Parks Overstory Removal

Decision Notice
And
Finding Of No Significant Impact

USDA Forest Service
Willamette National Forest Service
Sweet Home Ranger District
Linn County, Oregon

Location

The *Parks Overstory Removal* project is located in the Parks Creek Subwatershed of the Upper McKenzie Watershed. The legal location is:

- **T12S, R6E, S25; T13S, R6E, S13; T13S, R7E, S5, 6, 9, 18.**

Decision

It is my decision to implement **Alternative 3** of the Parks Overstory Removal Environmental Assessment (EA). This alternative will harvest 3.2 million board feet on 237 acres of existing shelterwood and prelogged overstory units in Matrix land allocation using ground-based logging methods. Units 1, 2, 4, 5, 6, and 7 leave 5 trees per acre (TPA) and Unit 3 leaves 8 TPA. There will be maintenance/reconstruction of 10 miles of existing roads, 15 new road closures and no new road construction. The new road closures will be blocked with berms and one gate after logging operations are completed. Pavement overlay will be done on the Lava Lake road from the junction of the 525 road to Unit 3. Mitigation measures will be required as stated in the EA on pages 51 to 54. It is also my decision to implement the KV projects in the priority listed (Appendix B, page 7). Implementation monitoring and effectiveness monitoring in Appendix C will be accomplished. This project will be implemented in 2003 or 2004.

Reasons For The Decision

I have selected Alternative 3 because it best meets the purpose and need for action of the EA and provides for more activities. The following discussion summarizes the need for action described in full in Chapter 1 from the EA and gives the rational for my decision.

The two “Needs for Action” are:

- Silviculturally manage previously treated forest stands.
- Provide timber to meet Willamette National Forest targets, to support the local and national economy, and to fulfill matrix objectives.

For each "Need for Action" objectives were developed in order to narrow the scope of the analysis and define measurable goals. The following table summarizes these objectives and demonstrates how they are met by alternative. Effects of Key Issues and Outputs are also displayed. See Chapter 4: Environmental Consequences for a full discussion.

Comparison of Objectives, Effects on Key Issues and Outputs by Alternatives

Objectives:	**Alt 1**	**Alt 2**	**Alt 3**
Objectives 1a, 1b and c: 70% Shelterwood & Prelog Removal, & Understory Treatment	0	66% (Proposed 181 ÷ available 275)	86% (Proposed 237 ÷ available 275)
Objective 2: 2 MMBF Timber Volume	0	2.1 MMBF	3.2 MMBF
Effects:			
Northern Spotted Owls: -Acres Suitable habitat removed -Acres Dispersal habitat removed -Critical Habitat Unit OR-15 -Area of Concern, 50-11-40 habitat	 0 0 No effect 66%	 0 0 No effect 66%	 0 31 May effect, Likely to adversely affect 65%
Old-Growth Trees Removed	0	3 to 17 TPA	6 to 22 TPA
Roads Closures: Road Asphalt Overlay Lava Lake Rd.	0 0	15 new closures 5 modified closures 0	15 new closures 5 modified closures 2.5 miles
Outputs:			
Reforestation and Mitigation KV Collections	0	$64,767	$96,843
Other KV Opportunities: 1) Road Berms 2) Dispersed Recreation Site Enhancement 3) Riparian Planting 4) Firewood 5) Precommercial Thinning in Units 6) Fertilization of Units 7) Mineral Blocks 8) Precommercial Thinning In Adjacent Managed Stands 9) Fertilization In Adjacent Managed Stands 10) Pruning In Adjacent Managed Stands	0	$181,822 See Knutson-Vandenberg (KV) Collections Appendix B	$280,201 See KV Appendix B

Overstory removal will be applied in stands that have been previously harvested using a shelterwood prescription and where the remaining overstory trees need removal to complete the prescription and release the well-established understory. It will also be used for removing the remaining overstory trees in the prelogged areas to improve or initiate the understory. Timber stand improvement actions such as planting, fertilizing, pruning, understory release, and

precommercial thinning will be conducted in shelterwood, prelogged stands and existing plantations to encourage and enhance tree growth.

Alternative 3 will remove the overstory and release the understory on 237 acres while Alternative 2 will treat 181 acres, a difference of 56 acres. Stand diversity projects are completed as a result of the timber harvest on a like amount of acreage in each alternative. The volume in Alternative 3 is 34% higher than Alternative 2 and local employment will be supported proportionately. Post harvest treatments are similar in costs under both action alternatives. Alternative 1 would not meet the "Needs for Action" and its associated objectives (EA, pages 57-59).

With the partial harvest of Unit 3 pavement overlay or equivalent road improvement will be implemented. Harvest of Unit 3 is only proposed in Alternative 3. Unit 3 has an interior stream with a full riparian reserve. With this alternative the general riparian condition will be improved with plantings of native coniferous species.

Other Alternatives Considered

Initial project scoping had identified about 449 acres of partially harvested stands (338 acres of shelterwood and 111 acres of prelog) in the planning area that could be available for final harvest and matched the purpose and need for the project. Some units were not pursued because they would not meet required Standards and Guidelines after harvest (see EA pages 56 and 57). Some units were also dropped because they were in another watershed with different noteworthy issues.

An alternative that was purely restoration was not included. The overstory removal alternatives will provide more light and less competition for the sapling trees hastening understory growth development towards mature forest. Other aspects of restoration were considered in the action alternatives such as: riparian planting, road closures, and noxious weed control.

Public Response

The 30-day public comment period for this environmental assessment ran from August 12, 2002 to September 10, 2002 and was published in the Eugene Register-Guard. Comments were received during this comment period from: Doug Heiken of Oregon Natural Resources Council (ONRC), Bryan Bird of Forest Conservation Council (FCC), Joanne Vinton, Robert Freres of Freres Lumber Co. and Cliff Wooten a Linn County Commissioner. Please refer to the Environmental Assessment pages 12 and 13 and the Analysis files for more information on consultation with others prior to the 30-day public comment period.

Doug Heiken of Eugene ONRC wrote 9 comments that are addressed in the following paragraphs.
"1. We object to cutting and removal of mature and old-growth trees such as those proposed to be logged in this project." "2. In ecological terms, the overstory is what matters most today."

EA, pages 6, Need 1a and 1b. *"Silviculturally manage previously treated forest by removing the overstory in existing shelterwood…prelogged…harvest prescriptions to complete silvicultural prescription (s) to release understory."*
EA, page 20, Old-Growth Trees is a key issue discussed in Chapter 1. *"The proposed Parks Overstory Removal units do not contain intact old-growth forest due to prior shelterwood harvest, prelogging and salvage."*
EA, page 45, Alternative 2. *"Alternative 2 was designed to maintain a greater overstory presence of trees in excess of two hundred years of age while removing enough overstory to encourage understory development."*
EA, pages 64 and 65, Chapter 4: Environmental Consequences. *"Alternative 3 addresses the social concerns related to harvest of old trees by not harvesting ecologically intact stands elsewhere. Additionally, 5 to 8 TPA is being left for wildlife requirements."*

"3. The range of alternatives was too narrow. …thin the understories where they are too dense in order to accelerate greater understory tree size and canopy closure…"
EA, page 24 "*The overstory canopy closure in the shelterwood and prelog units is generally below 40%. Development of an understory layer is being delayed or stagnated in areas of 20% or greater canopy closure."*
EA, pages 41 to 50, Chapter 3: Alternatives
EA, page 68, Understory Development. *"…Alternative 3 will allow the understory to develop at a more rapid pace than Alternative 1 and 2."*

"4. …thinning projects.… …should also have been considered."
EA, Chapter 1. The Purpose and Need for Action for the Parks Creek Subwatershed.

*"5. Soil compaction is likely to be unacceptable."**"6. EA fails to describe the adverse effects of subsoiling in terms of soil foodweb disturbance and water quality and root damage."*
EA, page 77: *"…both action alternatives propose mitigations, such as designated skid roads, subsoiling and waterbars, to assure compaction amounts and off-site erosion stay below levels prescribed in the Standards and Guides for the Forest Plan."*
EA, page 53, Soils: The short-term loss of soil productivity and compaction is addressed in Mitigation Measures Common to Action Alternatives.
EA, page 71: "*No adverse impacts to the stream channels are expected provided that Best Management Practices are implemented.*"
Appendix E: Aquatic Conservation Strategy Objectives, pages 2-3.
Our monitoring demonstrates compaction within Forest Plan Standards and Guidelines. Further information is in our project files.

"7. The EA says that red tree vole surveys are required but does not say whether they were done or what the results were."
EA, pages 33-34. *"Surveys were conducted for Survey and Manage Species in accordance with current protocols."*
EA, pages 54. Mitigation Measures Common to Action Alternatives. Survey and Manage Species
EA, pages 77. Chapter 4: Environmental Consequences, Survey and Manage Species

"8. The EA discusses the lynx habitat characteristics in the planning area but does not discuss the likely adverse impacts of the proposed action on lynx and lynx habitat."

EA, pages 36: *"Recent habitat analysis indicates that suitable habitat does not exist to provide for a breeding population on the Willamette National Forest (Lynx Habitat Mapping Direction 2000)."*

"9. The "objectives" of treating 70% of the shelterwoods and producing 2 mmbf of timber (EA pages 57-58) are arbitrary and have nothing to do with sound forest management. Timber volume should be a by-product of forest restoration projects, not a goal of forest management."

EA, page 1. *"This subwatershed was selected for timber management because: it is located in "Matrix" management area, which emphasizes timber and forest management."*

EA, page 6. *"There are two needs for action identified for the project area and its associated objective.* ***NEED 1. Silviculturally manage previously treated forest stands. NEED 2. Provide timber to meet Willamette National Forest targets, to support the local and national economy, and to fulfill matrix objectives."***

For each "Need for Action" objectives were developed in order to narrow the scope of the analysis and define measurable goals.

Bryan Bird of Forest Conservation Council Santa Fe, New Mexico has three concerns that are: 1. Socioeconomic Benefits, 2. Value of Unlogged Forest and 3. Range of Alternatives.

EA, pages 55 and 56. For concerns 1 and 2 the EA states: *"Values are not meant to be comprehensive because of the difficulty of assigning values to resource benefits."* Assigning dollar values to ecosystem values may be possible for certain components that have data. The problem arises for the many components that there are not good data for and the necessity of using many assumptions with associated subjectivity. Economic analysis have been done at larger landscape scales as part of the Northwest Forest Plan and Willamette National Forest Land and Resource Management Plan, which are the appropriate scale for this type of analysis.

EA, pages 56 and 57 – Alternatives Not Considered in Detail. For concern 3: a restoration alternative was considered. *"An alternative that was purely restoration was not included. The overstory removal alternatives will provide more light and less competition for the sapling trees hastening understory growth development towards mature forest. Other aspects of restoration were considered in the action alternatives such as: riparian planting, road closures, and noxious weed control."*

Joanne Vinton of Eugene wrote: *"…wonderful old trees. I strongly recommend that these units be left alone. The Forest Service needs to concentrate efforts on thinning…"*

See responses to Doug Heiken of ONRC 1 and 4.

Robert Freres of Lyons was concerned about: *"…the proposal to close 15 roads. Roads are necessary for fire protection, recreation, and timber removal. No roads should be closed in Matrix lands!"*

EA, page 21, Roads. *"To meet big game objectives roads will be proposed for closure."*

EA, page 49, Alternative 3. *"There are 15 roads proposed for new closures by creating earthen berms across them and installing one gate. Five roads will have the existing closure structure modified"*

EA, page 67 . *"Roads were selected for closure if they did not access private land or recreational use areas, were short spurs, already partially closed by brush, or were parallel road systems. Most roads proposed for closure are less than one mile long (see Chapter 3 – Table 12)."* By choosing to close these roads with berms and a gate the roads behind these barriers are still intact and will be available for use in case of a fire or future management.

Cliff Wooten a Linn County Commissioner called the Sweet home Ranger District and talked to Suzanne Schindler. His concerns were similar to Robert Freres. After explaining the type of closures, with berms and a gate, his concerns were lessened. However, if the District decides in the future to completely decommision a road he wants to be notified and he will oppose it.

Consistency With Other Laws And Regulations

The National Forest Management Act (NFMA) and the implementing regulations require specific findings to be made when implementing the Forest Plan (16 USC 1604(i). I have reviewed my decision and document the following findings:

Consistency with the Forest Plan:
I have determined that the selected alternative is consistent with the Willamette National Forest Land and Resource Plan, as amended. This finding is supported by the environmental analysis that was prepared in accordance with Forest Plan Standards and Guidelines, as cited throughout the EA as well as documents in the Analysis File. This EA documents how these proposals and their purposes respond to the direction contained in the Forest Plan.

The selected alternative does not prevent attainment and may enhance attainment of the Aquatic Conservation Strategy Objectives (ASCO) outlined in the Forest Plan. I referenced the ASCO discussion in the EA Appendix E, as well as the watershed level context referenced from the Upper McKenzie Watershed Analysis (EA, page 5) to support this finding.

Road Management Decisions:
I find that the road closures, pavement overlay and 10 miles of roadwork in this project are adequately informed by the *Forest Road Analysis* (1998) and are consistent with current Forest Service transportation system policies. This finding is supported by the environmental analysis that was prepared in accordance with Willamette National Forest Roads Analysis, as cited in the EA.

In the *Forest Roads Analysis* Map 6, the Maude high emphasis area shows the road density exceeds Big Game Objectives by < 1 mile/square mile (Maude high emphasis also in Elk/Snag Emphasis Areas – Figure 6). Closing 15 local roads will decrease big game harassment, limit vehicle access to people who may use those roads and their dispersed camping sites, and decrease road maintenance cost (EA, page 66). The other five existing closures will be modified to meet administrative purposes such as: redirecting traffic, re-berm after timber sale use and modify existing closure for snowmobile access in the winter. Closing local roads is consistent

with Forest Service policy and the *Forest Roads Analysis* (page 14) determined that local roads not necessary for long-term management should be decommissioned.

In Alternative 3, pavement overlay on Lava Lake Road from the junction of the 525 road to Unit 3 will be implemented or if timber is hauled north the unpaved gravel portions of the Lava Lake Road will get a 4 to 6 inch lift of gravel that is from a weed-free rock source. Either action will improve that travel surface.

Reconstruction/maintenance of 10 miles of road consists of spot rocking, brush cutback, blading, and cleaning the ditches of the road. With the implementation of the timber sale, limited use roads will be enhanced for visitor use, project use, and drainage will be improved for the traveled way and roadbed.

Finding Of No Significant Impact

My review of the results of the environmental assessment indicates there will be no significant effects on the quality of the human environment if Alternative 3 is implemented as proposed. I have therefore determined that this action is not a major federal action that will significantly affect the human environment. An environmental impact statement is not needed, and will not be prepared. This determination was made considering the following rationale, starting with the context and intensity factors listed in the Code of Federal Regulations' definition of "significantly" (40 CFR 1508.27)

Context:

> ***"The significance of an action must be analyzed in several contexts such as society as a whole, the affected region, the affected interests, and the locality.....in the case of site-specific actions (such as this one), significance would usually depend on the effects at the locale rather than the world as a whole".***

The Parks Overstory Removal implements direction set forth in the Willamette National Forest Plan as amended by the Northwest Forest Plan (EA, pages 1-5). The Willamette National Forest is one of nineteen national forests in the Pacific Northwest Region 6. The Willamette National Forest has 1,686,582 acres. The proposed harvest acres are 2% of the Parks Subwatershed (237 out of 18,030 acres) and even less of the Upper McKenzie Watershed (237 out of 230, 925 acres). Harvest has been occurring in the Parks project area for the last 50 years. Over that period of time an average of approximately 800 acres of regeneration harvest has occurred each decade. The shelterwood and prelog units were originally harvested in the late 1970's and 1980's (EA, page15). The proposed 237 overstory removal acres have already been accounted for in the initial past decadal harvest entry, since most of the timber was removed at that time. In the context of past management actions, this harvest is not a significant amount. Therefore, the effects of the selected action on the resources and species within the project area or at scales larger than the project area are not significant as disclosed in Chapter 4 Environmental Consequences.

Overstory removal is a common silvicultural practice in the Parks Subwatershed that enhances the growth of understory trees by removing the remaining overstory trees. The shelterwood

stands were created to help seedling establishment by mitigating the effects of frost pockets and reducing competition with *Ceanothus velutinus*, in addition to providing benefits to wildlife and other resources. The pre-logging system removed smaller trees (less than 24 inches in diameter) to minimize breakage when the larger trees were later harvested. The remnant overstory is now competing for light, water and nutrients with the understory, reducing the health and retarding the growth rates in the next generation of trees. The understory has developed well enough to complete the shelterwood prescription by removing the remaining overstory trees.

Intensity:

1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

The effects of the proposed actions will be both beneficial and adverse, as documented in Chapter 4 of the EA, pages 61 to 78, but not significantly so. The proposed harvest will reduce the amount of large old trees and increase the risk of introducing or increasing noxious weed populations. Conversely, the analysis shows there will be some economic benefit from the proposed harvest, and provide the opportunity to collect sale area improvement funds (as authorized by the K.V. Act of 1930) in order to provide for the proposed resource restoration activities. This harvest will increase the pace of the understory growth towards mid-seral attributes as recommended in the Upper McKenzie Watershed Analysis (Chap.5, p.4). Also road closures will improve habitat for deer and elk. Affects to the subwatershed will be local to the proposed action. It will have a negligible effect upon the watershed's function and values, the Forest's inventories, and the county's economy.

2) The degree to which the proposed action affects public health or safety.

No impacts to public health or safety are anticipated. Air quality will not be significantly affected during logging operations. Only a small portion of the sale will be hand piled and burning of the hand piles will occur in late fall so no smoke intrusions are expected (EA, page 71). Water quality will not be significantly affected as all actions are outside of riparian reserves (EA, pages 71 and 72). Oregon Occupational Health and Safety Act regulations will be adhered to during the occurrence of all proposed actions.

The project will not result in any adverse human health and/or environmental effects that disproportionately impact minorities and low-income populations as defined in Executive Order #12898 (EA, page 36).

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no significant historic resources, parklands, prime farmlands, or wild and scenic rivers within, adjacent to, or affected by the project area.

A cultural resource survey has been completed and no significant cultural resources are known to exist in the project area (EA, page 71). The survey was conducted according to an inventory plan approved by the Oregon State Historic Preservation Office (SHPO). This inventory is consistent with an agreement between the USDA Forest Service R6/PNW, Oregon SHPO, and the advisory council on historic preservation. A clause will be included in the timber sale

contract to provide for protection of this resource in the event that new material is discovered during ground disturbing activities.

Channel conditions within the project area are stable and the density of channels is low in the subbasin. Most draws have no channel characteristics. Over 95 percent of the numerous wet spots and ponds or wetlands have no surface drainage. These small wetlands are not in or adjacent to the proposed units and will not be affected by the overstory removal. Typical stream characteristics in the area include low gradient side slopes (average 20%) and low gradient channels (average 5%) draining the runoff from snow melt. Therefore, there will be no reduction in the amount of wetlands or adverse effects to wetlands as a result of the selected action (EA, page 37).

The project area is partially within visual management allocations 11A, 11C and 11F. Harvest prescriptions are consistent with management objectives for all the visual allocations (EA, pages 10-12). The selected alternative will not affect no harvest land allocations or reserve areas.

Segments within Units 2 and 4 contain higher canopy closures or thick patches of trees and are considered owl dispersal habitat, approximating 31 acres (EA, page 16). Within Critical Habitat Unit (CHU) OR-15, there are 30,610 acres that could provide dispersal habitat but only 20,847 currently does, including the 31 acres within Units 2 and 4. The remaining 9,763 acres are younger stands that currently have an average tree diameter of less than 11-inch dbh. This project will remove approximately ¼ of 1% of the current dispersal habitat within the CHU; dispersal habitat is not limited in this area. It is estimated this reduction of 31 acres of dispersal habitat is easily replaced annually within the 9,763 acres of young managed stands growing into dispersal habitat (EA, page 63).

Removal of dispersal habitat will have a slight negative effect on critical habitat resulting in a "*may affect likely to adversely affect***"** determination. This project is included within the FY2002/2003 Terrestrial Biological Assessment (BA) addressing habitat modifications for the Northern spotted owl in Critical Habitat Units (CHU). Original consultation in the BA on 56 acres of dispersal habitat was reduced subsequently in the EA to 31 acres of dispersal habitat for Alternative 3. Consultation with the U. S. Fish and Wildlife Service and terms and conditions of the Biological Opinion for Fiscal Year 2003-2004 Habitat Modification Projects in the Willamette Province (February 27, 2003) will be adhered to.

Due to the above reasons and conditions, there will be no significant impact to the human environment in regard to unique geographic characteristics.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The Parks Overstory Removal environmental analysis is based upon the best available scientific information and site-specific data. The computer models and methodologies used to estimate the effects disclosed in Chapter 4 of the EA are widely used in similar environmental analyses and have been reviewed by the research and academic communities. I am not aware of any credible, peer-reviewed scientific questioning of the methods used in this analysis, nor its results.

5) The degree to which the possible effects on the human environment is highly uncertain or involves unique or unknown risks.

The predicted effects of the timber sale are not uncertain, nor do they involve any unique or unknown risks. To the extent that we do not know what may happen in this area during a 250 year return interval flood, a landscape scale wildfire, or a subduction earthquake, the potential environmental effects are uncertain or unknown, but this type of uncertainty is not unique in the daily lives of humans, nor are these uncertain events part of the proposed action.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Given the current Forest Plan land allocations, the selected action will not establish a precedent for future actions that may have significant effects.

The Forest Plan is the vehicle that makes decisions in principle about future considerations. Site-specific proposals such as Parks Overstory Removal timber sale, road closures and restoration projects may create future considerations, such as the opportunity to commercially thin the understory stands released by the overstory removal, but decisions made based upon the Parks Overstory Removal analysis will not directly affect how such future decisions may be made.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Essentially the entire analysis presented in Chapter 4 of the EA (and where noted) constitutes an evaluation of cumulative impacts of the Parks overstory Removal proposed actions and other past forest management activities. Discussions on the affects to ASCO's (Appendix E, pages 1-5); Big Game (EA, page 67); Heritage Resources (EA, page 71); Hydrology, Cumulative Effects, ACSO (EA pages 71-72); Scenic Resources (EA, page 10-11); Soils and Geology (EA, page 77); Management Indicator Species (EA, page 72); Northern Spotted Owls (EA, pages 61-64); Proposed, Threatened, Endangered, and Sensitive Species (Appendix B, Biological Evaluation); Survey and Manage Species (EA, page 77); Migratory Birds (EA, page 73); Bat Species (EA, page 35); Competing and Unwanted Vegetation (EA, pages 69); Consultation and Coordination with Indian Tribal Governments (EA, page 36); Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations (EA, page 36); Effects on Recreational Fisheries (EA, page 36); Botanical Resources (Appendix D, Biological Evaluation for Plants); Wildlife Resources (Appendix D, Biological Evaluation for Wildlife); Fisheries (Appendix D, Biological Evaluation) and more in Chapter 4 all include effects of past and present actions in addition to those of the foreseeable future.

All these effects are well within the levels anticipated by the Willamette Forest Land and Resource Management Plan and the Northwest Forest Plan. The Upper McKenzie Watershed Analysis (UMWA) is incorporated by reference (EA, page 1 and 5) and presents a comprehensive analysis of the watershed conditions and a contextual basis for cumulative effects. The proposed action falls within the range of activities considered during the analysis. No significant direct, indirect, or cumulative impacts to soil, water, fisheries, wildlife resources, or other components of the human environment are anticipated (EA, pages 61-78, Biological Evaluation).

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 cultural or historical resources.

An appropriate review has been conducted by this undertaking, and no significant property(s), which may be eligible for inclusion in the National Register Historic Places, were found to be present in the project area.

This document meets the requirements of Section 106 and 110 of the National Historic Preservation Act.

Cultural resources, as mentioned in Item 3, have been surveyed and no significant cultural resources are known to exist in the project area.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

The Parks Overstory Removal Biological Evaluation (BE) in Appendix D addresses the effects upon endangered and threatened species and their habitat. Formal consultation with U.S. Fish and Wildlife Service (USFWS) as required by Section 7 of the Endangered Species Act was completed for northern spotted owls on the Parks project within the Willamette Province. Terms and conditions in the Biological Opinion will be adhered to during harvest operations.

Disturbance to 4 owl pairs will likely occur. Logging activity, including log haul, will be scheduled outside critical nesting season (March 1 through July 15) but could occur during the remainder of the nesting season resulting in a "*may affect, not likely to adversely affect"* determination (see Appendix D).

Removal of 31 acres dispersal habitat (see Item 3) will have a slight negative effect on critical habitat resulting in a "*may affect, likely to adversely affect"* determination. This project is consistent with the terms and conditions of the Biological Opinion for Fiscal Year 2003-2004 Habitat Modification Projects in the Willamette Province (February 27, 2003).

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

All Federal, State, and local laws protecting the environment will be followed. The proposed action meets State air and water quality standards and complies with all regulations in the National Environmental Policy Act and National Forest Management Act. Survey and Manage species as identified in the Forest Plan have been found in the project area (EA, page 34).

Survey and Manage Species Found Requiring Protective Measures

Species Group	Species Name	Common Name	Number of Sites	Category
Lichen	*Nephroma occultum*	cryptic paw	5	A
Fungi	*Polyozellus multiplex*	blue chanterelle	1	B
Fungi	*Clavariadelphus truncatus*	truncate club coral	2	D
Fungi	*Ramaria celerivirescens*	coral mushroom	2	B
Fungi	*Ramaria* sp. *nov*	coral mushroom	2	-
Bryophyte	*Rhizomnium nudum*	moss	4	B

Proposed unit boundaries were adjusted to provide appropriate buffers for each species (EA, page 54). Other survey and manage species were surveyed for such as: the red tree vole (*Arborimus longicaudus*) and mollusk (*Megomphix hemphilli*) but were not found (a complete list is located in the project files).

Seventeen Region 6 sensitive wildlife species, identified on the Regional Forester's Sensitive species list, were evaluated to determine if they or their habitat would be impacted by this project. No habitat exists for 13 of the 17 species (EA, pages 30, 31). Habitat does exist for 4 species, which are: Baird's shrew, Pacific shrew, Pacific fringe-tailed bat, and Oregon slender salamander. One species, Oregon slender salamander (*Batrachoseps wrightii*), has been located within the proposed units. To limit impacts to this salamander species, known locations will be protected with a minimum 75-foot no-harvest buffer (EA, page 77). For these 4 species and its habitat, a **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** determination was made for alternatives 3. This impact should be of short duration (Appendix D: BE pages 9-13).

Administrative Review Or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 215. Any written appeal of this decision must be fully consistent with 36CFR 215.14, "Content of an Appeal", including the reasons for the appeal and must be post marked or received by:

Regional Forester
ATTN: 1570 APPEALS
P.O. Box 3623
Portland, Oregon 97208

(Appeal Deciding Officer), within 45 days of the date legal notice of this decision appears in the *Register Guard*, Eugene Oregon.

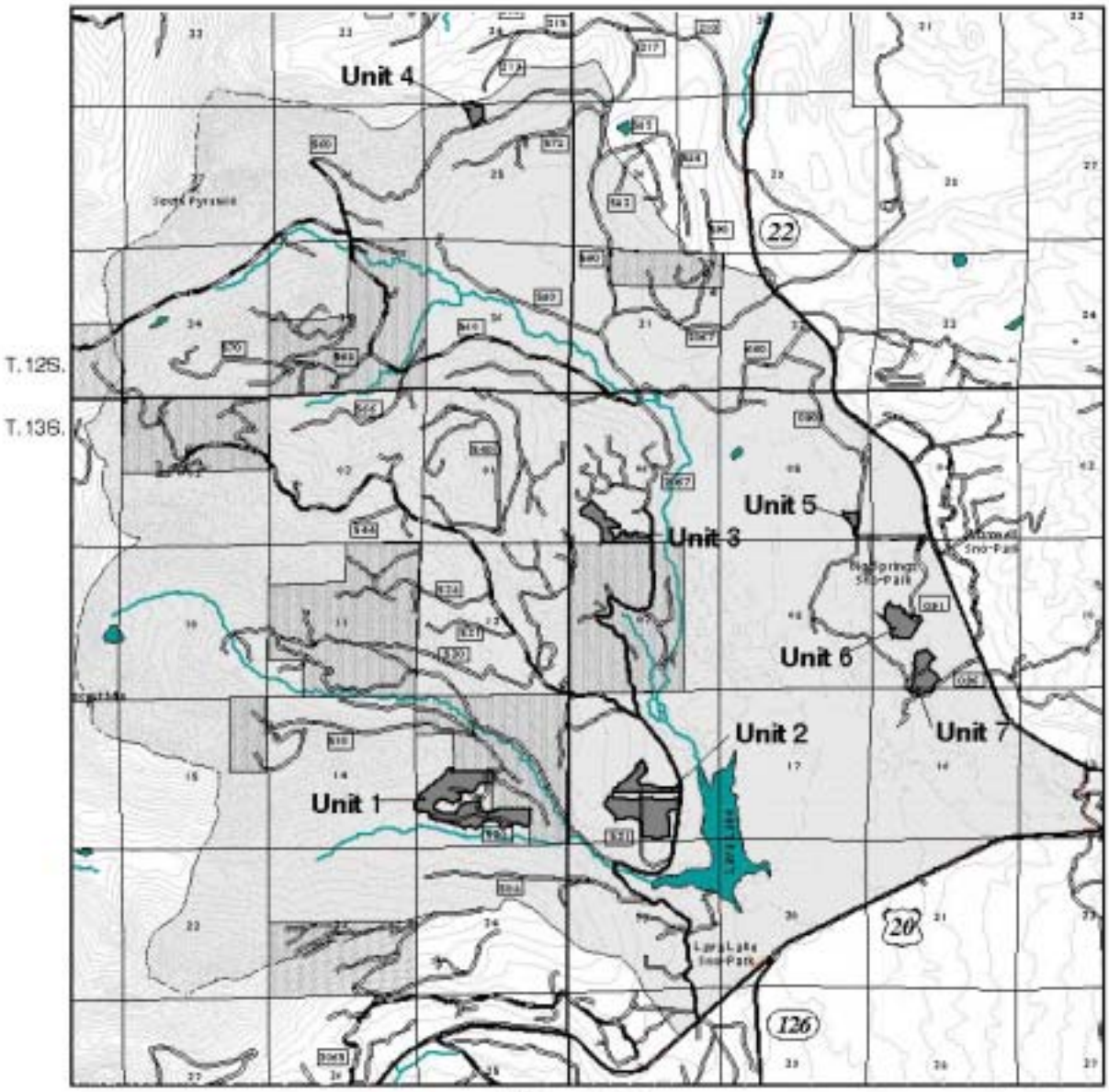
This project will not be implemented until 5 days after the end of the 45-day period, or in case of appeal of the decision, 15 days after final disposition of the appeal.

Responsible Official: /s/ Michael Rassbach March 11, 2003
Michael L. Rassbach, District Ranger Date
Sweet Home Ranger District
3225 Highway 20
Sweet Home, Oregon 97386

For additional information or a copy of project documents contact:
Suzanne Schindler or Donna Short
Sweet Home Ranger District
Phone: (541) 367-5168

Alternative 3

Parks Overstory Removal



Unit 1 - Leave 5 TPA
Unit 2 - Leave 5 TPA
Unit 3 - Leave 8 TPA
Unit 4 - Leave 5 TPA
Unit 5 - Leave 5 TPA
Unit 6 - Leave 5 TPA
Unit 7 - Leave 5 TPA