Decision Memo

Meissner Trail Reroute

USDA Forest Service
Bend/Ft. Rock Ranger District, Deschutes National Forest
Deschutes County, Oregon
T 18S R 10E, Section 28, SE 114

Background and Location

In 2013 the Meissner Sno-park was expanded to increase parking capacity from 120 to 180 passenger vehicle spaces. This expansion extended the parking lot to the east placing the parking lot closer to the Meissner cross country ski trail that leaves the sno-park. As snow is plowed from the sno-park, the snow and ice spray, which includes bits of gravel and debris from the parking lot, is blown on the trail creating a hazardous condition for skiers and their equipment. With its proximity to the parking lot and minimal vegetation screening for part of this trail, this spray of snow, ice and parking lot debris on the trail is expected to continue each winter. Options to plow in a different way have been explored without success in preventing this spray from hitting the trail. Rerouting the trail further from the parking lot would allow for a safer trail for skiers.

Meissner Snopark and the adjacent trail reroute are located on FS4614 just off of the Cascade Lakes Highway (Hwy 46) about 12 miles Southwest of Bend, Oregon. The trail is located east of the sno-park (Figure 1).

Decision

I have decided to implement the relocation of approximately 460 feet of the Meissner cross country ski trail (Figure 1). The new location will be further from the plowed area and for part of the trail have a thicker buffer of trees that will protect the trail from the sno-park plowing spray of snow, ice and debris.

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

- To protect northern goshawk nesting sites, project activities will be conducted from September 1 to February 28, outside of the nesting season.
- Discontinue trail maintenance (brushing, removing down wood, grooming) of the trail that would be rerouted to allow these areas to regrow. Place down wood material from the adjacent forested area to discourage use.
- To prevent the introduction of noxious weeds to the site, wash all tools and machinery involved in the project prior to entry.
- To reduce fuel loading, all slash generated from creating the trail corridor that is less 12” should be chipped or piled on site. Material greater than 12” should be removed as merchantable material.
  - Chipping: This is the preferred treatment of slash. Material should be chipped and spread in a non-uniform pattern within the planned corridor to help with the slash mat. Do not pile chips great than 4'.
o Pile/Burn: If chipping is not possible, pile slash according to the specifications attached (Fuels Report). Forest Service Fuels Specialists will burn at a later time.

**Reasons for Categorically Excluding the Decision**

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment because there are no extraordinary circumstances and it falls within a category of exclusion: 36 CFR 22.6 (e)(1) – Trail construction or reconstruction.

The action does not individually or cumulatively have a significant effect on the human environment.

**Relationship to Extraordinary Circumstances**

Based on the resource narratives below and the project record as summarized in this decision, I find that this decision is consistent with agency policy concerning extraordinary circumstances. Potential effects of the resources listed at Forest Service Handbook 1909.15 Chapter 31.2 are minor or non-existent as described below.

The following are resource conditions that should be considered in determining whether extraordinary circumstances related to a proposed action warrant further analysis and documentation in an EA or an EIS. The presence of these conditions does not preclude use of a CE; rather it is the degree of potential cause/effect relationship.

1. **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal Listing or proposed critical habitat, or Forest Service sensitive species**

   Plant species - There is no habitat for any federally listed threatened or endangered plant species or R6 Sensitive plant species; therefore, there would be no effect to any of those categories of plant species.

   Terrestrial Wildlife Species – A Biological Evaluation (BE) has been prepared to assess impacts to federally threatened, endangered, proposed, and candidate species and impacts to Region 6 Sensitive Species associated with the project area. The BE found an effects determination of may effect, not likely to adversely affect Northern spotted owl since the project area would remove .12 acres of dispersal habitat. There would be no effect to other federally listed species. The BE also states no impact to R6 sensitive species, except the western bumble bee. The project may impact individual or habitats of the western bumble bee but will not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species. The project may have a small negative impact for Deschutes Forest Management Indicator Species northern spotted owl, American marten, copper's hawk, northern goshawk, sharp-skinned hawk, and woodpeckers. The disturbance would be insignificant at the Forest scale and continued viability of the species is expected.

   Aquatic Species – Due to the lack of surface water, there is no habitat for any listed threatened or endangered aquatic species or designated critical habitat, aquatic species proposed for Federal listing or proposed critical habitat, or Forest Service R6 sensitive aquatic species. There would be no effect to any of these categories of aquatic species.

   This project complies with the Endangered Species Act. No consultation with the U.S. Fish and Wildlife Service is required.
(2) **Flood plains, wetlands, or municipal watersheds**

Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of flood plains. The project does not propose to occupy or modify any floodplains.

Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. The project does not propose to destroy or modify any wetlands.

There are no municipal watersheds within the project area.

(3) **Congressionally designated area, such as wilderness, wilderness study areas, or national recreation areas**

The area does not contain any Congressionally-designated wilderness, wilderness study areas, or National Recreation Areas (Forest Plan) or any other Congressionally-designated areas.

(4) **Inventoried roadless areas**

The area is not within an inventoried roadless area.

(5) **Research natural areas**

The area does not contain any Research Natural Areas.

(6) **American Indians and Alaska Native religious or cultural sites and (7) Archaeological sites, or historic properties or areas**

Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. A survey and cultural resource report has been submitted to the State Historic Preservation Officer (SHPO). A 'No Historic Properties Affected' determination has been made under the R6 United States Forest Service Programmatic Agreement. The Forest Service has sought concurrence with this finding from the SHPO. This project complies with the National Historic Preservation Act, Section 106.

**Public Involvement**

The project has been discussed with the Meissner Nordic Club, a volunteer group that assists with maintaining the sno-park and grooms this and other area ski trails. The club is in support of this project. There have been discussions with Oregon Department of Transportation (ODOT) to explore other ways to alleviate this problem, but could find no other solution. Response from the winter recreation public has been in favor of this relocation.

The proposal was posted to the Deschutes National Forest Website on April 13, 2015. It can be viewed at [http://www.fs.usda.gov/project/?project=46747](http://www.fs.usda.gov/project/?project=46747). In addition, the project was listed in July issue of the Schedule of Proposed Actions (SOPA) for the Deschutes National Forest. This list is posted online and sent to a mailing list of interested individuals and groups.

**Findings Required by Other Laws**

**National Forest Management Act**
Deschutes Land and Resource Management Plan
This project is consistent with the Deschutes National Forest LRMP as amended and complies with all relevant standards and guidelines. The project is within the Scenic Views management allocation whose goal is "to provide Forest visitors with high quality scenery that represents the natural character of Central Oregon." The following Standard and Guidelines apply to the management of this stand:

M9-20 ...Small, natural appearing openings are desirable, and are an important visual element of the characteristic landscape in mixed conifer stands.

M9-23 In many of the mixed conifer stands on the forest, mature and over-mature trees are in poor condition. For this reason, the number of large-diameter, old growth trees in mixed conifer foregrounds will gradually decline through the years. However, the presence of large-diameter trees in these areas will continue to be a major visual component, but not at all times on every acre. Replacement large-diameter trees will be provided through actively managing existing younger, more healthy trees.

M9-58: ...Slash or tree removal activity or other visible results of management will not be visible to the casual forest visitor one year after the work has been completed.

The project is consistent with Forest-wide standard and guidelines for the prevention of invasive plant introduction and spread. No known invasive plant sites exist within or adjacent to the project area.

Northwest Forest Plan
The project location is within Matrix land designation in the Northwest Forest Plan. The project activities are consistent with the standards and guidelines associated with this designation.

INF/SH
Direction in the Inland Native Fish Strategy of 1995 do not apply to this project because there is no fish habitat and no populations of resident native fish in or near the project area.

Clean Air Act
This project would no impact on air quality

Clean Water Act
There is no surface water or riparian areas present in the project area. There is no potential for impacts to water quality from implementation.

Implementation Date
This decision is not subject to administrative review per 36 CFR 218.23 (June 20, 2014 final rule to amend regulation.

Implementation may begin in September 2015.
Contact Person
For additional information concerning this decision, contact Amy Tinderholt, Bend/Ft. Rock Ranger District at (541)383-4708; 63095 Deschutes Market Road, Bend, OR 97702

Kevin Larkin
DISTRICT RANGER

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**Deschutes N.F. Piling Specification**

Consult district contact prior to implementation.

**Contacts**

- Bend-Ft Rock RD Primary Contact: Robert Newey, Fuels Tech: Desk 541-383-4735, Cell 541-280-5447
- Bend-Ft. Rock RD Front Desk: 541-383-4000
- Central Oregon Interagency Dispatch Center: 541-416-6800
- Fire Use Information Line (IFPL): 800-523-4737

The preferred method of piling project debris is to add material to existing piles in the project area. If not possible, please adhere to the 2015 Hand Pile Standards listed below:

- Construct hand piles 5 feet or more in height and no less than 4 feet high. Length and width will vary slightly depending on available space. Generally, a well-made pine pile will be 6 feet long, 5 feet wide, and 6 feet tall.
- Long material can be placed on piles and be trimmed with a saw.
- Piles should be compact with slash arranged parallel.
- Material in piles should generally be less than 12 inch in diameter.
- Do not pile logs greater than 12 inches in diameter that are longer than 6 feet. Also, do not pile logs that are mostly rotten. This material should be left within the unit for wildlife.
- Do not place piles directly under power lines or directly on buried gas lines.
- Place piles at least 4 feet from logs and stumps and avoid placing them on rock outcroppings.
- Avoid constructing hand piles within 15 feet of Ponderosa Pines less than 10 inches in diameter and within 8 feet of all Lodgepole Pines. This distance may need to be increased with larger piles.
- If working near private land, try to locate piles as far as possible from buildings and property boundaries.
- Do not place rocks on piles to weight them down. They can become a safety hazard when cutting and burning piles.
- Do not place propane tanks, aerosol cans, cartridges, tires, flammables, explosives, or trash of any kind in any of the piles. All personal garbage should be packed out.
- Some units will require piles to be covered with plastic. Check with Fuels Tech for specifics.
FIRE PROTECTION PLAN

All projects and activities are subject to Industrial Fire Precaution Level regulations which may cause delays in project implementation. TDS will take appropriate fire prevention and suppression measures in conjunction with its operations and maintenance on the ROW. TDS will comply with the following Industrial Fire Precaution Levels and call the fire information line at 1-800-523-4737 prior to implementing a project during fire season. The FS may make periodic inspections. Failure to comply shall result in a temporary shutdown of all non-compliant maintenance activities until compliance is met. If necessary, TDS may contact the Permit Administrator to obtain a fire waiver. The FS may require additional resource protection measures to be consistent with Industrial Fire Precaution Regulations which may be listed in the fire waiver.