DECISION MEMO

RIPARIAN JUNIPER THINNING PROJECT

GRANT COUNTY, OREGON
MALHEUR NATIONAL FOREST
EMIGRANT CREEK RANGER DISTRICT
265 HWY 20 SOUTH
HINES, OR 97738

RESPONSIBLE OFFICIAL:
Doug Jones
541.573.4300

FOR MORE INFORMATION:
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DECISION MEMO

RIPARIAN JUNIPER THINNING
PROJECT

DECISION AND PROJECT DESCRIPTION

I have decided to thin juniper on up to 225 acres in riparian areas of the South Fork John Day River, Bear Creek, and Venator Creek on the Emigrant Creek Ranger District of the Malheur National Forest. Juniper will be felled into the stream channel when possible to protect and rebuild vulnerable banks, otherwise juniper will be felled and left. There will be no piling or burning. The objectives of this project are to improve watershed and riparian conditions by removing encroaching juniper. The project sites are located in T. 18S, R. 29E, 20, 17, 16.; T. 19S, R. 28E, 13, 24 E.; T. 19S, R. 29E, 18, 7, 6, 5, 4.

PROJECT DESIGN CRITERIA

- There is no commercial harvest.
- No juniper over 16”dbh will be felled.
- All Juniper less than 16” dbh within the defined riparian zone will be felled with power saws and left
- No juniper of “character” or old-growth characteristics will be cut
- Juniper adjacent to stream channels will be place within stream channels
- No pine or fir over 4” dbh will be felled.
- Pine and fir ≤ 4” dbh will only be felled when necessary to facilitate juniper thinning.
- No hardwoods (alder, willow, etc) will be felled.
WEED PREVENTION PLAN

Forest wide standards are to implement a weed control program to confine present infestations and prevent establishment of noxious weeds in new areas. The Malheur National Forest strives to implement the Pacific Northwest (PNW) Regional Strategy for Noxious Weeds and Non-native Invasive Plant Management that is tiered to the National Forest Service Strategic Plan. The Malheur National Forest conducts annual noxious weed surveys. Noxious weed control measures on the forest presently consist of mechanical and hand pulling of weeds in affected areas.

This CE is tiered to a broader scale analysis (the Pacific Northwest Region Final Environmental Impact Statement for the Invasive Plant Program, 2005, hereby referred to as the R6 2005 FEIS). The R6 2005 FEIS culminated in a Record of Decision (R6 2005 ROD) that amended the Malheur and Ochoco National Forest Plans by adding management direction relative to invasive plants. This project is intended to comply with the new management direction. This project will also be in compliance with the 1988 Record of Decision for Managing Competing and Unwanted Vegetation (1988 ROD) and the 1989 Mediated Agreement.

- All off-road equipment and vehicles to be used at the job site shall be cleaned off forest and certified free of noxious weeds and their seeds prior to entrance onto the National Forest
- Seed used to rehab disturbed areas should be certified “all states noxious weed free.”

Scoping

The project was published in the Malheur Quarterly Schedule of Proposed Actions (SOPA). On April 27, 2011, a scoping notice was published in the Burns Times Herald. No public comments were received.

Internal scoping was completed with Emigrant Creek Ranger District personnel. Specific internal comments were incorporated into the Design Criteria and can be found in the project file at Emigrant Creek Ranger District.
FINDINGS

Finding of Consistency with Applicable Federal Laws and Regulations

Based on my review of the actions associated with this project, I find that the project is consistent with the National Forest Management Act, the National Historic Preservation Act, and Endangered Species Act. I, therefore, find that the project is consistent with applicable Federal laws and regulations.

Finding of Consistency with Applicable Forest Service Management Direction

This CE is tiered to the Malheur National Forest Land and Resource Management Plan (Forest Plan) FEIS and Record of Decision (ROD) signed May 25, 1990 and all subsequent NEPA analysis for amendments, and the accompanying Land and Resource Management Plan (LRMP) as amended (Forest Plan).

This CE is tiered to a broader scale analysis (the Pacific Northwest Region Final Environmental Impact Statement for the Invasive Plant Program, 2005, hereby referred to as the R6 2005 FEIS). The R6 2005 FEIS culminated in a Record of Decision (R6 2005 ROD) that amended the Malheur National Forest Plan by adding management direction relative to invasive plants. This project is intended to comply with the new management direction.

Based on my review of the interdisciplinary analysis for this project, I find that the project is consistent with the standards, guidelines, and amendments of the Malheur National Forest Land and Resource Management Plan as amended. I, therefore, find that the project is consistent with applicable Forest Service management direction, including associated INFISH interim standards.

Finding of the Absence of Adverse Effects to Extraordinary Circumstances

Based on my review of the interdisciplinary analysis, I find no extraordinary circumstances exist which would result in additional impacts. No irreversible or irreplaceable commitment of resources is anticipated. Specifically:

1. Federally listed threatened, endangered, proposed and sensitive species and critical habitat were evaluated in Biological Evaluations/Assessments specific to this project. The evaluations determined there will be no negative effects or impacts to sensitive plant species or threatened, endangered, or sensitive terrestrial wildlife species. The aquatic
evaluation determined there will be beneficial impacts to the aquatic sensitive species redband trout and Columbia spotted frog.

2. There are no municipal watersheds, wetlands or floodplains in the project area. INFISH RMOs would not be retarded.

3. There are no congressionally designated areas, such as wilderness, wilderness study areas, or National Recreation Areas.

4. There are no inventoried roadless areas in the project area.

5. There are no research natural areas in the project area.

6. There are no known Native American religious and no Native American or Alaska native religious or cultural sites in the project area.

7. Surveys indicate archaeological sites exist within the project areas but would be avoided or not impacted by activities.

I, therefore, find that the project poses no adverse impacts to extraordinary circumstances identified in 36 CFR 220.6(b).

**REASON FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION**

Based on my review of (1) the actions associated with this project; (2) the environmental consequences documented in the interdisciplinary analysis; (3) the consistency of the project with applicable laws, regulations, and management direction; (4) the absence of adverse effects to endangered or threatened species or heritage resources; and (5) and the absence of adverse effects to extraordinary circumstances; I find that the project is not significant in either context or intensity (40 CFR 1508.27) and that no extraordinary circumstances are associated with the project (36 CFR 220.6(b)). I also find that the project will produce negligible adverse environmental effects, individually or cumulatively, on the physical, biological, or social components of the human environment. I, therefore, find that the project is categorically excluded from analysis in an Environmental Assessment or Environmental Impact Statement (40 CFR 1508.4 and (36 CFR 220.6 (e)(6)) **Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction.**
IMPLEMENTATION

This decision is subject to implementation pursuant to Forest Service regulations at the Title 36, Part 215. Implementation may occur immediately following the date of this Decision Memo (36 CFR 215.9(c)(1)).

ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES

This decision is not subject to administrative appeal under the public review and comment procedures pursuant to Forest Service regulations at Title 36, Part 215.12.

CONTACT PERSON

For further information, please contact Lori Bailey, Resource Planner, Emigrant Creek Ranger District, 265 Hwy 20 South, Hines, OR 97738 (541) 573-4300. The Project File is available for review at the Emigrant Creek Ranger District office, Hines, Oregon.

RESPONSIBLE OFFICIAL:

______________________________________________   ______________________
Douglas H. Jones                              June 21, 2010
Doug Jones
District Ranger
Emigrant Creek Ranger District
Malheur National Forest