

City of The Dalles, Oregon LOW-EFFECT HCP DETERMINATION

I. Project Information

A. Project name: City of The Dalles, OR Habitat Conservation Plan (HCP)

B. Affected species: Northern Spotted Owl (*Strix occidentalis caurina*)

C. Project size: 1,432 acres

D. Brief project description including minimization and mitigation plans:

The proposed action is a set of guidelines applicable to timber harvest activities on City property. These guidelines are designed to provide increased certainty regarding management relative to the spotted owl. Management will be consistent with and supplement the conservation strategies being implemented on adjacent Federal land. Implementation of these measures will ensure that impacts to spotted owls from harvest activities are minimized and mitigated to the maximum extent practicable by coordinating City activities with the Forest Service to manage the land on an ecosystem-wide basis. The spotted owl is the only covered species.

The City has entered into a Memorandum of Understanding (MOU) with the United States Forest Service, Mt. Hood National Forest unit, to provide for coordinated and consistent management across the watershed. Standards and guidelines established for management of Federal lands designated as Matrix under the Northwest Forest Plan will be applied to the municipal ownership during the permit term of 20-30 years. The MOU is attached as Appendix C of the HCP.

II. Does the HCP fit the low-effect criteria in the HCP Handbook?

Yes, all low-effect criteria have been met.

A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP prior to implementation of the mitigation plan? (Handbook pg. 1-8 and 1-9)

Yes, the effects of the HCP on northern spotted owls are minor and effects on steelhead (*Oncorhynchus mykiss*) are negligible.

The permit lands are not subject to intensive forest management. Management is dominated by selective harvests which occur on an occasional, rather than programmed basis. Since the primary purpose of the permit lands is protection of the municipal water supply, the amount and intensity of timber harvest in any given year, and the cumulative effect of these activities over many years, will be very limited.

Occurrence of threatened northern spotted owls on the permit lands is limited- currently two known occupied sites. The marginal quality of habitat on the permit lands and the limited quality and distribution of this habitat make it unlikely that additional occupancy will occur in the future. Furthermore, these limited habitat conditions are such that any owls that do occur on the permit lands, now or in the future, must be supported primarily by habitat occurring on adjacent non-permit lands

managed by the U.S. Forest Service. The current Mt. Hood National Forest management plan does not call for maintenance of the Federal habitat to support the associated owls. It is therefore likely that, in the future, owl occupancy in the area, including on the permit lands, will be reduced regardless of actions undertaken on the permit lands.

All of these factors lead to an estimate that approximately two owl sites may be incidentally taken over the permit term and that this level of loss may occur even absent issuance of the permit. The fact that these owls occur at the very edge of the species range and are not associated with any Late Successional Reserve or other owl population cluster designated for long-term conservation purposes, leads to the conclusion that their loss relative to long-term survival of the species is negligible.

Due to the presence of a natural fish passage barrier approximately one mile down stream, no steelhead or other anadromous fish occur on the permit lands and no direct salmonid habitat impacts will result from issuance of the permit. Since the primary purpose of the permit lands is protection of the municipal water supply, the amount and intensity of timber harvest in any given year, and the cumulative effect of these activities over many years, will be limited to an extent that indirect impacts to down stream, off-permit land fish habitat will be negligible. The Service believes the issuance of an incidental take permit for this action will have no effect on salmonids.

No listed or proposed plant species are known to occur on the permit lands.

B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g., air quality, geology, and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the mitigation plan? (Handbook pg. 1-8 and 1-9)

Impacts to air quality would be minor as any burning of slash piles, if any, would be done in compliance with existing state laws that cover this activity.

As a result of the proposed low volume harvest plan, and existing water quality protection mandates, any impacts to the geology and soils of the area covered in the HCP would be negligible. Yarding corridors will be restricted to natural openings as much as possible, and no new road or corridors are likely to be developed. Yarding areas and skid trails will be designed to minimize soil erosion. Harvest activities will cease whenever the site is wet.

Water quality and quantity will not be impacted due to the small amount of timber removed and water quality protection mandates. The remaining timber and understory vegetation and the small amount of soil disturbance will minimize the possibility of soil erosion occurring.

No changes in land use will result from this action, therefore, there should not be any negative effect on the social-economic values from the implementation of this HCP.

There are no known cultural resources on the area covered under the HCP according to Oregon State Historic and Preservation Office (SHPO). However, very little of Oregon has been surveyed for cultural resources. Activities of this type, that do not involve excavation and have minimum ground disturbance, pose little risk of impact to cultural resources. If any cultural resources would be discovered during harvest activities, work would cease, the SHPO would be notified, and proper procedures would be

followed.

C. Would the impacts of this HCP, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? (Handbook pg. 5-3).

There should not be any significant adverse cumulative effects to environmental values or resources due to the low intensity of the proposed action, the fact that the selective harvest occurring on the permit lands usually has a positive effect on forest health and results in a lower fuel loading factor in the event of a forest fire, the overall water quality and drinking water supply mandates of the permit lands, and the fact that adjacent forest lands are Federally-owned and will be subject to the provisions of the Northwest Forest Plan.

III. Do any of the exceptions to categorical exclusions apply to this HCP? (From 516 DM 2.3, Appendix 2)

No, none of the exceptions apply to this low-effect HCP.

Would implementation of the HCP:

A. Have significant adverse effects on public health or safety?

No, there are no known adverse effects on air or water quality or any other factors that would impact public health or safety. There are no dwellings for humans or livestock down slope of the action that would be impacted in the event of an unforeseen land movement. Land or mud slides are unlikely to occur from the type and level of management envisioned following permit issuance.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?

No, there is no likelihood that this activity would impact any of the above resources of concern. While a municipal water supply and some floodplains/wetlands are included within the permit lands, mandates to protect water supply and quality are likely to eliminate negative impacts of this action to these resources.

C. Have highly controversial environmental effects?

There should be no reason for scientific or public controversy over adverse environmental effects.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

No, the actions envisioned following issuance of the permit are routine, have been ongoing for many years within the permit area and have been demonstrated to be consistent with long-term forest and watershed health and associated resources.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?

No.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?

No, the types of management envisioned following permit issuance have been practiced for many years within the permit area and have not been shown to have any cumulatively significant environmental effects.

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

No, there are no such properties in the vicinity of this proposed action.

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?

There would not be any adverse effects on designated critical habitat of the northern spotted owl as a result of this action. Incidental take of owls may occur but would be very limited in quantity (two sites), would be spread out over a long period of time (twenty to thirty years), would be equivalent to effects likely to occur as a result of adjacent federal land management, and have minor effects on the local population of this species. Steelhead and other anadromous fish will not be affected by this action. Proposed or listed plant species will not be impacted.

I. Have adverse effects on wetlands, floodplains, or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?

Due to the water quality and supply mandates which guide management of the permit lands, the project will not have any impact on wetlands or flood plains and therefore will not require compliance with these Orders or Act.

J. Threaten to violate a Federal, State, local, or tribal law, or requirement imposed for the protection of the environment?

No, implementation of the City of The Dalles HCP would not violate any Federal, State, local, or tribal law or regulation imposed for the protection of the environment. All environmental laws and regulations will be adhered to.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the City of The Dalles, Oregon HCP qualifies as a "Low Effect" HCP as defined in the U.S. Fish and Wildlife Service Habitat Conservation Planning Handbook (November 1996). Therefore this action is a categorical exclusion as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1 and no further NEPA documentation will be made.

Supporting documents:

City of The Dalles, Oregon Habitat Conservation Plan

Habitat Conservation Planning Handbook, November, 1996, pp 1-8, 1-9, 1-10, 5-2, & 5-3

City of The Dalles, Oregon Municipal Watershed Management Plan

Memorandum of Understanding between City of the Dalles and Mt. Hood National Forest.

Signature Approval:

(1) Russell Peterson, State Supervisor
Oregon State Office

Date

(2) David Wesley, Assistant Regional Director
North Pacific Coast Ecoregion

Date