspen stands.

Alternative 3

- Commercial thin 1,866 acres, 244 of these acres would use variable density thinning. Whole-tree timber harvest would occur on 698 acres, ground-based systems using harvesters and forwarders would occur on 1,075 acres, and skyline systems would be used on 93 acres.
- Mechanical fuel reduction treatment of 2,113 acres. Harvest systems would include 1,725 acres of cut to length harvester system and 388 acres would use skyline systems. Planting 942 acres within the sanitation units.
- Roads used for access and haul of forest products would include 41 miles of closed road to be temporarily reopened, 5.3 miles of temporary road used and decommissioned, and 39 miles of open road maintained.

- Decommission 2.4 miles of closed road.
- Activity fuel reduction on 1,075 acres would be treated either mechanically or by prescribed fire and 791 acres would be treated as part of the 10,079 total acres of landscape burning.
- Landscape burning would occur on 10,079 acres. Burn control lines would be constructed using mechanical equipment along 8.6 miles of the outer boundary of the thinning units and using hand or wet line along 6.2 miles of the boundary of individual burn blocks.
- Noncommercial thinning would occur on approximately 2,878 acres: 863 acres outside commercial thin units, 230 acres within commercial thin units, and 1,785 within the mechanical fuels treatment units.
- The total area receiving treatment would be 2,729 acres of commercial, noncommercial thinning, 2,113 acres of sanitation treatment, and 10,079 acres of landscape burning only for a total of 13,554 acres treated.
- Forest Plan amendment to remove trees ≥ 21 inches from two aspen stands.

Alternative 4

- Commercial thin 2,179 acres. Ground-based systems using harvesters and forwarders would occur on all 2,179 acres.
- Mechanical fuel reduction treatment of 1,358 acres. Harvest systems would include 1,358 acres of cut to length harvester system. Planting 942 acres within the sanitation units.
- Roads used for access and haul of forest products would include 41 miles of closed road to be temporarily reopened, 2.4 miles of temporary road used and decommissioned, and 39 miles of open road maintained.
- Decommission 2.4 miles of closed road.
- Activity fuel reduction on 2,179 acres would be treated either mechanically or by prescribed fire.
- Landscape burning would occur on 10,288 acres. Burn control lines would be constructed using mechanical equipment along 9.6 miles of the outer boundary of the thinning units and using hand or wet line along 6.3 miles of the boundary of individual burn blocks.
- Noncommercial thinning would occur on approximately 2,544 acres: 956 acres outside commercial thin units, 230 acres within commercial thin units, and 1,358 acres within the mechanical fuels treatment units.
- The total area receiving treatment would be 3,135 acres of commercial, noncommercial thinning, 1,358 acres of sanitation treatment, and 10,288 acres of landscape burning only for a total of 13,138 acres treated.
- Forest Plan amendments to alter habitat cover within the Monument Winter Range and to remove trees ≥ 21 inches from two aspen stands.

Alternatives Considered but eliminated from Detailed Study

Nine alternatives were considered and dropped from detailed study for various reasons. Each of these alternatives fell within one of four categories. Details of each of these alternatives may be found in the EA on pages 2-17 through 2-20. The four categories of alternatives considered but eliminated from detailed study are:

No New or Temporary Roads

Methods of Natural Fuels Reduction

Thinning Prescriptions

Treatment Locations

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 Environmental Assessment and supporting documents which describe direct, indirect, and cumulative impacts of this decision. I have found that the context of the environmental impacts 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 the Selected Alternative are described 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 actions' effects on the human environment. The Wildcat Project area included about 25,450 acres. The Selected Alternative included vegetation modification activities on 2,806 acres, about 11 percent of the project area and fuel treatments on an additional 12,401 acres, about 49 percent of the project 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 historic ranges. Water qualities and flows would not be measurably impacted by project activities. The management activities applied would improve the ability to suppress wildfires and reduce any environmental effects should a wildfire occur. Wildlife and its habitat, soil stability and productivity, air quality, and the regional economy would also be affected. The impacts of the Selected Alternative on each of these are disclosed in the EA (Chapter 3). The analyses also found that the activity may affect but not likely to adversely effect Middle Columbia steelhead or its habitat. Therefore, in context, this project is local in scope.

Intensity

The environmental effects of the following actions are documented in Chapter 3 of the Environmental Assessment: commercial and noncommercial harvest of trees; mechanical fuels reduction including salvage and removal of forest products, reduction of fuels by prescribed fire and mastication, temporary road construction and decommissioning, temporary use of roads designated closed in the Access and Travel Management Plan, and decommissioning of closed 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 including management requirements 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. My finding of no significant environmental effects is not biased by the beneficial effects of the action. The interdisciplinary team analyzed and disclosed the direct, indirect and cumulative effects of the actions on forest vegetation (EA pages 3-2 to 3-17), fire severity and fuels (pages 3-17 to 3-39), soils (pages 3-39 to 3-45), water (pages 3-45 to 3-52), aquatic habitat and fish (pages 3-52 to 3-63), wildlife and wildlife habitat (pages 3-63 to 3-146), non-forest vegetation including: botanical plants, noxious weeds, and range (pages 3-146 to 3-153), air quality (pages 3-153 to 3-156), recreation (pages 3-157 to 3-163), Landscape Characteristics (pages 3-163 to 3-167), cultural resources (pages 3-167 to 3-170), and economics (pages 3-170 to 3-172). The direct, indirect, and cumulative effects of the Selected Alternative included the following:
    - improved stand health
    - short-term and long-term development of single-layer old forest stands
    - species composition more representative of historic conditions
    - reduced stand density
    - improved fire regime condition class at the stand and landscape level
    - reduction in stand replacement fire potential
    - short-term increase in fine fuel loads
    - reduced road density in riparian areas and project area
    - improved habitat for species dependant on dry forest habitat and aspen
    - increase in forage habitat
    - decrease in hiding cover and dense canopy
    - compaction and mobilization of soil from mechanized harvest and temporary road construction
    - short-term increase in exposed soil
    - increased probability of noxious weed establishment and spread
    - smoke emissions (green house gas) from prescribed burning

    There will be no significant effects on public health and safety, because water quality would not measurably change (EA, pages 3-45 to 3-52 and 3-173) and is consistent with the Forest Plan and the Clean Water Act. Prescribed burning would ensure compliance with air quality standards (EA, pages 3-153 to 3-157 and 3-173) and the State of Oregon's Smoke Management Implementation Plan in order to reduce the effects of smoke on public health (EA, pages 3-153 to 3-157 and 3-173). At the project scale and consodering 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.

2. Project design elements are designed to protect public health and safety by requiring safe road standards and road signing (EA page 2-25).

3. There will be no significant effects on unique characteristics of the area, because there are no wilderness, or wild and scenic rivers, or inventoried roadless areas within the projcet area boundary (EA, pages 3-172). There would be no effect to floodplains or wetlands (EA, page 3-175). There are no parklands or ecologically critical areas that could be affected by this action.

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 impacts of the project. There are differing opinions in the community on the management actions necessary 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 would 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 thinning, fuels reduction, and prescribed fire in this area, and these activities have historically been conducted in this area. The EA effectively addressed and analyzed all major issues associated with the project. During scoping, 30-day public review of the EA, and effects analysis, no scientific controversy over unacceptable effects was identified.

5. We have considerable experience with the types of activities to be implemented. The effects analysis shows 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 Wildcat project. Thinning, mechanical fuels reduction, road work, and prescribed fire have been implemented successfully on the Heppner Ranger District. These past activities have been monitored (Analysis File) and the monitoring results provide a good baseline for predicting future outcomes. 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. I am satisfied that the project, as designed, and the effects disclosed in the EA present no highly uncertain or unknown risks.

6. The action is not likely to establish a precedent for future actions with significant effects, because harvest is not a new activity within this analysis area and the proposed prescribed burning and mechnical treatment of natural and activity fuels has occurred in numerous parts of the Umatilla National Forest. Harvest, thinning, 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 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 applies only to the Wildcat project, only within the two aspen units identified as unit 77 and 82, for the duration of the project (EA, page 2-11). Based on this information, implementing the Wildcat decision will not set precedent for future actions with significant effects.

7. The cumulative impacts are not significant (see EA Chapter 3). The Environmental Assessment discloses the projected cumulative effects of implementing the Wildcat project. 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 Appendix F of the EA. 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. Regarding the Forest Plan amendment to remove trees larger than 21 inches in the two aspen stands, the EA analyzed the cumulative effects of the amendment on wildlife habiatat and found that aspen habitat qualtiy would imporve (EA page 3-144) .

8. The action will have no significant effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because the project area has been inventoried for such properties and no properties were located within the proposed treatment units (EA, page 3-167 to 3-170). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because the project area has been inventoried for these resources and no such properties were located within the proposed treatment units (EA, pages 3-167 to 3-170). Any cultural or historic resources discovered during the project will be avoided. The Forest has complied with Section 106 of the National Historic Preservation Act for the Wildcat Project EA (EA, pages 3-172).

9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, because there are no unique or isolated populations of wildlife or plants (EA pages 3-172). . Biological Evaluations have been completed for aquatic, terrestrial wildlife and botanical species (analysis file). Road decommissioning may affect, [but are] not likely to adversely affect the threatened Middle Columbia Steelhead and its habitat (EA, page 3-62). The National Marine Fisheries Service concurred with this not likely to adversely affect finding in consultation required by Section 7 of the Endangered Species Act (Analysis File). Road decommissioning within riparian areas may impact individual interior redband trout or its habitat but would not contribute to a trend towards federal listing or cause a loss of viability to the population or species (EA, page 3-62). Road decommissioning within riparian areas may impact individual spotted frog and inland tailed frog or its habitat but would not contribute to a trend towards federal listing or cause a loss of viability to the population or species (EA, page 3-121 and 3-123). Treatment of large trees and snags may impact individual Lewis' woodpecker or its habitat but would not contribute to a trend towards federal listing or cause a loss of viability to the population or species (EA, page 3-128). Thinning, salvage, fuels treatments, and road work would have no impact on any other threatened, endangered or sensitive species expected to occur on the Umatilla National Forest (EA, pages 3-60 to 3-63, 3-116 to 3-131, and 3-147). The area would continue to provide a diversity of plant and animal communities which meet overall multiple-use objectives. Although use patterns may change due to these activities, sufficient habitat remains to ensure viability of all species in the area (EA, pages 3-52 to 3-148).

10. 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 3-172 to 3-181). The action is consistent with the Umatilla National Forest Land and Resource Management Plan (EA, pages 3-175 to 3-178).

Findings Required by Other Laws and Regulations

This decision to reduce fuels and stocking levels using timber harvest and other methods and to decommission riparian roads is consistent with the intent of the Forest Plan's long term goals and objectives (Forest Plan, pages 4-1 to 4-3 and 4-15 to 4-46). 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, vegetation, water, 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).

The Umatilla National Forest Land and Resource Management 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 Umatilla National Forest Plan (EA, pages 3-175, 3-178) with the following non-significant amendment.

Finding of Non-significant Amendment

Implementation of this project requires a forest plan amendment to the Umatilla National Forest Land and Resource Management Plan. Interim wildlife standards (Eastside Screens) prohibit the removal of any live trees ≥ 21 inches at dbh when analysis determines late and old structure to be below the historic range of variability (HRV) for the biophysical environment. Because aspen is not designated as its own biophysical environment in Eastside Screens it is included in the biophysical environment of surrounding area. Units 77 and 82 are both located within the dry upland forested areas. The dry upland forest of the Wildcat project is below HRV in single story late and old structure and therefore the standard for the removal of live trees ≥21 inches dbh is prohibited. 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 amendment will not change any Forest Land and Resource Management goals or objectives; no wording is being deleted from the Forest Plan and no multiple-use goals (Forest Plan pages 4-1 to 4-3) or objectives shown in Table 4-1: Projected Resource Outputs and Effects of the Forest Plan (Forest Plan pages 4-15 to 4-18) are being modified by this amendment.

The Forest Plan, as amended by the Regional Forester's Plan Amendment #2, does have a goal to maintain components on the landscape such as old forest abundance, wildlife habitat in late and old structural stages and riparian areas. This forest-wide goal applies to the forested landscape across the 1.4 million acre Umatilla National Forest. The Wildcat amendment will continue to provide a range of habitat diversity; including trees ≥21 inches dbh across the 25,540 acre project area and within the aspen stands and will not significantly alter the multiple-use goals and objectives for long-term land and resource management.

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.

Management area boundaries would not be adjusted. Aspen stands to be treated are within Management Areas C3-Big Game Winter Range and E2-Timber and Big Game.

- The goal for management area C3 is to provide high levels of potential habitat effectiveness and high quality forage for big game. Aspen restoration through removal of competition and fencing does produce satisfactory cover and forage in the mid and long term for big game (EA page 4-99). The Forest Plan amendment would be consistent with all standards and guidelines specific to the C3 management area allocation (Forest Plan page 4-151).
- The goal for the E2 management area includes the production of forage and maintenance of a moderate level of big game and other wildlife habitat. In the long term, aspen restoration would improve habitat quality for the red-naped sapsucker (EA page 145). The Forest Plan amendment would be in compliance with all standards and guidelines specific to the E2 management area allocation (Forest Plan page 4-182).

The Wildcat project is consistent with the management prescriptions identified for these management areas. The Wildcat amendment does not change the management prescriptions identified in the Forest Plan for management areas C3 and E2.

3. Minor changes in standards and guidelines.

This amendment would change the Eastside Screens standard for removal of large trees greater than 21 inches at breast height (Screens Appendix B, page 9). This is a minor change for the following reasons:

- The removal of trees greater than or equal to 21 inches applies only to two aspen stands within the Wildcat Project area.
- It entails removal of only a portion of the large diameter trees within the stands.
- It applies to only 12 acres within the 25,450 acre project area.
- The change in the standard under this amendment would only be applied to this specific situation and would not apply to other aspen stands or forested area on the Umatilla National Forest under this decision.
- The amendment only applies for the life of this project.

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 trees ≥ 21" in the project area or on the Umatilla National Forest. This amendment does not eliminate any future opportunities to achieve the management prescription to maintain remnant late and old seral and/or structural live trees ≥ 21" for the purpose of maintaining and/or enhance LOS components across the landscape. The Forest Plan amendment would only affect a portion of the trees on 12 acres across the 25,450 acre project area.

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 Part 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, PO Box 3623, Portland, Oregon 97208-3623

The location for hand-delivery: 333 SW 1st Ave, Portland, OR. Send faxes to: 503-808-2255. The office business hours for those submitting hand-delivered appeals are: 7:45 am to 4:30 pm 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. 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 notice of decision in the *East Oregonian*, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the *East Oregonian*, newspaper of record, 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 comment or otherwise expressed interest in this project by the close of the comment period specified at 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 Janel McCurdy, Environmental Coordinator, Umatilla National Forest, 2517 SW Hailey Ave., Pendleton, OR and (541) 278-3869.

/s/ Kevin Martin 3/6/2009

KEVIN MARTIN Date
Forest Supervisor
Umatilla National Forest