Decision Notice

and

Finding of No Significant Impact

16 Road Forest Health Project

Environmental Assessment

September, 2006

Malheur National Forest

Prairie City Ranger District

Grant County, Oregon

The United States Forest Service, Malheur National Forest proposes to reduce fire hazard through the use of fuel burning, noncommercial and commercial thinning, and machine work for fuel disposal or removal in the 2,445 acre 16 Road Forest Health Project Area on the Prairie City Ranger District. All activities are planned under the authority of the Healthy Forest Restoration Act of 2003 (HFRA). The project area is a forested, public travel corridor identified in the Grant County Community Fire Protection Plan as containing a fire-evacuation route from an “at-risk community.” The 16 Road Project Area is located approximately 37 road miles from the cities of John Day/Canyon City and 26 miles from Prairie City. The Federal Register identifies all three cities as at risk to urban interface fires. Between these Cities and the 16 Road Project are many homes with outbuildings, ranches, and cabins. Many of these dwellings are directly adjacent or intermingled with National Forest lands. The highest concentrations of homes interfacing with the National Forest are located along Highway 395 (South of John Day/Canyon City), County Road 65 (along Canyon Creek – South of John Day/Canyon City), and County Road 62 (South of Prairie City). In event of a wildfire the 16 Road could serve as the evacuation route for the residents of homes. The 16 Road may also serve as an alternate transportation route in event of a wildfire in the Highway 26 or Highway 395 corridors. In close proximity to the 16 Road Project are two Forest Service Guard Stations and private lands containing structures. The Crane Prairie Guard Station is located adjacent to the project area.
In relation to the historic role of fire, the entire project area is classified as one in which surface fires, as opposed to crown fires, were most common. Such fires were of low to mixed severity, resulting in much fuel consumption yet survival of a substantial portion of the upper-level large trees. By contrast, the prevailing, current fuel condition (87 percent of the area) is highly departed from these historic characteristics, meaning there is considerable fuel on the ground and the forest is relatively dense at one or more vertical levels. Overall, these conditions create a risk for uncharacteristically intense fire behavior should a fire occur, and a related risk for severe fire effects on both natural resources and man-made improvements. The current conditions also pose a generally high near-term risk that timber stands of the area will experience bark-beetle outbreaks, especially during droughty periods. Bark beetles are currently present at endemic population levels, killing scattered individual or small pockets of trees, and are expected to increase unless stand densities are generally reduced. More dead or dying trees from bark-beetle attacks would add to the current fuel hazard and its potential fire impacts.

Proposed activities will reduce the risk of loss to the evacuation route, private property, and public facilities and resources in or near the project area, by creating forest conditions that would moderate potential wildfire intensity and allow firefighters a good chance of controlling fires in this area. Additionally, activities will reduce the risk of uncharacteristically intense fire behavior resulting from fuel accumulations of future bark beetle caused mortality. A majority of the proposed fuel reduction activities will be done through contracts, providing employment opportunities to the local community.

**The Decision**

Based on the analysis described in the Environmental Assessment, collaboration with the partners to the Grant County Community Fire Protection Plan, Grant County Court and Resource Advisory Committee, Tribes, interested parties, and comments received from the public during this analysis, it is my decision to implement Alternative 2 - Proposed Action (Revised). Alternative 2 will reduce the fuel hazard with a combination several treatment methods on a total of 2,151 acres in the 16 Road Forest Heath Project Area.

Treatments will include both noncommercial and commercial thinning using low-thinning methods, which remove mainly lower- or mid-level trees to favor and redistribute growth potential to upper-level large trees. Trees to be removed would be those currently contributing to crown-fire potential or bark-beetle risk, up to a size limit of 21 inches in diameter at breast height (DBH). A combination of fuel treatments including whole tree removal, lop and scattering, piling by ground based machines, hand-piling and burning, and underburning will be used in combination with thinning. The following table map shows treatment acreages and locations.
<table>
<thead>
<tr>
<th>Proposed Treatments</th>
<th>Treatment Codes (On map)</th>
<th>Est. Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underburning at low or moderate intensity</td>
<td>FUB</td>
<td>705</td>
</tr>
<tr>
<td>Underburning at low or moderate intensity, followed by hand-cutting and hand-piling &amp; burning of small fire-killed trees where needed for scenery benefits</td>
<td>FUB, FHB</td>
<td>128</td>
</tr>
<tr>
<td>Noncommercial thinning; fuels removed or piled by ground-based machines; later underburned at low or moderate intensity, followed by hand-cutting and hand-piling &amp; burning of small, fire-killed trees where needed for scenery benefits</td>
<td>SPC, FMT, FUB, FHB</td>
<td>10</td>
</tr>
<tr>
<td>Noncommercial thinning; fuels removed or piled by ground-based machines; later underburned at low or moderate intensity</td>
<td>SPC, FMT, FUB</td>
<td>20</td>
</tr>
<tr>
<td>Noncommercial thinning; slash lopped &amp; scattered; later underburned at low or moderate intensity, followed by hand-cutting and hand-piling &amp; burning of small, fire-killed trees where needed for scenery benefits</td>
<td>SPC, LS, FUB, FHB</td>
<td>27</td>
</tr>
<tr>
<td>Noncommercial thinning; slash lopped &amp; scattered; later underburned at low or moderate intensity</td>
<td>SPC, LS, FUB</td>
<td>43</td>
</tr>
<tr>
<td>Commercial thinning; slash lopped &amp; scattered; later underburned at low or moderate intensity</td>
<td>HTH, LS, FUB</td>
<td>105</td>
</tr>
<tr>
<td>Commercial thinning with whole-tree removal; later underburned at low or moderate intensity, followed by hand-cutting and hand-piling &amp; burning of small, fire-killed trees where needed for scenery benefits</td>
<td>HTH, WT, FUB, FHB</td>
<td>61</td>
</tr>
<tr>
<td>Commercial thinning with whole-tree removal; later underburned at low or moderate intensity</td>
<td>HTH, WT, FUB</td>
<td>606</td>
</tr>
<tr>
<td>Commercial &amp; noncommercial thinning; fuels hand-piled &amp; burned; later underburned at low or moderate intensity</td>
<td>HTH/SPC, FHB, FUB</td>
<td>30</td>
</tr>
<tr>
<td>Commercial &amp; noncommercial thinning; fuels removed or piled by ground-based machines; later underburned at low or moderate intensity, followed by hand-cutting and hand-piling &amp; burning of small, fire-killed trees where needed for scenery benefits</td>
<td>HTH/SPC, FMT, FUB, FHB</td>
<td>55</td>
</tr>
<tr>
<td>Commercial &amp; noncommercial thinning; fuels removed or piled by ground-based machines; later underburned at low or moderate intensity</td>
<td>HTH/SPC, FMT, FUB</td>
<td>361</td>
</tr>
<tr>
<td><strong>All Proposed Treatments</strong></td>
<td></td>
<td><strong>2,151</strong></td>
</tr>
</tbody>
</table>


Rationale for the Decision

I have selected Alternative 2 (Revised) because it best responds to specific fire-risk concerns identified by partners to the Grant County Community Fire Protection Plan. The project was reviewed and recommended as a priority by the Grant County Court and Resource Advisory Committee. The project meets the purpose and need for action while meeting all direction provide in the Malheur Land and Management Plan of 1990 (LRMP) and the intent of the Healthy Forest Restoration Act (HFRA).

I have reviewed public comments and issues for this project and have determined that Alternative 2 best addresses them. Following public review of the original proposed action, the interdisciplinary team made refinements to the proposed action and added particular design features, conservation measures, and monitoring requirements in response to public comments. The result of these refinements was a revised proposed action, Alternative 2, which I am selecting for implementation. Summaries describing how public comments were addressed and used to refine the proposed action can be found in the 16 Road Forest Health EA.

I selected Alternative 2 because it will reduce the area of potential crown fire by modifying the surface and canopy fuels along the 16 Road. This will result in improved firefighting capability. Firefighters should be able to direct-attack a fire from Forest Road 16 and more likely stop it at the road. There would be much less chance of a fire crossing the road through the crowns of upper-level trees, correspondingly public evacuation through the area is more likely to be safer. Several similar treatments have been completed on areas on the Prairie City and the Malheur National Forest. One example, the Awake Project, included combinations of commercial thinning, pre-commercial thinning and underburning completed in 2000. In 2002, the Monument Fire moved from untreated areas into the Awake Project area. The treated areas were used as a location to contain the fire spread using tactics such as back-burning and direct fire line. Firefighters were successful containing the fire in these treated areas due to lower fire intensity than that experienced in the un-treated areas. Primarily the lack of crown fire in the treated areas reduced spotting and thus fire spread. From visual inspections, mortality in the forest vegetation in the treated areas was generally much less due to less scorch height on the larger trees and reduced duff from previous underburning.

The density of many timbered stands would be immediately reduced, allowing retained trees to become more vigorous and making the microclimate surrounding them less favorable for beetle population buildups. As a result, serious beetle outbreaks in these areas would become far less probable reducing the risk of uncharacteristically intense fire behavior resulting from fuel accumulations caused by bark beetle caused mortality.

Project- area lands contain habitat of a threatened species (bull trout). Implementation of Alternative 2 would reduce the threat of severe fire effects to bull trout habitat. Treatments would appreciably reduce potential fire intensity, resistance to control, and the risk of severe impacts to forest vegetation, soil, and water. Consequently, the risk of secondary fire impacts to bull trout would be reduced. In event of a large fire event, indirect or secondary short-term impacts to bull trout in Crane and Little Crane Creeks could include increased sediment transport to streams, sediment effects on channel qualities and spawning habitat, ashflow, loss of streamside shade in turn causing higher summer water temperatures, and decreased large woody debris. Crane Creek and Little Crane Creek provide the highest quality bull trout spawning habitat in the North Fork Malheur drainage.
Other Alternatives Considered

Alternative 1 (No Action): This alternative would leave the area in its existing condition. Alternative 1 was not selected because it did nothing to reduce the fire hazard along the 16 Road.

Public Involvement and Collaboration

This project was identified as a priority through local collaborative processes. The project responds to specific fire-risk concerns identified by partners to the Grant County Community Fire Protection Plan. The project was reviewed and recommended as a priority by the Grant County Court and Resource Advisory Committee.

A collaborative planning meeting was held in John Day, Oregon on Sept. 23, 2004 for all interested parties, at which participants provided relevant information, ideas, and concerns that helped shape the proposal. At the collaborative planning meeting, participants asked the Forest Service whether a project at 16 Road that only addressed hazardous fuel reduction, and which relied heavily on noncommercial thinning and underburning and only limited commercial thinning, would meet all fuels reduction needs of the area. Participants asked whether there were additional methods that should be considered, that might yield more raw forest products needed in the local area economy. Forest Service specialists familiar with the area informed the group that the area contained many timber stands with average tree sizes and densities considered to be risk factors for damaging bark-beetle activity, and that bark beetles were present at endemic levels—that is, common but not epidemic, currently killing scattered, individual trees or small pockets of trees. The Forest Service personnel also explained that tree mortality from bark beetles would likely increase in the near term unless stand densities were reduced. This bark beetle mortality would add to fuel loads, increasing fire intensity and resistance to control. Subsequent oral and written comments from participants encouraged the Forest Service to address all current resource-management needs of the area consistent with Forest Plan direction, and to use treatments or methods that would support commercial activity in conjunction with treating fuel hazards. This collaborative advice was closely considered by the Forest Service and ultimately led to expanding the scope of the 16 Road Project to include reducing the risk of loss to timber and other forest values from bark-beetle activity. This objective was added both to make the proposal more responsive to all applicable management direction of the Forest Plan and to keep the current fuel problem from becoming worse, or recurring, as a result of beetle-killed trees. In addition to encouraging the Forest Service to enlarge the scope of the project as described above, participants also contributed information and ideas that helped define actual proposed treatments adjacent to Forest Road 16. All of the above-described collaborative work was performed at the project development stage, to help formulate the proposed action—that is, prior to external “scoping” (review and comment) of a proposed action.

On February 17, 2005, the project proposal and invitation to comment as part of the scoping process was issued and mailed to approximately 220 interested individuals, organizations, state and federal agencies, and tribal offices.

Issues identified during scoping are normally addressed by developing alternatives to the proposed action; however, no alternatives are required for this HFRA project. Instead, the interdisciplinary team considered all the comments received during collaboration and scoping and made refinements to the proposed action and added particular design features, conservation measures, or monitoring requirements. These were based on both additional internal review and consideration of relevant external comments (EA Appendix A, pages 111-118) summarizes individual external comments and
explains their relationship to some of the changes. The refinements and additions were made to clarify or ensure that the proposed action would serve the stated purpose and forest-management needs in a manner consistent with applicable standards, or to avoid or reduce potential adverse effects to certain environmental values. The revised proposed action reflects the following refinements or added features:

- Some treatment proposals involving commercial or noncommercial thinning were modified in order to maintain canopy-cover requirements in medium-density stands to provide goshawk nesting habitat and post-fledgling areas (PFAs), late and old structure (LOS) candidate stands and connection corridors, and pileated woodpecker habitat.
- Detailed logging-feasibility and resource-protection considerations resulted in some previously proposed commercial thinning treatments being limited to noncommercial thinning or underburning only.
- An additional archeological site requiring protection was identified and proposed treatments were deferred in this area.
- Winter logging was adopted as a basic requirement for all proposed commercial thinning.
- Commercial and noncommercial thinning treatments proposed in visual-corridor foreground areas along Forest Road 16 maintain variable spacing for retention trees to avoid unnatural-looking vegetation patterns.
- Additional big game hiding cover would be provided by retaining untreated patches of forest trees throughout the project area, with emphasis on relatively flat topography and around existing snags for their further protection.
- On slopes facing Forest Road 16, slash-burn piles will be placed up to 50 feet away from the road where practicable, to reduce visual impacts.
- During winter operations, an alternate snowmobile route(s) would be designated to substitute for the short-term loss of snowmobile routes used for winter log haul.

The environmental assessment was mailed out for the 30-day objection period on June 7, 2006. An advertisement announcing the availability of the environmental assessment and the objection period was placed in the Blue Mountain Eagle, a John Day newspaper, on June 7, 2006.

Objections were received by Asante Riverwind, Oregon Chapter Sierra Club (OCSC) and Doug Heiken, Oregon Natural Resources Council (ONRC). The objection filed by Asante Riverwind failed to meet the objection requirements of the Healthy Forest Restoration Action (36 CFR 218.6 (a)) and therefore was dismissed. The reviewing Officer (Stan L. Benes) responded to Oregon Natural Resources Council on August 4, 2006 stating that he was instructing District Ranger Brooks Smith not to proceed with issuance of a Decision Notice for this project until the issues identified in three specific objections statements were addressed. To address these issues the Environmental Assessment (EA) was edited to include the following:

- The environmental analysis was edited to expand discussions of snowmobile routes, including alternative routes with potential impacts. The EA now clarifies that alternative routes will be limited to existing approved snowmobile routes that are part of the Forest trail system.
- ONRC comments provided during scoping were further addressed. Comments area addressed in the following sections of the EA:
  o EA Part 2, Proposed Action (Revised), pages 10-15
  o EA Part 2, Issues, pages 16-19
The EA was augmented to disclose implementation monitoring of design measures that would affect snags and coarse woody debris during project accomplishment.

The OCSC and ONRC objections, and the response to the ONRC objection may be found in the project record.

Finding of No Significant Impact

Based on the site specific analysis summarized in the 16 Road Forest Health Project EA and this Decision Notice, and on previous experience with similar proposals, I have determined that this action is not a major federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement will not be prepared. The determination was made considering the following factors:

1. **Impacts that may be both beneficial and adverse.** Both beneficial and adverse impacts (40 CFR 1508.27 (b)(1)) of implementing the Selected Alternative have been fully considered within the EA. Beneficial and adverse direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed within the appropriate context and intensity. I find that my decision would have neither a significant beneficial or adverse impact because the acres treated are a small percentage of similar acres across the landscape, and the anticipated effects are similar to those in past fuel reduction projects, which have not proven to cause significant impacts. I based this finding on the following summary of expected impacts to forest fire hazards, air quality, fisheries, soils, forest vegetation and wildlife.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Impacts</th>
<th>Size or Scope of the Impact</th>
<th>Reason an Impact of this Size or Scope is not Significant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forest Fire Hazards</td>
<td>Potential wildfire average flame-length. Ability to effectively take action to suppress a wildfire Safe public evacuation route</td>
<td>2,151 acres of proposed underburning, commercial thinning, pre-commercial thinning,</td>
<td>Selected alternative appreciably reduces potential fire intensity across the project area. Surface fuel loads would be closer to historic conditions after treatment. Compared to non action flame-length under “97th percentile” fire weather conditions increases from 6.0 to 7.3 feet, due to change to lighter fuels ) more grass, less woody debris) and increased effective wind speed from lower stand densities. Fires occurring during extreme weather conditions would be primarily surface fires, as opposed to crown fires. Direct attack by ground-based crews and equipment would be more effective with general fire severity much lower. Public evacuation through the project area is likely to be safe under any given set of fire-weather conditions (EA, pgs. 34-35).</td>
</tr>
</tbody>
</table>
| **Air Quality** | Air quality in areas downwind of project area (Monument Rock Wilderness, and town of Unity) | 2,151 acres of proposed underburning | All burning would occur outside visibility-protection periods set for Central Oregon of July 1st to September 15. In compliance with the Clean Air Act, burning of any kind will not occur unless approval is granted by Oregon Department of Forestry.

Appreciable adverse effects are not likely from burning under planned and approved conditions, as smoke would be diluted. If burning can be conducted under west or northwest winds, air-quality impacts on communities would essentially be avoided.

Burning activities will be scheduled in relation to weather factors and other planned burning in the area, to comply with the Clean Air Act (EA, pg. 41). |
| **Fisheries** | Stream or streamside habitat-quality factors (stream sediment, large woody debris, temperature and shade, water yield, wet or flooded areas and closely connected riparian habitat) Threatened and R6 sensitive species or habitats, including Malheur management indicator species (threatened bull trout), interior redband trout, and Columbia spotted frog (R6 sensitive) | No Commercial harvest would occur in RHCAs. Prescribed fire may be allowed to creep at low intensity into RHCAs | The selected alternative is unlikely to cause direct adverse effects to bull trout or redband trout, and at most only minor (indeterminable) indirect or cumulative adverse effects to their habitat (EA, pg. 84).

The winter harvest requirement, RHCA buffers, and related restrictions will minimize soil surface disturbance and protect streams from receiving any appreciable, added sediment from logging, limited road work, or related activities. Prescribed burning that may be allowed to back into RHCAs. Temporary and minor increases in sediment reaching streams from limited burning in RHCAs is possible, but unlikely to cause any measurable change to current trout habitat (EA, pg. 84). |
| **Soil** | Soil conditions for forest tree and plant production. Soil conditions including compaction, displacement, erosion, or excessive heating. | Commercial timber harvest on 1,218 acres. Grapple piling with mechanized equipment. Prescribed burning on 2,151 acres. | Soil compaction is avoided or controlled in most areas by incorporating design features and conservation measures that include requiring sufficient snow cover to avoid substantial disturbance of soil, skid trail planning and approval requirements, and heavy equipment restrictions.

At log landings additional compaction would occur as well as some soil heating from burning “top piles” that would be created by whole-tree logging. This could lead to a 2 to 3 percent increase in detrimental soil disturbance in certain treatment units. Adverse effects of compaction and burning tops piles would be reduced after harvest activities are completed by “subsoiling” landings (using equipment to loosen compacted soil) and then seeding each landing with certified noxious-weed-free native seed mix.

Low-to-moderate intensity underburning (surface fire) will have no appreciable adverse effects on soil properties or water quality. At present soil disturbance in the project area as
| Forest Vegetation | Presence of large trees. Variety of tree size-classes and cover conditions. Bark beetle risk | Commercial timber harvest on 1,218 acres. | Proposed action causes an immediate change to higher level of large trees, as many smaller, lower-level trees are removed with treatments. A variety of stand structures would still be present, but would change toward larger-diameter, upper-level trees, because treatments would focus on removing lower level trees. Growth of large trees would be accelerated and treated stands would advance more quickly toward late or old stand structure conditions. The density of many stands currently at risk of bark-beetle activity would be immediately reduced toward the recommended lower management zone. Serious bark beetle outbreaks in these areas would become fare less likely (EA, pg. 55). |
| Wildlife | Maintain adequate big game hiding and escape cover. Snag habitat for primary cavity excavator species. | Forest Plan Standards for big game summer range would continue to be met after implementation of the Selected Alternative. Currently, total cover is 37%, exceeding the Forest Plan standard of 20%. Satisfactory cover is at 7%, less than the Forest Plan standard of 12%. Marginal cover is at 30%, exceeding the Forest Plan standard of 5%. With proposed treatments total big game cover would be reduced to 34% (3 percent decrease), which is still above Forest Plan standards. Satisfactory cover would remain at 7 percent (no change). Within areas treated, hiding cover for big game would also be provided by retaining untreated patches of forest trees throughout the project area. In the short-term big game distribution may change, but deer and elk populations would be expected to remain the same (EA, pg. 65). At the subwatershed level, the loss of snags from harvest would be expected to be minor due to the small area affected and the fact that snags would not be targeted for removal. Snags felled for safety during logging operations would impact 5%-10% of the existing snags in the treatment units, and less than 1% at the subwatershed level. The number of smaller snags (< 10” dbh) would increase as a result of applying prescribed fire treatments while the level of large snags would remain relatively unchanged. Although the analysis area is currently below Forest Plan standards, this additional level of impact would not be expected to adversely affect PCE populations in the analysis area. |
Management indicator species (MIS) habitat.

Threatened and endangered species habitat.

<table>
<thead>
<tr>
<th>Threatened and endangered species habitat.</th>
</tr>
</thead>
<tbody>
<tr>
<td>subwatershed scale, the levels of snags greater than 20” dbh would be expected to be similar to historic snag levels (EA, pg. 69).</td>
</tr>
<tr>
<td>Long term-habitat diversity would be provided by increasing the proportion of early seral species (ponderosa pine, western larch, and quaking aspen) and reducing the proportion of forest stands currently trending toward dominated grand fir. In the short-term, wildlife species that hide in or feed on grasses, forbs, and berries would benefit as more ground cover vegetation develops in response to treatment; but species that currently use higher-level thickets for hiding, nesting, and roosting would have less of this habitat available. Untreated patches of trees across the landscape would be retained for vegetation diversity.</td>
</tr>
<tr>
<td>The Forest Plan identifies three MIS species for old growth, primarily Old Forest Multi-Strata (OFMS) structured stands: pileated woodpecker, pine marten and three-toed woodpecker. In addition the white-headed woodpecker is a good indicator of the health of Old Forest Single Stratum (OFSS). The selected alternative would have little effect on existing late and old structure (LOS). Treated stand would likely be managed in the future towards OFSS, currently the most limited forest habitat, providing old growth conditions more supportive of species that require lower canopy cover such as white-headed woodpecker and flammulated owl. Under the selected alternative there would be a slight reduction in habitat for pileated woodpecker and pine marten. No activities would occur in primary habitat for pileated woodpecker and pine marten in the project area. At the larger subwatershed scale, primary and secondary habitat would remain plentiful; stand growth projections indicate habitat would increase in the mid-to long-term (EA, pg. 63).</td>
</tr>
<tr>
<td>Threatened Northern Bald Eagle and endangered Gray Wolf would not be affected; and sensitive species California Wolverine, Pygmy Rabbit, Pacific Fisher, American Peregrine Falcon, Western Sage Grouse, Gray Flycatcher, Bobolink, Upland Sandpiper, Tricolored Blackbird, and Bufflehead would not be impacted.</td>
</tr>
<tr>
<td>A finding of May Effect, Not Likely to adversely Affect (NLAA) was made for threatened Canada Lynx. Three stands are proposed for treatment within the boundary of the Glacier Lynx Analysis Unit (LAU). The units are deemed non-habitat for lynx because of the grand fir plant associations, and would not result in further modification to the Glacier LAU. Informal</td>
</tr>
</tbody>
</table>
2. **The degree to which the action affects public health and safety.** Smoke management guidelines will be followed (EA, page 41-42). The Selected Alternative would not significantly affect public health or safety (40 CFR 1508.27(b)(2)). The treatments will lead to a beneficial effect upon public health and safety because it has the potential to reduce the intensity of wildfires. Public evacuation through the project area is likely to be safer under any given set of fire-weather conditions (EA, pgs. 34-35).

3. **Unique characteristics of the geographic area (40 CFR 1508.27(b)(3)).** My decision will not affect any unique areas such as parklands, prime farmlands, wetlands, wild and scenic rivers, potentially eligible wild or scenic rivers or ecologically critical areas, as there are no such areas in the project area.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial (40 CFR 1508.27 (b)(4)).** My decision falls within the scope of the analysis for the Malheur Land and Resource Management Plan (1990), as amended, and it’s supporting Environmental Impact Statement. The desired future condition, standards and guidelines and the analysis for the Forest Plan support fuel reduction and related activities like those in this action for this area. My decision includes no activities that were not addressed in the Forest planning process. These types of activities have taken place on the Prairie City Ranger District in similar areas and the resulting effects are well known. There is no known scientific controversy over the impacts of the project. CEQ guidelines on controversy refer not to the amount of public opposition, but to a substantial dispute as to the size, nature, or effect of the action.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).** My decision does not involve highly uncertain, unique, or unknown risks. The activities proposed in this decision are well established land management practices, and the risks are well known and understood. Based on previous similar actions the probable effects of this decision on the human environment, as described in the Environmental Assessment, do not involve effects that are highly uncertain or involve unique or unknown risks.

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principal about a future consideration.** My decision will not establish a precedent for future action with significant effects because this action is not unusual in itself and does not lead to any further action that is unique (40 CFR 1508.27(b)(6)).

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27 (B)(7)).** The Selected Alternative is not related to other actions with individually insignificant but cumulative significant impacts. The analysis of the past actions follows the Council on Environmental Quality guidance provided on June 24, 2005. Appendix C in the EA displays all activities and natural events that already have occurred, are currently occurring, or are likely to occur in the area of potential cumulative effects. The information in Appendix C is then incorporated into cumulative effects discussions in the environmental consequences section in Part 3 of the EA.
8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources (40 CFR 1508.27 (b)(8). My action will not adversely affect any scientific, cultural, or historical resources. A heritage resource field survey has been completed for the analysis area. Under the auspices of a “Programmatic Agreement, 2004” with the State Historic Preservation Office, the Forest Archeologist has certified that the project will have “No Effect” on historic properties as defined by 36 CFR 800.16(i).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat. Actions are not likely to significantly adversely affect any endangered, threatened, or sensitive terrestrial wildlife species, aquatic species, plant species, or designated critical habitat (40 CFR 1508.27 (b)(9). Biological evaluations were completed for threatened, endangered, and sensitive species of animals, fish, and plants.

Sensitive plant surveys were completed in 2004 and 2005. No Sensitive plant species were found. There are 18 sensitive plant species with potential habitat in the 16 Road Project area. There would be No Impact on seven species. For nine species a determination of May Impact Habitat, but Will Not Likely Contribute to a Trend Towards Federal Listing or Cause a Loss of Viability to the Species was made. This includes six species of moonwort (Botrychium) ascendens, montanum, crenulatum, lanceolatum, minganense, and pinnatum; two sedge species (Carex) backii and parryana; and Northern twayblade (Listera borealis). Two species, Clustered Lady Slipper (Cypripedium fasciculatum) and Least Phacelia (Phacelia minutissima), would experience a beneficial impact.

There is a finding of No Effect for threatened Northern Bald Eagle and endangered Gray Wolf. A finding of No Impact was reached for sensitive species California Wolverine, Pygmy Rabbit, Pacific Fisher, American Peregrine Falcon, Western Sage Grouse, Gray Flycatcher, Bobolink, Upland Sandpiper, Tricolored Blackbird, and Bufflehead.

A finding of May Effect, Not Likely to adversely Affect (NLAA) was made for threatened Canada Lynx. Three stands are proposed for treatment within the boundary of the Glacier Lynx Analysis Unit (LAU). The units are deemed non-habitat for lynx because of the grand fir plant associations, and would not result in further modification to the Glacier LAU. Informal consultation on Canada lynx was initiated in April, 2005 with U.S. Fish and Wildlife Service (USFWS). Details and the status of the 16 Road Project was presented at several Level 1 Team meetings with USFWS in attendance. The Biological Evaluation/Assessment of Threatened, Endangered, Proposed, and Sensitive Wildlife Species was submitted and reviewed by USFWS in July, 2006. Concurrence on the project was completed on September 26, 2006 using the Counterpart Regulations authorized under the Healthy Forest Restoration Act.

Activities May Impact Individuals or Their Habitat but Would Not Contribute to a Trend Toward Federal Listing of sensitive redband trout and Columbia spotted frogs. Implementation of prescribed burning would have potential minor impacts to these species and the habitat upon which they depend.

Proposed activities May Affect, but are Not Likely to Adversely Affect bull trout or its habitat in Crane Creek. Underburning activities within Riparian Habitat Conservation Areas (RHCAs) has the potential for a minimal increase in sediment. Informal consultation on bull trout was initiated in April, 2005 with U.S. Fish and Wildlife Service (USFWS). The 16 Road Project was discussed at several Level 1 Team meetings held during 2005 and 2006, with USFWS in attendance. The Biological
Assessment/Biological Evaluation Fisheries Report was submitted to USFWS for review in July, 2006. Concurrence on the project was completed on September 26, 2006 using the Counterpart Regulations authorized under the Healthy Forest Restoration Act.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* I have examined this action and its relationship to HFRA, NFMA, ESA, NEPA, NHPA and related laws and find that my decision will not violate any federal, state, local laws or requirements for protection of the environment (40 CFR 1508.27 (b) 10). There are no known significant irreversible resource commitments or irretrievable losses of timber production, wildlife habitats, or water quality.

**Consistency Findings**

From the results of the site specific analysis documented in the environmental assessment, I conclude that:

1. No timber will be sold from land not suited for timber production (refer to 36 CFR 219.27 for definition).

2. All vegetation manipulation in the Project Area will comply with requirements of 36 CFR 219.27 (b).

3. The 16 Road Forest Health Project is consistent with Forest Plan direction, as modified by Regional Forester’s Amendment #2 for the Revised Continuation of Interim Management Direction Establishing Riparian, Ecosystem and Wildlife Standards for Timber Sales, dated June 5, 1995 and INFISH.

4. Public scoping was conducted and appropriate notices were published in the local newspaper, the Blue Mountain Eagle, for review of the project.

5. This decision is consistent with Forest Service Manual direction regarding roads analysis. I have determined that additional roads analysis is not needed for this project because the project makes no changes in access to the area and the project involves no permanent road construction or major reconstruction. Roads will be maintained as necessary to support project implementation.

6. The 16 Road Forest Health Project is consistent with the intent and purposes of Title I of the Healthy Forests Restoration Act of 2003. This project was identified as a priority through local collaborative processes. The project responds to specific fire-risk concerns identified by partners to the Grant County Community Fire Protection Plan. The project was reviewed and recommended as a priority by the Grant County Court and Resource Advisory Committee.

7. The project is not expected to have any disproportional effects on minorities or low income people nor will the project significantly affect consumers, civil rights or women (EA, pg. 98).

8. There are no inventoried roadless areas in the 16 Road Forest Health Project area (EA, pg. 93).
The 16 Road Forest Health Project Environmental Assessment is on file and available for public review at the Prairie City Ranger District Office, 327 South Front Street, Prairie City, Oregon. The EA is also available for review on the Malheur National Forest Internet Website at:


**Administrative Review**

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

Implementation of this project may begin immediately.

For further information about this project, contact Ryan Falk, Environmental Coordinator,

Prairie City Ranger District  
P.O Box 337  
Prairie City, Oregon 97869  
Phone (541) 820-3800  Fax: (541) 820-3838

/s/ **Steve Cossette**  
Steve Cossette  
Acting District Ranger  
Responsible Official  

9/28/06  
Date