

**USDA Forest Service  
Deschutes National Forest  
Sisters Ranger District**

**DECISION MEMO**

**Black Butte Quarter's Replacement and Trail Relocation  
Project**

**Jefferson, Oregon**

**T13S R09E sections 34 and 35**

**DECISION**

After a careful review of the proposed action, the environmental effects of the project, and the consideration of public comments, I have decided to decommission the existing lookout quarter's and restore the cabin site, build a new quarter's lookout cabin at a new location and install a new toilet at a new location to reduce the administrative footprint on Black Butte. I have also decided to develop a single managed trail system to mitigate ongoing resource damage to the fragile alpine vegetation that characterizes the summit of Black Butte as well as limit adverse affects to an administrative site.

My decision will balance the public's recreation interests and needs along with providing a more secure and comfortable environment for Forest Service personnel who staff the lookout during fire season.

Specifically, my decision will:

- Demolish and restore the original cabin and toilet site
- Build a quarter's cabin and toilet at a new location using components manufactured off-site and transported by a helicopter
- Consolidate solar panels, propane tank, fire wood storage area, and other utilities at a single location
- Develop a single managed trail system for the summit of Black Butte

The project will, to the extent possible, follow the guidelines established for the Recreation Opportunity Spectrum class of Semi-primitive Non-motorized and the Visual Quality Objective of Retention. The trail to the summit may be closed to the public for short periods of time to reduce the potential safety hazard involved with helicopter sling load activities.

About 0.15 acres will be disturbed by building the quarter's cabin, installing a toilet, and constructing a propane tank pad. The project will require the removal of about 2-3 small white fir trees less than five feet tall. The new trail will basically follow a fire line cut for

the 2009 Black Butte II fire. About 0.10 acres at the existing quarter's cabin site will be restored using native plant species.

My decision is documented under 36 CFR 220.6(d)(3): Repair and maintenance of administrative sites (FSH 1909.15. 31.12 (3)).

The project file is located at the Sisters Ranger District office, Sisters, Oregon.

## **Background and Existing Condition**

Due to its prominent location, appearance, and height Black Butte has a long history of use by Native Americans and for over a century has been a favorite recreation destination and fire lookout site.

The trail to the summit of Black Butte is one of the most popular hikes on the Deschutes National Forest. The two mile hike ascends about 1600 ft. from the trailhead to the summit. The view from the summit is outstanding.

Since the early 1900's Black Butte has been a primary fire lookout point for the detection of wildfires. The present lookout tower, built in 1995, was preceded by three other generations of lookouts. The lookout tower and its support buildings are of major importance for the detection of fire in the north half of the Deschutes National Forest. On February 17, 1964 the Bureau of Land Management (BLM) administratively withdrew about 60 acres of the summit of Black Butte from mineral entry to protect the site for it's administrative purposes.

Over time the existing quarter's cabin for lookout personnel has become severely deteriorated due to an infestation of the wall logs by carpenter ants which have proven very difficult if not impossible to control. In addition, the existing network of social trails can be confusing for first time hikers to Black Butte. The network of social trails directs hikers away from the main trail leading to the 1920's fire lookout cupola and the western view points, compromising the privacy of the existing quarter's cabin and causing resource damage to the fragile subalpine environment.

## **Purpose and Need for Action**

The *purpose* of the project is: 1) relocate and provide a new living quarters cabin and toilet facility and consolidate the utilities for the Black Butte lookout and 2) establish a trail system at the summit to protect resource values and provide a quality recreation experience.

There is a *need* to demolish the existing quarter's cabin due to its increased unlivability, eliminate the social trails created by the public that compromise resource and recreation values, and consolidate utilities in a single location to improve the sustainability of the site and facilities, and reduce the administrative footprint on Black Butte.

## **Proposed Action**

The proposed action has the following design elements:

- Demolish and restore the original cabin and toilet site
- Build a quarter's cabin and toilet at a new location using components manufactured off-site and transported by a helicopter
- Consolidate solar panels, propane tank, fire wood storage area, and other utilities at a single location
- Replace the existing network of social trails with a single managed trail system that protects resource values

A helicopter would be used to transport materials to the job site. The existing lookout is currently provisioned by a helicopter.

All construction activities would follow the Recreation Opportunity Class for Semi-primitive Non-motorized and the Visual Quality Objective of Retention.

## **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 categorical exclusion 36 CFR 220.6(d)(3). 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. Initially, it was suggested that an environmental assessment would be necessary to display project effects. However, a review of resource conditions concluded that a categorical exclusion was adequate to document the project. 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. Because of the environmental sensitivity of Black Butte I requested the full range of resource reports be prepared for the project. Resource specialist's reports are on file at the Sisters Ranger District office, Sisters, Oregon.

**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 sensitive plants or their habitats in the project area.

## **WILDLIFE SPECIES**

**Northern Spotted Owl (Federal Threatened, Management Indicator Species):** May Affect but Not Likely Adversely Affect

**Pacific Fisher (Federal Candidate, Regional Forester Sensitive, Management Indicator Species):** No Effect

**Oregon Spotted Frog (Federal Candidate):** No Effect

**Johnson's hairstreak – a species of butterfly (Regional Forester Sensitive):** May Affect but Not Likely to Adversely Affect

**Wolverine (Regional Forester Sensitive, Management Indicator Species):** No Effect and would not lead towards a trend for Federal listing.

## **AQUATIC SPECIES**

There will be no effect to listed fish species. The summit of Black Butte does not contain fish habitat. The nearest stream channels are located over a mile from the project area.

### **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 no floodplains within the project area.

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.

## 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 not located within a congressionally designated wilderness, wild and scenic river corridor, or national recreation area. The Mt. Washington Wilderness area is located about 6 air miles to the southwest. The Metolius Wild and Scenic River is located about 2.5 air miles to the north. The nearest National Recreation Area, the Oregon Dunes, is located on the Oregon coast far to the west of the project 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 RNA is located about 5.5 air miles north and the Cache Mountain RNA is located about 6 air miles west of 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. One

prehistoric lithic scatter and a historic lookout complex were recorded in the project area. The historic lookout complex is eligible to the National Register of Historic Places and is included in the National Register of Historic Lookouts. The survey meets the No Historic Properties Affected determination ((Stipulation III (B) 1 of the June 2004 Programmatic Agreement)).

No cultural resource sites will be impacted by the project.

### **Recreation Opportunity Class**

The Forest Plan Recreation Opportunity Spectrum (ROS) class assigned to the management area is Semi-primitive Non-motorized. Current visitor use and visitor experience, however, is more indicative of the Road Natural ROS class. The presence of a fire lookout tower, associated communication facilities, and a historic lookout add additional complexity to the summit of Black Butte and compromise the qualities usually associated with the Semi-primitive Non-motorized ROS class. Additionally, the presence of braided social trails detracts from the recreation experience and impacts the management requirements for an administrative site.

My decision will reduce the administrative footprint on the summit of Black Butte and will lead towards a positive trend of most the conditions usually associated with the Semi-primitive Non-motorized ROS class. The creation of a managed trail system will also assist with this trend towards improvement.

The construction of a new quarter's cabin is an important part of my decision. Given the weather conditions found on the summit of Black Butte it is vital that the cabin be constructed to withstand adverse conditions as well as being a suitable living space for Forest Service personnel staffing the lookout. I have reviewed the facilities criteria of the Semi-Primitive Non-motorized ROS class and have determined that some of the cabin design features will be "incompatible" using the existing standards; however, none of the cabin design features will be "unacceptable". However, the overall cabin design, coupled with the reduction in the administrative footprint, will meet the majority of the Semi-Primitive Non-motorized ROS class standards and set the summit of Black Butte on a trend to meet the ROS class as outlined in the Forest Plan.

### **Findings Required by Other Laws**

My decision is consistent with the standards and guidelines established in the Deschutes National Forest Land and Resource Management Plan, as amended.

The management allocations found in the project area include Management Area 23, Metolius (Black Butte) Special Interest and the Metolius Late Successional Reserve, Management Strategy Area E (Black Butte).

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

## **Management Area 23 – Metolius Special Interest**

The goal for this management area is to preserve and protect interpretation of unique geological, biological, and cultural areas for education, scientific, and public enjoyment purposes. The Black Butte Special Interest Area is included in this Management Area.

### **Recreation**

M23-1: Visitor use and activities will be managed to prevent degradation of the special interest resources.

M23-2: Facilities may be provided for the protection of resource values, visitor use, environmental interpretation, or safety of visitors.

M23-4: The Metolius Special Interest Management Area will provide the recreation activity, setting, and experience opportunities of the Recreation Opportunity Spectrum category of Semi-primitive Non-motorized.

M23-11: To the extent possible, the visual quality indicated on the Visual Quality Objective Map will be met (the Visual Quality Objective is Retention).

### **Late Successional Reserves: Standards and Guidelines for Multiple-Use Activities Other Than Silviculture (Northwest Forest Plan)**

C-16: Introduction. As a general rule, nonsilviculture activities located in Late Successional Reserves that are neutral or beneficial to the creation and maintenance of late successional habitat are allowed.

C-17: Developments. Development of new facilities that may adversely affect Late Successional Reserves should not be permitted. New development proposals that address public needs or provide significant public benefits, such as powerlines, reservoirs, recreation sites, or other public works projects will be reviewed on a case-by-case basis and may be approved when adverse effects can be minimized and mitigated. These will be planned to have the least possible adverse impacts on the Late Successional Reserve. Developments will be located to avoid degradation of habitat and adverse effects on identified late successional species. Existing developments in Late Successional Reserves such as campgrounds, recreation residences, ski areas, utility corridors, and electronic sites are considered existing uses with respect to Late Successional Reserve objectives, and may remain, consistent with other standards and guidelines.

The project will not prevent meeting the goals for Management Strategy Area E as outlined in the Metolius Late Successional Reserve Assessment (pages 105-107).

## **Project Design Criteria and Mitigation Measures**

### **Invasive Plants**

Surveys did not locate invasive plants in the project area. There is a moderate risk of introducing invasive plants which could have effects to native plant habitats.

- 1) Require clean vehicles and equipment to limit accidental transportation and introduction of weed seed.
- 2) Minimize ground disturbance to protect habitat and prevent new weed infestations.
- 3) Provide early detection and control of invasive plants.
- 4) Revegetate and restore disturbed areas with local native seed.
- 5) When considering off-site storage areas consider the potential for weed spread into the project area.

### **Wildlife**

- 1) Recommend restricting the helicopter flight approach to the project area to the southern side of Black Butte to avoid disturbance to northern spotted owls located on the north side of the butte.
- 2) Include nectar plants favored by the Johnson's hairstreak in the seed mix for areas requiring restoration.
- 3) Avoid or minimize new trail construction near the saddle of the old lookout location if possible

### **Heritage**

- 1) Retain the 1934 lookout tower footprint.
- 2) Locate new trails and facilities to avoid a rock lined cistern and tree platform.
- 3) New trail locations should be reviewed by an archaeologist prior to construction.

## **PUBLIC INVOLVEMENT**

A scoping letter was mailed to about 225 people on March 3, 2009, including the Confederated Tribes of Warm Springs, Oregon. Six replies were received; all in favor of the project. One reply offered suggestions on trail locations and another questioned the use of prefabricated materials for the new cabin and suggested the use of logs similar to the existing quarter's cabin. The cabin design would meet most of the criteria for the Recreation Opportunity Class of Semi Primitive Non-motorized for facilities development.

## **IMPLEMENTATION DATE**

The project can be implemented immediately. It may be necessary to obtain a fire waiver to operate equipment during this time period. The trail to the summit may be closed for



short periods of time due to the potential public safety hazard involved with helicopter sling load activities.

### **ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES**

This decision is not subject to appeal pursuant to 36 CFR 215.4. A copy of the decision memo will be mailed to those who commented on the project.

### **CONTACT INFORMATION**

For further information regarding my decision please contact Michael Keown, Environmental Coordinator, at (541) 549-77235; e-mail at <[mkeown@fs.fed.us](mailto:mkeown@fs.fed.us)>.

/s/ William Anthony  
**WILLIAM ANTHONY**  
District Ranger

March 1, 2010  
**Date**