

DECISION MEMO

Ninemile Area Restoration Project

Fremont-Winema National Forest
Chiloquin Ranger District
Klamath County, OR

PROPOSED ACTION: The Chiloquin District Ranger is proposing a number of treatments within the Ninemile Project Area to restore particular habitat conditions that have changed over time, usually because of fire suppression. Approximately 1922 acres are proposed for conifer removal from aspen stands; meadow burning to promote sensitive *Astragalus* plants; and removing encroaching juniper. Fuel accumulations from the aspen areas and the juniper removals may be treated with hand piling and burning or by burning jackpot concentrations of created fuels.

The location of the project is within the Ninemile Project Area east of the town of Chiloquin along the Sprague River Highway. The legal location is T34S, R9E, Sec 33; T35S, R9E Sections 8, 16, 17, 18, 19, 20, & 30; T36S, R 8E, Sec 4; T35S, R8E, Sections 1, 4, 5, 8, 9, 11, 12, 13, 14, 15, 23, 24, 25, 26, 27, & 34; and T34S, R8E, Sections 19, 20, 29, 30, 31, & 32.

SCOPING: The project was discussed with Klamath Tribal Directors at the pre-SOPA meeting in November, 2001 as part of the original Ninemile Fuel Reduction Project. Tribal scoping letters were delivered on May 6, 2004. Public scoping was started by placing the proposed project on the Winema Winter 2000-2001 Schedule of Proposed Actions and on the website. A public scoping letter was sent on May 15, 2002 to the Chiloquin District NEPA mailing list. The mailing list of individuals and organizations contacted is on file in the project record. Klamath Tribal personnel helped select restoration units and the associated treatments. The only comments received specific to the restoration activities were from local members of the public requesting that cut junipers be made available for post and pole use. The restoration activities were again presented to the public in a letter dated January 27, 2004 as part of the Ninemile HFRA mailing. No further comments were received. Chiloquin Ranger District and Winema National Forest resource specialists reviewed the proposed action. The specialist reports and related documentation may be found in the Ninemile Fuel Reduction Project Record. During analysis, no significant issues or concerns were identified.

DECISION AND REASON FOR CATEGORICAL EXCLUSION: I have reviewed the interdisciplinary analysis and have decided to allow the proposed restoration activities. The restoration of these various ecosystem conditions will complement the fuel reduction work in the Ninemile Fuel Reduction Project. Aspen stands will have competing lodgepole pine removed, stimulating the aspen and other riparian vegetation. *Astragalus* populations will benefit from light meadow burning. Junipers will be chainsaw felled in areas where light fire historically kept the juniper stocking at a very low level, aiding in the restoration of other vegetation that was affected by the encroaching juniper. Some felled juniper concentrations will be jackpot burned, others will be retained as wildlife habitat. Juniper boles will be left onsite, available for use as post and

pole material as requested by local residents. These restoration treatments will be beneficial to many species of native wildlife.

The restoration work is expected to be started in fall 2004 with an initial small evaluation burn in the *Astragalus* area. If the plants respond as anticipated, more meadow burning will be done in the following years. Removal of the junipers and the conifers encroaching into aspen stands is expected to begin in summer 2005.

This action falls within FSH 1909.15 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." No extraordinary circumstances exist that might cause the action to have significant effects; therefore, the action is categorically excluded from documentation in an environmental assessment or an environmental impact statement. Based on the environmental analysis and past experience, the effects of implementing this action will be of limited context and intensity and will result in little or no effects to either the physical or biological components of the environment.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS: This action is consistent with the management direction, including standards and guidelines, as outlined in the Winema Forest Land and Resource Management Plan as amended, and the Final Environmental Impact Statement documenting the analysis for the Plan. This action will comply with requirements of the Clean Water Act.

No significant impact is expected on Sensitive, Threatened or Endangered species. A determination of May Effect, not likely to Adversely Effect or Beneficial Effect was given for the sensitive plant *Astragalus peckii*. The proposed underburn will be done in stages to evaluate the effect on the plant before proceeding with the rest of the planned burning. The plant is expected to respond positively to the burning treatment by expanding its population in the suitable habitat.

The potential for the project to increase invasive species or noxious weeds is low because few known weed sites are currently present in or near the project area except for gravel pits. Off road equipment will be required to be cleaned prior to entry onto the Forest to prevent weed seeds or other plant material from being introduced into the project area.

A rating of May Impact Individuals or Habitat (MIIH) was determined for the Sensitive species grey flycatcher, Pacific fringe-tailed bats and Pacific pallid bats. This determination predicted minor, indirect disturbance of roosting and foraging bats from noise, and from smoke during burning operations.

The following Wildlife Mitigation Measure (seasonal restrictions) will apply to Units R02, R06, R14, R18 and R19: No project activities are authorized within ¼ mile of identified active raptor nest sites from March 1st to August 31st.

All other species received No Impact or No Effect determinations.

No significant impact is expected on cultural resources because known sites will be avoided and project activities will be monitored to identify and protect any other sites. No significant impact is expected on parkland, floodplains, wetlands, prime farmlands, wild and scenic rivers or ecologically critical areas. There are no anticipated significant impacts on consumers, minority groups, American Indians, women or civil rights. There are no anticipated significant impacts to Treaty and trust responsibilities with the Klamath Tribes. Consultation with the Klamath Tribes was done under provisions of the 1999 Memorandum of Agreement.

There are no known significant indirect, cumulative, or unavoidable adverse effects on the environment. There is no threat to public health or safety. The project fully meets INFISH direction. Implementation of this proposal meets the resource protection requirements of 36 CFR 219.17.

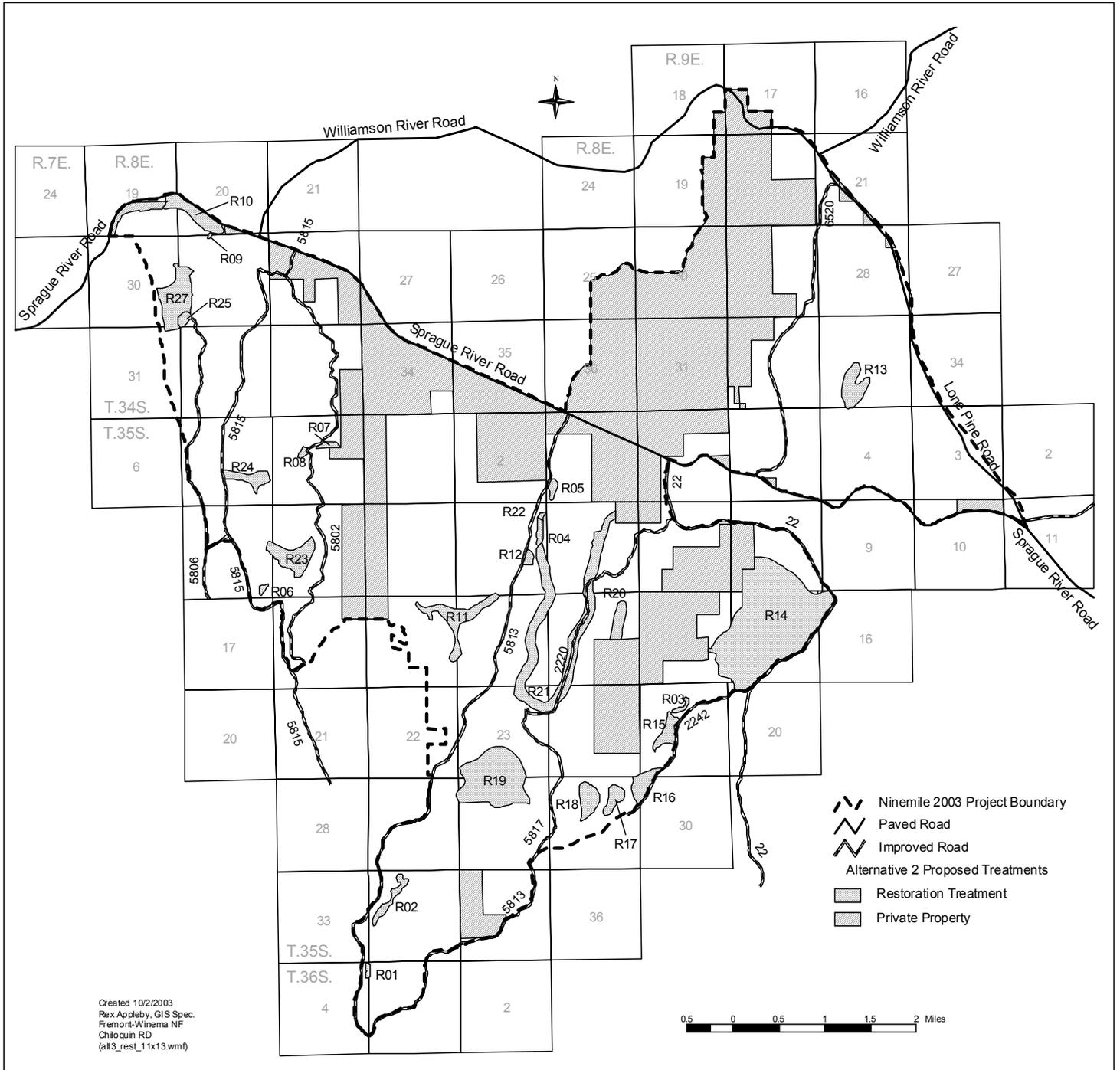
APPEAL OPPORTUNITIES/IMPLEMENTATION DATE: Pursuant to 36 CFR 215.4(a) this decision is not subject to requirements for Notice and Comment. This decision is not subject to appeal, pursuant to Forest Service regulations at 36 CFR 215.12(f). This decision may be implemented immediately.

CONTACT PERSON: Questions regarding this decision should be directed to Kevin Moore, Southwest Zone NEPA Coordinator, Chiloquin Ranger District, 38500 Hwy 97 North, Chiloquin, OR 97624; telephone 541-783-4001.

/s/ Richard Ragan
RICHARD RAGAN
District Ranger
Chiloquin Ranger District
RESPONSIBLE OFFICIAL

October 18, 2004
Date

Restoration Units in the Ninemile Project Area



Ninemile Project Area Restoration Units

Unit Number	Acres	Proposed Treatments
R01	5	WFL
R02	26	WFL
R03	7	WFL, CJL
R04	11	CJL
R05	12	CJL
R06	4	WFL
R07	9	WFL
R08	5	WFL
R09	1	WFL
R10	65	WFL, HP, JPB
R11	83	MB
R12	11	MB
R13	58	CJL
R14	673	CJL
R15	35	CJL
R16	40	CJL
R17	27	CJL
R18	42	CJL
R19	243	CJL
R20	29	CJL
R21	305	CJL
R22	3	CJL
R23	72	CJL, JPB
R24	38	CJL, JPB
R25	11	CJL
R26	45	CJL
R27	63	CJL
TOTAL	1922	

Restoration units are operations designed to restore a particular habitat condition that has altered the unit over time, usually because of fire suppression. These include treatments such as whipfalling and lopping of conifers (**WFL**) up to 8" DBH to remove them from aspen stands; meadow burning (**MB**) to promote *Astragalus* plants; and juniper cutting and lopping (**JCL**) to reduce juniper encroachment. Jackpot burning (**JPB**) and hand piling and burning (**HP**) will be used to reduce fuel concentrations in some units.