DECISION

After a careful review of the proposed action, the environmental effects of the proposed action, and the consideration of public comments, I have decided to approve trail and trail infrastructure restoration activities along the Metolius River. Activities include replacing or reconstructing 12 trail structures and rehabilitating/restoring up to 70 sites along the river trail.

My decision will provide hiking and fishing opportunities while improving the river bank stability and vegetation, decreasing the erosion potential which could degrade a valuable fishery.

An important aspect of my decision will provide a well maintained trail system with trail structures that will last for many years. Fishing opportunities will continue to be provided but access sites will be hardened to encourage appropriate use and protect the river from erosion and sediment input.

This decision is documented under 36 CFR 220.6 (e)(1): Construction and reconstruction of trails. A project file was prepared for the project. The project file is located at the Sisters Ranger District office, Sisters, Oregon.

Location

The project is located within Township 12 South, Range 09 East W. M. Access is via Highway 20 and Forest Road 14, approximately 15 miles northwest of Sisters, Oregon. The project is located within the Metolius Wild and Scenic River Corridor, Management Area 28.

Existing Condition

The Metolius River draws people from all over the country for its scenic beauty and world renowned fishing opportunities for redband (rainbow) trout and bull trout. Recently, chinook and sockeye salmon have been reintroduced to the river system. The river from the headwaters to Bridge 99 is fly fishing only and from Bridge 99 downstream fishing is done with artificial flies and lures. Fish must be released
unharmed. Fishermen typically access the river via the hiking trail and subsequently have constructed user (non-system) trails to get from the trail to the rivers edge. Over time, these trails tend to become eroded as they were not constructed to any standard, producing active erosion directly into the river. These fine sediments are a detriment to fish populations.

Trail work to address these problems has been implemented sporadically over the years. In 2011 the trail on the east side of the river below the Wizard Falls bridge was rerouted to move the trail away from the rivers edge and is now located on a bench above the river. Additionally, other reroutes, closures and hardening of sites have taken place over the last 20 years. One project in the early 1990’s placed large stepping stones at several popular fishing access points. These stepping stones still exist in several areas but some of them have failed and are no longer in place.

Trail structures along the river include bridges, puncheons and turnpikes which were constructed in the late 1980’s to mid-1990’s. Construction utilized non-treated wood and are currently rotting or failing. These structures do not offer safe and adequate crossings to protect water resources, riparian vegetation, and fish populations.

**Purpose and Need for Action**

The purpose of the project is to provide long term stability for the Metolius River Trail. There is a need to decrease the amount of sediment eroding into the river that result from inadequate trail features. This would be accomplished by using rock to harden as many as 70 fishing access sites. Where adverse effects cannot be mitigated user access trails would be obliterated. Additionally, there is a need to replace, relocate, or remove a total of 12 rotten or unsafe structures located along the river trail. New structures would be constructed of treated wood and/or require the use of rock or gravel.

The following table summarizes the proposed action:

<table>
<thead>
<tr>
<th>Location</th>
<th>Type of structure</th>
<th>Description</th>
<th>Length</th>
<th>Action</th>
<th>Replace in Kind? With?</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>Abbot Cr.</td>
<td>Single log puncheon</td>
<td>Deteriorated log over Abbot Cr. outlet</td>
<td>95 ft.</td>
<td>Replace with 50 foot span single log stringer with handrail</td>
<td>No. Remove existing log puncheon</td>
</tr>
<tr>
<td>Location</td>
<td>Type of structure</td>
<td>Description</td>
<td>Length</td>
<td>Action</td>
<td>Replace in Kind? With?</td>
<td>Remarks</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------</td>
<td>-------------</td>
<td>--------</td>
<td>--------------</td>
<td>------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>#2 Fish Hatchery</td>
<td>Treated wood bridge with handrails</td>
<td>Not rotten, but not used as trail is in different location</td>
<td>20 ft.</td>
<td>Remove existing bridge</td>
<td>No</td>
<td>Remove and rehab trail</td>
</tr>
<tr>
<td>#3 South of hatchery</td>
<td>Low plank bridge, no handrails</td>
<td>Over dry, shallow channel</td>
<td>15 ft.</td>
<td>Replace</td>
<td>Yes. Use treated glulam</td>
<td>Glulam reused from salvaged road bridge</td>
</tr>
<tr>
<td>#4 South of hatchery</td>
<td>Low plank bridge, no handrails</td>
<td>Over small active channel</td>
<td>10 ft bridge and 18 ft. puncheon</td>
<td>Replace</td>
<td>Yes. Use treated glulam and gravel turnpike</td>
<td>Glulam reused from salvaged road bridge</td>
</tr>
<tr>
<td>#5 South of hatchery</td>
<td>Low plank bridge, no handrails</td>
<td>Over active channel Wizard Springs</td>
<td>17 ft.</td>
<td>Replace</td>
<td>Yes. Use treated glulam</td>
<td>Glulam reused from salvaged road bridge</td>
</tr>
<tr>
<td>#6 North of Canyon Cr. CG</td>
<td>Rotten logs terracing bank opposite of Gushing Springs</td>
<td>Two sections, active erosion</td>
<td>2-12 foot.</td>
<td>Replace with rock</td>
<td>Yes. Use flat faced terracing rock.</td>
<td>Rocks imported.</td>
</tr>
<tr>
<td>#7 and #8 Near Camp Sherman CG</td>
<td>Two Single log puncheon and Gravel Turnpike structure</td>
<td>Deteriorated logs &amp; 110 ft. of wet muddy gravel railway</td>
<td>Two 150 ft. puncheon</td>
<td>Replace</td>
<td>Yes. Use two pressure treated raised wood</td>
<td>Raised structure</td>
</tr>
<tr>
<td>#9 and #10 South of Allingham GS</td>
<td>Two Arched wood bridges</td>
<td>Deteriorating under sized structures</td>
<td>Two 12.5 ft.</td>
<td>Replace</td>
<td>Yes. Use dimension lumber</td>
<td>New pressure treated bridges w/ curbs</td>
</tr>
<tr>
<td>Location</td>
<td>Type of structure</td>
<td>Description</td>
<td>Length</td>
<td>Action</td>
<td>Replace in Kind? With?</td>
<td>Remarks</td>
</tr>
<tr>
<td>----------</td>
<td>------------------</td>
<td>-------------</td>
<td>--------</td>
<td>--------</td>
<td>------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>#11</td>
<td>North of Allingham</td>
<td>One bridge/puncheon</td>
<td>Deteriorated bridge</td>
<td>22 feet with puncheon</td>
<td>Replace</td>
<td>Yes. With PT bridge</td>
</tr>
<tr>
<td>#12</td>
<td>North of Camp Sherman</td>
<td>Half log puncheon</td>
<td>Rotten</td>
<td>60 feet</td>
<td>Replace</td>
<td>Yes. With PT puncheon</td>
</tr>
<tr>
<td>#13</td>
<td>70 sites along the Metolius River trail</td>
<td>Soil erosion related to off trail use to viewpoints or fishing sites</td>
<td>Active erosion</td>
<td>NA</td>
<td>Potentially</td>
<td>Yes. With rock hardening terracing</td>
</tr>
</tbody>
</table>

In addition, perenniably wet areas within the trail tread will be gravelled using geocloth.

**Findings Regarding the Use of a Categorical Exclusion**

I have reviewed the effects analysis provided by the interdisciplinary team specialists assigned to this project. I find that the degree of potential effect on any of the resources conditions listed at 36 CFR 220.6(b), shown as 1-6 below, does not preclude use of a categorical exclusion 36 CFR 220.6 (e)(1). The mere presence of one or more of these resource conditions does not preclude the use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.

Given these findings, I conclude that there are no extraordinary circumstances associated with my decision. Therefore, further analysis of the project in an environmental assessment (EA) or an environmental impact statement (EIS) is not required.

The following discussions present my findings for each resource condition found in the project area. Resource specialist’s reports are on file at the Sisters Ranger District office, Sisters, Oregon. Mitigation measures are found on pages 12-13 of this preliminary decision memo.

1) Federally listed threatened, endangered or sensitive (TES) species, or designated habitat or species proposed for Federal listing, or proposed critical habitat.
**BOTANICAL SPECIES**

There are no expected effects to *sensitive* plant species. No known populations or habitat occur in areas to be restored.

There are no known populations or habitat for *Survey and Manage* species that occur in areas to be restored. No surveys for *Survey and Manage* species were conducted; the project meets Survey and Manage Settlement Agreement Exemption IV (A) 1. Exemption for Recreation Projects (a):

*New recreational foot, mountain bike, or horse riding trail construction or relocation, or trail bridge construction, maintenance or replacement, where limited to trail work less than five acres of clearing per trail, and not including trails for motorized off-highway vehicles.*

Mitigation measures are required for Invasive Plant species.

**WILDLIFE SPECIES**

**Threatened and Endangered Species**

**Gray wolf**

There will be no effect to the federally endangered gray wolf.

**Northern spotted owl**

There will be no effect to the federally threatened northern spotted owl or designated critical habitat for the northern spotted owl.

**Sensitive Species**

**Crater Lake tightcoil**

The project may affect individuals but would not lead to a trend towards federal listing.

**Survey and Manage**

**Crater Lake tightcoil**

The determination for Crater Lake tightcoil falls under Survey and Manage Settlement Agreement Exemption IV (A) 1. Exemption for Recreation Projects (a):

*New recreational foot, mountain bike, or horse riding trail construction or relocation, or trail bridge construction, maintenance or replacement, where limited to trail work less...*
than five acres of clearing per trail, and not including trails for motorized off-highway vehicles.

Deschutes Land and Resource Management Plan Management Indicator Species and Habitats

Northern goshawk

Annual nest surveys will be conducted for the northern goshawk at the Lower Bridge site. A nest site will be considered inactive if nesting activity is not evident by May 15.

Osprey

Annual nest surveys will be conducted for the osprey at sites near Pine Rest/Gorge campgrounds, sites near Riverside campground, Lower Bridge, and the Abbot Creek bridge site. A nest site will be considered inactive if nesting activity is not evident by May 15.

Consistency with the Deschutes National Forest Land and Resource Management Plan Management (LRMP) Indicator Species and Habitats

The project occurs within areas managed under the Northwest Forest Plan. Project activities were reviewed to ensure that all actions are consistent with current wildlife standards and guidelines for the management areas. The project will not remove any snags or down woody material or affect special or unique habitats. The project would not impact habitat conditions for any of the LRMP Management Indicator Species; therefore, the project will not contribute to a negative trend in viability on the Deschutes National Forest for Management Indicator Species. With the mitigation measures outlined in this document, the project is consistent with the Deschutes National Forest LRMP.

AQUATIC SPECIES

Columbia River Bull Trout (Federally Threatened)

There will be no effect to the Columbia River bull trout. Mitigation measures are not required.

Mid-Columbia Steelhead (Federally Threatened)

There will be no effect to the Mid-Columbia Steelhead. Mitigation measures are not required.
**Interior Redband Trout (Regional Forester Sensitive Species)**

The project may impact individuals or habitat but will not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species. Mitigation measures are required.

**Chinook salmon (Magnuson-Stevens Act designated Essential Fish Habitat)**

There will be no adverse effect to designated essential fish habitat.

**2) Flood plains, wetlands, or municipal watersheds.**

Floodplains: Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, “. . . the lowland and relatively flat areas adjoining inland and coastal waters including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year.”

There are small floodplains located in the project area. They would not be affected by the project. The Metolius River is primarily a spring fed system.

Wetlands: Executive Order 11990 was promulgated to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, “. . . areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.”

There are no wetlands within the project area.

There are minor wetlands associated with springs that are adjacent to the river corridor. All wet areas related to or bisecting the trail will be mitigated by structures, stepping stones or gravel which would not impede water flow.

Municipal Watersheds:

There are no municipal watersheds within the project area.

**3) Congressionally designated areas such as wilderness, wild and scenic rivers, or national recreation areas.**

The project is located in the Metolius Wild and Scenic River corridor. The project is not located within a congressionally designated wilderness or national recreation area.
4) Inventoried Roadless Areas.

There are no Inventoried Roadless Areas (IRA) in the project area. The project will not result in the construction of any permanent or temporary roads in Inventoried Roadless Areas.

5) Research Natural Areas.

There are no existing or proposed Research Natural Areas (RNA) in the project area. The Metolius Research Natural Area is located about ½ mile from the project area.

6) American Indian and Alaska Native religious or cultural sites. Archaeological sites, or historic properties or areas.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act cover the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through “in situ” preservation, but may encompass other actions to preserve these remains and items.

This decision complies with the cited Acts.

Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. The trail route will not have an effect on any eligible or unevaluated sites. The route passes over one site that is eligible but the site is protected by ½ to 1 meter deep cap of cinders which overlay the cultural deposit. The survey meets the No Historic Properties Affected determination for cultural resources.

Trail restoration work will not affect any known Heritage sites.

Consistency with Land Management Planning Documents

My decision is consistent with the standards and guidelines established in the Deschutes National Forest Land and Resource Management Plan as amended by the Record of Decision for Amendments to the Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl. The project is
located in a Riparian Reserve and a Late Successional Reserve as designated by the Northwest Forest Plan.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash), granting Plaintiffs’ motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measures Standards and Guidelines* (USDA and USI, June 2007). In response, the parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2010. Projects that are within the range of the northern spotted owl are subject to the survey and management standards in the 2001 ROD, as modified by the 2011 Settlement Agreement.

I have reviewed the NEPA document for the Metolius River Trail Restoration Project and have determined it is consistent with the Deschutes National Forest Land and Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

**Management Direction**

The Metolius River Wild and Scenic Management Plan provides specific standards and guidelines for trails located along the river. The following standard and guideline apply to the project:

MTTR-3 The river trail and associated fishing access points are defined, hardened, replanted, relocated or closed where there are unacceptable impacts to riparian vegetation, streambanks, or water quality. Unacceptable impacts include devegetation beyond the normal tread width, loss of bank stability, exposed tree roots, loss of overhanging bank structure, lack of trail definition or multiple parallel trails or point source erosion of siltation.

The following site specific Forest Plan standards and guidelines also apply to the project:

Trail System Management (TR-2) - New, reconstructed, and relocated trails will be located to take the greatest advantage of environmental features.

Trail System Management (TR-4) - Trails may be constructed in any management area unless specifically excluded or constrained by the Management Area direction.

Riparian Reserves (RM-1) - New recreational facilities within Riparian Reserves, including trails and dispersed sites, should be designed to not prevent meeting Aquatic Conservation Strategy objectives. Construction of these facilities should not prevent future attainment of these objectives.
Late Successional Reserves (C-18) – Dispersed recreational uses, including hunting and fishing, generally are consistent with the objectives of Late Successional Reserves. Use adjustment measures such as education, use limitations, traffic control devices, or increased maintenance when dispersed and developed recreation practices retard or prevent attainment of Late Successional Reserve objectives.

Key Watershed (C-7) - Watershed analysis is required prior to management activities.

The Metolius Watershed Analysis was completed in 1996. A Watershed Analysis Update was completed in 2004.

**Aquatic Conservation Strategy**

An essential element of the Northwest Forest Plan is the Aquatic Conservation Strategy (ACS) which “was developed to restore and maintain the ecological health of watersheds and aquatic ecosystems contained within them on public lands” (USFS 1994, B-9). Management activities proposed for watersheds must meet the nine ACS objectives as specified in the Northwest Forest Plan (pages C31-C38). The following section discusses how this decision either meets or does not meet the intent of the Aquatic Conservation Strategy objectives of the Northwest Forest Plan, and describes the effects of the project and compliance of the ACS with hydrologic functions and fisheries habitat requirements. The project area is described in the Metolius Watershed Analysis (Update).

**ACS Objective 1: Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted.**

This project does not prevent attainment of this objective. Distribution, diversity, and complexity of watershed and landscape-scale features will not be affected due to the limited scope of the project. Mitigation measures will help ensure that trail construction/maintenance activities do not degrade the aquatic system. Trail construction is not likely to degrade the aquatic system as very little disturbance to the river bank is expected.

**ACS Objective 2: Maintain and restore spatial and temporal connectivity within and between watersheds. Lateral, longitudinal, and drainage network connections include flood plains, wetlands, upsweep areas, headwater tributaries, and intact refugia. These network connections must provide chemically and physically unobstructed routes to areas critical for fulfilling life history requirements of aquatic and riparian-dependent species.**

This project does not prevent attainment of this objective. Connectivity within and between watersheds would not likely be affected by this project. Although trail construction/maintenance activities may cross riparian areas, they will not likely affect drainage network connections.
ACS Objective 3: Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.

This project does not prevent attainment of this objective. Activities associated with this project will not impair the physical integrity of the aquatic system on either a local or watershed scale. The stream/lake bank and stream/lake bottom configuration will not likely be impacted by proposed trail construction/maintenance activities. Trail construction will not likely degrade the physical integrity of shorelines, or stream banks.

ACS Objective 4: Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems. Water quality must remain within the range that maintains the biological, physical, and chemical integrity of the system and benefits survival, growth, reproduction, and migration of individuals composing aquatic and riparian communities.

This project is not likely to prevent attainment of this objective due to the limited scope of the project. The project may improve water quality within the Metolius Basin by properly maintaining trail networks and structures adjacent to the river. Standards and guidelines to protect water quality and support healthy riparian, aquatic, and wetland ecosystems will be incorporated into project design.

ACS Objective 5: Maintain and restore the sediment regime under which aquatic ecosystems evolved. Elements of the sediment regime include the timing, volume, rate, and character of sediment input, storage, and transport.

This project does not prevent attainment of this objective. Localized short term effects from trail construction/maintenance activities may result; however, sediment inputs to the Metolius River are not likely to occur due to incorporation of mitigation measures into project design and limited project scope.

ACS Objective 6: Maintain and restore in-stream flows sufficient to create and restore riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing. The timing, magnitude, duration and spatial distribution of peak, high, and low flows must be protected.

This project does not prevent attainment of this objective. This project does not propose any actions that will affect in-stream flows. Therefore flows will not be affected by this project.

ACS Objective 7: Maintain and restore timing, variability, and duration of flood plain inundation and water table elevation in meadows and wetlands.

This project does not prevent attainment of this objective. The proposed trail construction/maintenance will remain mostly within already disturbed areas. Therefore affects to floodplain inundation or wetland and meadow water tables with implementation of this project are unlikely.
ACS Objective 8: Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands to provide adequate summer and winter thermal regulation, nutrient filtering, appropriate rates of surface erosion, bank erosion, and channel migration and to supply amounts and distribution of coarse woody debris sufficient to sustain physical complexity and stability.

This project will not prevent attainment of this objective. Species composition and structural diversity of riparian communities are not likely to be affected. Surface erosion and bank erosion are likely to be minimal with implementation of this project. Additionally, mitigation measures will be incorporated into project design to minimize erosion potential.

ACS Objective 9: Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.

This project does not prevent attainment of this objective. Native plants, animals, and their habitat should not be affected because trail construction/maintenance will remain mostly within already disturbed areas.

Statement of Consistency with ACS Objectives

In summary, my decision is consistent with the ACS objectives. Wood will not be removed from stream channels and therefore will not decrease the coarse woody debris supply to downstream channels. The physical integrity of nearby aquatic systems, water quality, in-stream flows, species composition, and habitat complexity are not likely to be adversely affected by my decision.

With proper trail location, construction techniques and revegetation, there would be beneficial effects for the aquatic ecosystem that outweigh short term negative effects such as sediment input from trail construction and maintenance activities. The net result of my decision may reduce sedimentation to the Metolius River. The potential for increased sedimentation to downstream habitat will further be reduced by incorporating trail construction and disturbance minimization measures into the project design.

Project Design Features and Mitigation Measures

Fish

- Within the Riparian Reserve there is a seasonal in-stream work period from July 1 to October 31 in order to protect redband trout.
- Keep the trail as narrow as possible. Trim shrubs but do not remove trees and shrubs to retain soil cover and root strength.
- Plant vegetation in open sites above and below trail to encourage soil stabilization after trail construction.
Invasive Plants

- Minimize the disturbance of existing vegetation.
- All equipment must be free of weeds.
- Use contract clauses to prevent the inadvertent introduction of invasive species by contractors.

Wildlife

- Conduct surveys at historic nest sites for Osprey at Pine Rest and Gorge campgrounds (Sites 17-21, and 27); Lower Bridge (Site 2 fishing access site), and Abbot Creek bridge site. If nesting is not confirmed by May 15, the project can then proceed.

- Implement a 0.25 mile seasonal restriction in the event a nest or winter roost (for bald eagle) is discovered for the following species:

<table>
<thead>
<tr>
<th>Species</th>
<th>Seasonal Restriction Dates</th>
<th>Area Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Osprey</td>
<td>April 1 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Northern goshawk</td>
<td>March 1 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Cooper’s hawk</td>
<td>April 15 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Sharp-shinned hawk</td>
<td>April 15 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Red-tailed hawk</td>
<td>March 1 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Bald eagle (nesting)</td>
<td>January 1 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Bald eagle (winter roost)</td>
<td>November 1 to April 30</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Great gray owl</td>
<td>March 1 to June 30</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
<tr>
<td>Great blue heron</td>
<td>March 1 to August 31</td>
<td>0.25 miles around nest/1 mile for explosives</td>
</tr>
</tbody>
</table>

PUBLIC INVOLVEMENT

Early in the planning process several meetings were held with interested stakeholders to determine any issues and concerns and help plan the project. A scoping letter was mailed to about 252 people around April 26, 2011, including The Confederated Tribes of Warm Springs, Oregon. There was a 30-day scoping period. Two responses were received; one in support of the project and another dealing with issues outside the scope of the project. The scoping letters are located in the project record.
IMPLEMENTATION DATE

This Preliminary Decision Memo is subject to a 30-day comment period. Comments and a Response to Comments will be incorporated into a Final Decision Memo. The Final Decision Memo will then be subject to a 45-day appeal period. If there are no appeals, the project can be implemented five business days after the appeal period ends.

ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES

This decision is subject to public notice, comment and appeal pursuant to 36 CFR 215. You are invited to comment on this Preliminary Decision Memo. Your comments will be reviewed and addressed in a Response to Comments section in the Final Decision Memo. There is a 30-day comment period. The comment period will begin on the date of publication of the legal notice in The Bulletin, the newspaper of record.

Submit your comments to Metolius River Trail Restoration Project, Project Manager, Marv Lang, 63095 Deschutes Market Road, Bend, Oregon 97701, FAX (541) 549-7746. Emails comments should be sent to comments-pacificnorthwest-deschutes-sisters@fs.fed.us.

Those submitting electronic copies must do so only to the email address listed above, must put the project name in the subject line, and must submit comments as part of the email message or as an attachment only in one of the following format: Microsoft Word, rich text format (rtf) or Adobe Portable Document Format (pdf).

CONTACT INFORMATION

For further information regarding this Preliminary Decision Memo, please contact Marv Lang, Recreation Forester, at (541) 383-4793; e-mail at melang@fs.fed.us.

/\ Rod Bonacker__ 4/24/12
ROD BONACKER
Acting District Ranger