

DECISION MEMO
Westside Stewardship Project

Crooked River National Grassland
US Forest Service, Region 6
Jefferson County, Oregon
(T. 13 S., R. 11 E. Sections 3, 10, 11, 16)

I. DECISION TO BE IMPLEMENTED

A. Decision

I have decided to implement the Westside Stewardship Project on the Crooked River National Grassland (CRNG). This project consists of cutting and removing western juniper from dry ponderosa pine sites on approximately 720 acres (see map). This project will improve wildlife habitat and move the vegetation towards a more historic community composition.

Treatments would include:

Felling with chainsaw, or skid-steer shearing of all post-settlement, green, western juniper trees in each unit.

The removal of any felled western juniper trees which may economically offset the felling of the trees.

Removal of juniper material is not required. Therefore, in some areas all western juniper tree material could be left on site.

Unit A Treatment - Chainsaw cutting will be used as the felling method and “horse logging” as a harvest removal method:

- 1) Post material (tree boles 4-10 inches in diameter and 8-10 feet in length) will be placed by hand onto rubber tired wagons which will be pulled by horses.
- 2) Pole material (tree boles with minimal taper, smaller diameter and greater than 10 feet in length) will be grouped and placed by hand on bobs which will elevate the forward end of the bole. Horses will then pull the bobs off of the unit.
- 3) Log material (tree boles greater than 10 feet in length and of a diameter and weight which would prevent them from being placed by hand onto bobs) would be pulled out of the unit by horses with the full length of the log on the ground.
- 4) Cut juniper and slash may be left on site.

Unit D Treatment - Either chainsaw cutting or a skid-steer shear will be used as the felling method and “mechanical biomass removal” as a harvest removal method:

- 1) ATV based method - western juniper trees will be felled with chain saws. Those to be removed will be skidded to road side landings by ATVs with arch trailers attached. The trees will then either be chipped into shuttle vans or trailers, or they will be loaded (via log loader, loader tractor, forklift, etc.) as boles into trucks, for use as posts, poles, firewood, etc.. Limbs will either be left in the units, piled at the landing (for later burning), or chipped and removed.
- 2) Skid-steer shearer method - western juniper trees will be felled with a small skid-steer mounted hydraulic shear. Those to be removed will be loaded into trucks for use as posts, poles, firewood, etc.
- 3) Cut juniper and slash may be left on site.

Unit E Treatment - May utilize both (or a combination of) “horse logging” and “mechanical biomass removal”. Cut juniper and slash may be left on site.

There will be no road construction or reconstruction in this project.

Project design criteria:

The following items would be required as part of project implementation.

Prohibit cutting any ponderosa pine or dead juniper.

Prohibit cutting old growth juniper of any diameter. Old growth juniper is identified by growth form characteristics, such as twisted, gnarled trees growing out of rock outcrops, and not by size. This may be accomplished by utilizing a “designation by prescription” or “individual tree mark”.

Restrict juniper felling to April 1 through November 15 to reduce disturbance to big game on the Mule Deer Winter Range.

Where harvest removal is required on “frozen ground” or “over snow”, limit mechanical based activities and horse logging to one unit at a time from November 16 through March 31 to reduce disturbance to big game on the Mule Deer Winter Range.

Pull back western juniper slash beyond the dripline of ponderosa pine trees or lop the material so that it extends no more than one foot above the ground surface in ponderosa pine stands.

Lop western juniper slash to extend no more than three feet above the ground surface in juniper stands.

Prohibit mechanical based activities during the wet season. These activities will only occur during dry soil periods, frozen ground, or over snow. “Frozen ground” or “over snow” is described as: six inches of frozen ground, four inches of frozen ground and one foot of snow, or more than 24 inches of snow.

Remove material on frozen ground or over snow when tree boles greater than 10 feet in length are being pulled out of the unit by horses with the full length of the log on the ground.

Prohibit skid-steer juniper felling or removal of western juniper trees within Riparian Habitat Conservation Areas (RHCAs).

Designate RHCA crossings by ground-based equipment prior to operations.

Avoid scabland habitat associated with Henderson's and Wallowa needlegrasses when skid-steer juniper felling or any harvest material removal. Scabland habitat is identified by the presence of rigid sage or low sage.

Limit skid-steer juniper felling or removal activities in Unit E to dry soil periods after August 15 or on frozen ground, or over snow.

Designate skid trails:

- at 100-120 foot spacing for haul with horse drawn bob.

- at 25-30 foot spacing for skid/steer shear, horse drawn wagon, or pickup truck removal of harvest material.

- on the contour where practical for horse hauled routes.

Permit only one pass (out and back) off main trails for skid-steer juniper cutting or removal.

Avoid all identified heritage sites. Should any new sites be discovered, all operations will stop and a Grassland archaeologist will be notified. Operations will not continue until an assessment is complete and further project design criteria are identified.

Clean all equipment to be operated within the project area in a manner sufficient to prevent noxious weeds from being carried onto the project area. This requirement does not apply to passenger vehicles or other equipment operated exclusively on roads. Cleaning will occur off of National Grassland administered lands and will be inspected and approved by the administrator of the contract or agreement.

If road maintenance activities are required within infested portions of existing roads, the road maintenance equipment will be cleaned prior to moving out of the infested area.

Access to Unit D will not be authorized from the east through private land due to the presence of an unavoidable medusa-head rye site on that road.

Do not designate skid trails within the south-west corner of Unit A due to the presence of medusa-head rye in that vicinity.

Inspect road rock source pits/quarries for noxious weed infestations prior to use. Do not utilize rock source material contaminated with high priority weed propagules, or pit use will be managed to ensure contaminated materials are not transported and deposited in other locations.

Seed areas of bare/disturbed soil (including but not limited to: skid trails, landings, and equipment staging areas).

- 1) Seed will be certified weed free (all states noxious weed certification).
- 2) Utilize a seed mix including at least one grass species which grows readily in the absence of the A soil horizon, and which is moderately to strongly rhizomatous.
- 3) Utilize a seed mix including one fast germinating annual grass species to provide immediate (relatively) ground cover.
- 4) Seed application rates will be high (20-30 lbs/acre pure live seed basis) to compensate for the broadcast method of application, and to generate vegetative densities adequate to provide deterrence to noxious weed invasion.

Complete a noxious weed inventory if new noxious weed infestations do occur within the project areas. Employ an early treatment strategy under the Forest's anticipated early detection, rapid response protocol.

B. Purpose of Decision

Much of the management of the Grassland since the turn of the century has resulted in a reduction of the fire frequency within this historic ponderosa pine/big sagebrush-bitterbrush ecotone. As a result the range, density and cover of western juniper has dramatically increased resulting in a scarcity of the historic community types and associated habitat for wildlife. The project area is completely within the Metolius Mule Deer Winter Range. Western juniper is outcompeting the native bitterbrush that the deer depend on during the winter months. The above described mix of treatments, practices and commodities will be utilized in order to move the vegetative community composition and the associated wildlife habitat towards historic levels.

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

This action falls into a category of actions that may be excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS). Categories are described in Chapter 30, Forest Service Handbook 1900.15, Environmental Policy and Procedures, subsection 31.2 – Categories of Actions for Which a Project File and a Decision Memo are Required. These activities fall within a category of actions identified in FSH 1909.15, Chapter 30, Section 31.2, Category 6, “Timber stand and/or wildlife habitat

improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction.” In addition there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

I have concluded that this decision is appropriate to categorically exclude from documentation in an environmental impact statement or environmental assessment because it is a routine activity within a category of exclusion, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this Decision and the Project Record.

A. Effects Related to Extraordinary Circumstances

The site locations have been reviewed by an interdisciplinary team of resource professionals and evaluated for extraordinary circumstances.

Federally Listed Threatened or Endangered Species or Designated Critical Habitat, Species Proposed for Federal Listing or Proposed Critical Habitat, or Forest Service Sensitive Species

There are no Threatened or Endangered (T&E) Species, species proposed for Federal Listing, Designated Critical Habitat, or proposed Critical Habitat for plants or wildlife within the project area. There will be “No Effect” (NE) to any T&E plant or wildlife species from this project.

Threatened or Endangered Species, species proposed for Federal Listing, Designated Critical Habitat, or proposed Critical Habitat for aquatic species does exist in this project area. Species in this project area are the bull trout and the Mid-Columbia River steelhead trout (including critical habitat). By utilizing existing project design criteria there will be “No Effect” (NE) to these T&E aquatic species. There will also be “No Adverse Affect” (NAA) on any critical habitat.

Of the 28 Forest Service Sensitive plant species documented or suspected on the Crooked River National Grassland, four have been documented or have suitable habitat in or near the proposed project area. They are: Henderson's needlegrass, Wallowa needlegrass, Peck's milkvetch, and Peck's penstemon. Existing project design criteria will minimize or avoid project-related impacts that could otherwise affect the viability of these species. There will be “No Impact” (NI) to either the Henderson's needlegrass or Wallowa needlegrass from this project. For the Peck's milkvetch and Peck's penstemon this project “May impact individuals or habitat, but will not likely contribute to a trend towards federal listing or loss of viability to the population or species” (MIIH). There will be “No Impact” (NI) on the 24 other plant species without habitat in the project area.

Of the eight Forest Service Sensitive wildlife species documented or suspected on the Crooked River National Grassland, the gray flycatcher is the only one present/with habitat in the project area. This project may be implemented during the nesting season, if so,

disturbance from chain saws and tree removal equipment “May impact individuals or habitat, but will not likely contribute towards federal listing or cause a loss of viability to the population or species” (MIIH). There will be No Impact (NI) to wildlife species without habitat in the project area.

There are six Forest Service Sensitive aquatic species documented or suspected on the Crooked River National Grassland. None of these species exist within the project area. There will be “No Impact” (NI) to aquatic species without habitat in the project area. There will also be “No Adverse Affect” (NAA) to chinook salmon EFH from this project.

Congressionally designated areas, inventoried roadless areas, research natural areas, floodplains, wetlands or municipal watersheds, American Indian religious or cultural sites or historic properties.

Treatments will not result in impacts to congressionally designated areas, inventoried roadless areas, research natural areas, floodplains, wetlands or municipal watersheds, American Indian religious or cultural sites, or historic properties.

There are heritage resource sites located adjacent to but outside of the project area. These sites will not be disturbed. There are a total of three heritage resource sites within Unit A and E. These sites will be avoided to ensure no significant effect to heritage resource sites.

I have determined that no extraordinary circumstances exist, and no potentially significant effects were identified during the scoping process or in field reviews.

B. Other Anticipated Effects

The district is aware of several noxious weed sites located adjacent to and within the project areas. Project unit design and project design criteria will be utilized to minimize/prevent the spread of noxious weeds.

I have determined that felling and harvesting juniper within areas designated under this project will not significantly affect, either individually or cumulatively, the quality of the human environment.

III. PUBLIC INVOLVEMENT

Collaboration for this project started in 2003 during the preparation of the Crooked River National Grassland Environmental Impact Statement. The Grassland invited local landowners, existing partners, permittees and State and Federal agencies on numerous field trips throughout the analysis.

In 2005, a collaborative group convened to discuss wildlife habitat improvement proposals for the west side of the Grassland. A variety of people were invited to contribute to project proposals through a series of meetings and field trips. Scott Turo representing the Confederated Tribes of the Warm Springs Reservation of Oregon moderated this process. The people that participated consisted of local landowners, a local horse logger and

representatives from the National Wild Turkey Federation, Rocky Mountain Elk Foundation, Oregon Department of Fish and Wildlife, the Audubon Society, U.S. Fish and Wildlife Service, Oregon State Parks, the Jefferson County Fire District, the Gray Butte Grazing Association, the Warm Springs Forest Product Industries, and Geovisions.

During collaboration efforts we found the group to be generally supportive of juniper cutting to improve wildlife habitat. Issues surfaced such as: mule deer winter range improvement and protection, impacts to the ground from mechanical removal of juniper, invasive weeds, and increased road density. This proposal developed by the collaboration group addresses the issues and concerns through the project design. This group also indicated a desire for the management of wildlife habitat on the west side of the Grassland to be an ongoing, collaborative effort.

This project was listed in all of the 2005 and the 2006 *Schedule of Proposed Actions*.

On May 2, 2006 letters were mailed to 42 individuals, organizations and other agencies informing them of the opportunity to comment on this project. A legal notice inviting comments on this project was published on May 5, 2006 in the Bend Bulletin and on May 3, 2006 in the Madras Pioneer. The 30 day comment period ended on June 5, 2006. During the comment period, one email and one phone call were received. Comments received during the 30-day comment period suggested additional cut juniper removal methods, modification of livestock grazing, additional project design criteria, the reintroduction of fire, and recognition of the value of juniper as wildlife habitat.

All comments are briefly summarized below and are then followed by a discussion of how they were considered.

Wildlife value of juniper

One commenter emphasized juniper's important habitat role for wildlife.

While wildlife do utilize juniper on the Grassland, most of the cavities created by northern flickers are found in old growth juniper trees. No old growth juniper tree, regardless of size, will be cut in any of these proposed units.

In addition, the habitat specialists and focal species for the dry ponderosa pine plant association type are dependent on open ponderosa pine stands. Ponderosa pine plant associations are relatively scarce on the Crooked River National Grassland while young to moderate aged juniper woodlands are rather abundant. Thinning juniper within the proposed units will remove the competitive effects of juniper with the pine, thus encouraging the long-term persistence of the large overstory pine trees. These treatments will benefit pine-dependent species such as the white headed woodpecker, pygmy nuthatch and brown creeper, among others.

Additional juniper cutting/removal methods

One commenter wanted to allow all types of juniper cutting and removal methods on all

units. One example would be utilizing mechanical cutting and removal methods on all three units instead of two.

When designing the project, the collaborative group and the issues drove the juniper cutting and removal possibilities. Unit A for example is proposed for horse logging only, in order to minimize the spread of noxious weeds. This unit is adjacent to a large area covered with medusa-head rye. One corner of the unit overlaps with the medusa-head rye infestation. The risk of spreading that population of weeds is much higher when utilizing mechanical equipment than with horse based equipment.

Unit D was identified as mechanical removal only. During the collaborative process there was no interest shown to horse log that unit. There were also no issues to prevent utilizing mechanical equipment for cutting or removing the juniper trees.

Unit E is open to all types of cutting and product removal.

Livestock Grazing

One commenter wanted the proposal to include removing livestock from this area.

Although livestock grazing is outside of the scope of this document, the Crooked River National Grassland Vegetation Management/Grazing Final Environmental Impact Statement (FEIS) completed in 2004 addressed livestock grazing in this area. The FEIS removed grazing from 18,423 acres on the west side of the Grassland. Unit A is the only unit that remains open to livestock grazing. In order to promote bitterbrush on the mule deer winter range, livestock grazing does not extend beyond August 1 each year.

Project design criteria

One commenter requested that the Mule Deer Winter range restrictions on juniper cutting be changed to start December 15 instead of November 15.

The Land and Resource Management Plan written for the CRNG in 1989 adopted standards and guidelines for the Grassland. One standard for the Metolius Mule Deer Winter Range states, "No motorized use from November 15 through March 31." This is to reduce harassment to big game on the winter range during critical times of the year. A Forest Plan amendment would be required to change this restriction.

One commenter requested leaving clumps of trees for big game hiding cover.

All ponderosa pine and old growth juniper will be left in all units. In areas where the pine trees are scarce, there are many large old growth juniper trees. In most cases, the trees left behind should function as hiding cover for big game. The large riparian area in Unit A is excluded from cutting and tree removal. This area should provide hiding cover not only from the trees left, but from the canyon topography. The landowner adjacent to Unit A has been experiencing increased elk depredation and property damage (primarily

to fences). Leaving fewer trees in the flatter portion of Unit A will not only be more representative of a historic landscape condition, but is more likely to discourage elk from utilizing this area so intensively.

Reintroduction of fire

Both commenters indicated a desire to reintroduce fire into these units either instead of or following mechanical juniper cutting/removal.

All three of these units were analyzed during the FEIS process. Units A and D were selected for juniper cutting only with no follow up fire or fuels treatments. Unit E was selected for juniper cutting, slash piling and burning. This decision memo only additionally authorizes the removal of the juniper as a product. It does not change the original treatment intent. One of the reasons for not including burning in Unit A is the proximity of the medusa-head rye infestation. Burning would encourage the spread and establishment of this noxious weed

In addition, during the collaborative meetings there were many discussions about large scale burning efforts on the winter range and the possible negative effect on the existing bitterbrush. Because of these concerns I have decided not to add burning to Unit D.

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

This action is consistent with the Record of Decision for the Crooked River National Grassland and Resource Management Plan. This action will comply with existing laws including, but not limited to, the National Environmental Policy Act, National Forest Management Act, Clean Water Act, Clean Air Act, and Endangered Species Act.

A. Environmental Justice (E.O. 12898)

Public involvement did not identify any adversely impacted minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

V. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

My decision is subject to administrative review (appeal) pursuant to 36 CFR 215. Any notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Any appeal must be filed (regular mail, fax, e-mail, hand-delivery, or express delivery) with the Forest Supervisor, Ochoco National Forest, 3160 NE Third Street, Prineville, OR 97754. Appeals submitted via fax should be sent to (541) 416-6695. Appeals can be filed electronically at: appeals-pacificnorthwest-ochoco@fs.fed.us.

Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in plain text (.txt), Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf). E-mails submitted to e-mail addresses other than the one listed above, or in formats other than those listed, or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

The office hours for those submitting hand-delivered appeals are 8:00 am - 4:30 pm Monday through Friday, excluding holidays.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice announcing this decision in *The Bulletin* newspaper, Bend, Oregon. Attachments received after the 45-day appeal period will not be considered. The publication date in *The Bulletin* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

VI. IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If any appeals are filed, implementation may occur on, but not before, the 15th business day following the date of disposition of the last appeal.

VII. CONTACT PERSON

Further information about this decision can be obtained from Anne Roberts during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.) at the Crooked River National Grassland office.

Contact Information:

Address: 813 SW Hwy 97, Madras, OR 97741

Phone: (541) 475-9272,

Fax: (541) 416-6694;

e-mail: aroberts@fs.fed.us)

VIII. SIGNATURE AND DATE

KRISTIN M. BAIL
District Ranger

Date

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