



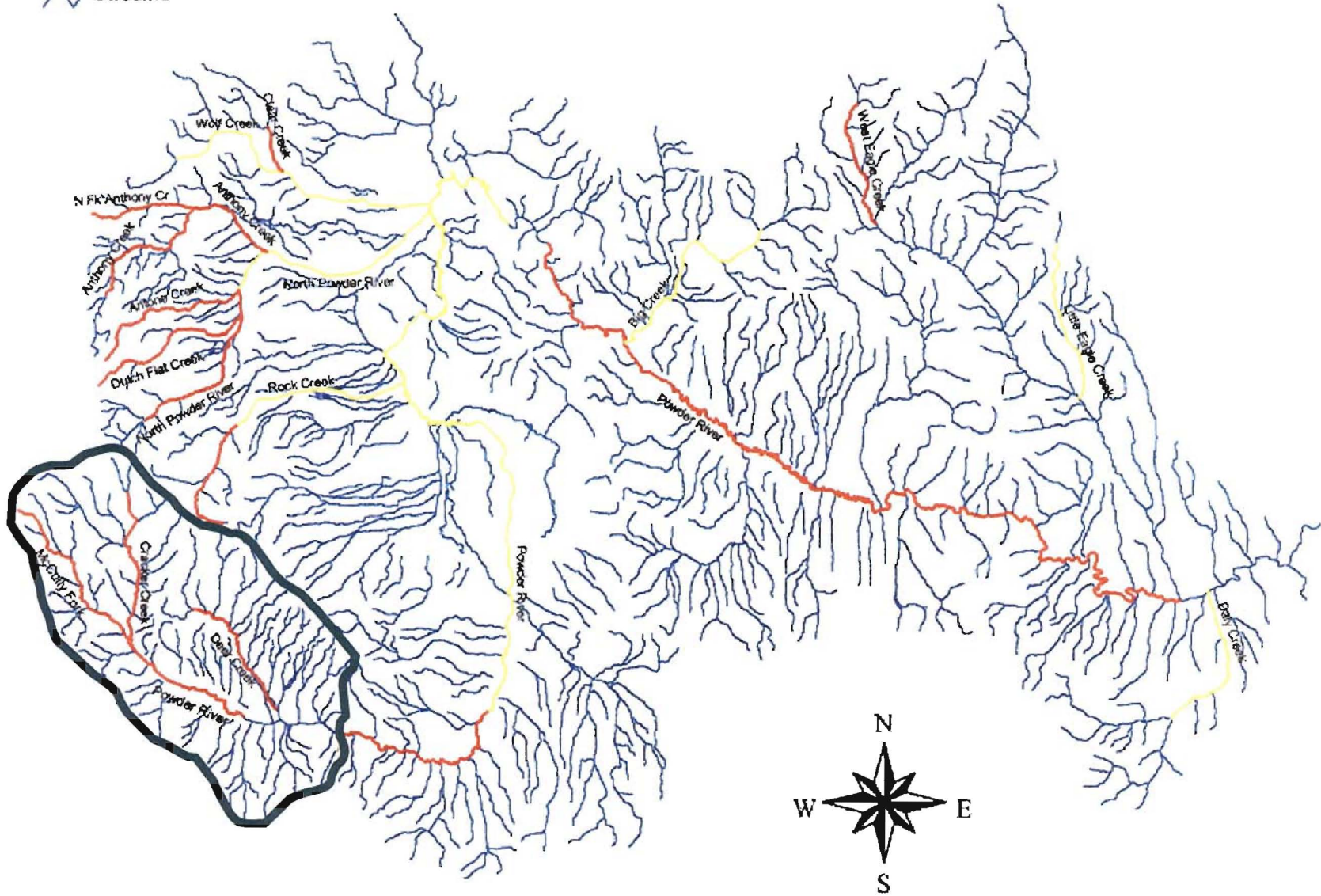
APPENDIX D

INSTREAM WATER RIGHTS

- 1) OWRD Records of Instream Water Rights
- 2) ODF&W File of Instream Water Rights Applications/Certificates

POWDER RIVER BASIN INSTREAM WATER RIGHTS

-  Instream Water Rights
-  Reaches Without Certificates
-  Streams



APPLICATIONS LIST

Basin: POWDER # Water Rights: 1
 Watershed ID Number: 72183 (Mc Culley Cr.)
 Type: Applications Affecting Water Availability:
 All Instream Water Rights

App Number	WS ID #	Source	Status	Use Type	Priority
72183A	72183	Surface water	Certificate	ISWR	1/29/1992

APPLICATIONS LIST

Basin: POWDER # Water Rights: 1
 Watershed ID Number: 72172 (Cracker Creek)
 Type: Applications Affecting Water Availability:
 All Instream Water Rights

App Number	WS ID #	Source	Status	Use Type	Priority
72172A	72172	Surface water	Certificate	ISWR	1/29/1992

APPLICATIONS LIST

Basin: POWDER # Water Rights: 1
 Watershed ID Number: 72174 (Deer Creek)
 Type: Applications Affecting Water Availability:
 All Instream Water Rights

App Number	WS ID #	Source	Status	Use Type	Priority
72174A	72174	Surface water	Certificate	ISWR	1/29/1992

Instream Water Rights and Applications Information

Instream Water Right Applications

APP_NO STREAM TRIB_TO
 CERT_NO FROM TO
 DATE SYSTEM BASIN COUNTY REGION
 SPECIES NOW_TES TE_SENS
 METHOD DATA WRD_NO

FLOW REGIMES

Q_TYPE	HALF	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
MINIMUM	1	9	9	20	20	20	20	12	9	9	9	9	9
MINIMUM	2		15				15						
REQUESTED	1	9	9	20	20	20	20	12	9	9	9	9	9
REQUESTED	2		15				15						
EANF	1	10.3	11	22.6	55.7	99.7	85.3	18	7.45	3.18	2.44	3.31	6.44
PROPOSED	1	9	9	20	20	20	20	12	7.45	3.18	2.44	3.31	6.44
PROPOSED	2		11				15						

Instream Water Right Information. (source: Water Resource Dept.)

STREAM:

CERT_NO	<input type="text"/>	UP_T	<input type="text" value="8"/>	DN_T	<input type="text" value="9"/>	JAN_1	<input type="text" value="9"/>	JAN_2	<input type="text" value="9"/>	JUL_1	<input type="text" value="12"/>	JUL_2	<input type="text" value="12"/>
TYPE	<input type="text" value="IS"/>	UP_NS	<input type="text" value="S"/>	DN_NS	<input type="text" value="S"/>	FEB_1	<input type="text" value="9"/>	FEB_2	<input type="text" value="15"/>	AUG_1	<input type="text" value="9"/>	AUG_2	<input type="text" value="9"/>
APP_NO	<input type="text" value="72172"/>	UP_R	<input type="text" value="37"/>	DN_R	<input type="text" value="37"/>	MAR_1	<input type="text" value="20"/>	MAR_2	<input type="text" value="20"/>	SEP_1	<input type="text" value="9"/>	SEP_2	<input type="text" value="9"/>
COUNTY	<input type="text" value="BAKE"/>	UP_EW	<input type="text" value="E"/>	DN_EW	<input type="text" value="E"/>	APR_1	<input type="text" value="20"/>	APR_2	<input type="text" value="20"/>	OCT_1	<input type="text" value="9"/>	OCT_2	<input type="text" value="9"/>
BASIN	<input type="text" value="8"/>	UP_SECT	<input type="text" value="29"/>	DN_SECT	<input type="text" value="32"/>	MAY_1	<input type="text" value="20"/>	MAY_2	<input type="text" value="20"/>	NOV_1	<input type="text" value="9"/>	NOV_2	<input type="text" value="9"/>
PRIORITY	<input type="text" value="01/29/19"/>	UP_QSECT	<input type="text" value="NWNE"/>	DN_QSECT	<input type="text" value="NW"/>	JUN_1	<input type="text" value="20"/>	JUN_2	<input type="text" value="15"/>	DEC_1	<input type="text" value="9"/>	DEC_2	<input type="text" value="9"/>
		US_RM	<input type="text"/>	DS_R	<input type="text" value="0"/>								

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Instream Water Rights and Applications Information

Instream Water Right Applications

APP_NO STREAM TRIB_TO
 CERT_NO FROM TO
 DATE SYSTEM BASIN COUNTY REGION
 SPECIES NOW_TES TE_SENS
 METHOD DATA WRD_NO

FLOW REGIMES

Q_TYPE	HALF	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
MINIMUM	1	5	5	15	15	15	15	6	5	5	5	5	5
MINIMUM	2		10				10						
REQUESTED	1	5	5	15	15	15	15	6	5	5	5	5	5
REQUESTED	2		10				10						
EANF	1	5.55	5.92	12.2	30.1	53.8	46.1	8.65	4.02	1.72	1.32	1.79	3.48
PROPOSED	1	5	5	12.2	15	15	15	6	4.02	1.72	1.32	1.79	3.48
PROPOSED	2		5.92				10						

Instream Water Right Information (source: Water Resource Dept.)

STREAM:

CERT_NO	<input type="text"/>	UP_T	<input type="text" value="8"/>	DN_T	<input type="text" value="9"/>	JAN_1	<input type="text" value="5"/>	JAN_2	<input type="text" value="5"/>	JUL_1	<input type="text" value="6"/>	JUL_2	<input type="text" value="6"/>
TYPE	<input type="text" value="IS"/>	UP_NS	<input type="text" value="S"/>	DN_NS	<input type="text" value="S"/>	FEB_1	<input type="text" value="5"/>	FEB_2	<input type="text" value="10"/>	AUG_1	<input type="text" value="5"/>	AUG_2	<input type="text" value="5"/>
APP_NO	<input type="text" value="72183"/>	UP_R	<input type="text" value="36"/>	DN_R	<input type="text" value="37"/>	MAR_1	<input type="text" value="15"/>	MAR_2	<input type="text" value="15"/>	SEP_1	<input type="text" value="5"/>	SEP_2	<input type="text" value="5"/>
COUNTY	<input type="text" value="BAKE"/>	UP_EW	<input type="text" value="E"/>	DN_EW	<input type="text" value="E"/>	APR_1	<input type="text" value="15"/>	APR_2	<input type="text" value="15"/>	OCT_1	<input type="text" value="5"/>	OCT_2	<input type="text" value="5"/>
BASIN	<input type="text" value="8"/>	UP_SECT	<input type="text" value="21"/>	DN_SECT	<input type="text" value="32"/>	MAY_1	<input type="text" value="15"/>	MAY_2	<input type="text" value="15"/>	NOV_1	<input type="text" value="5"/>	NOV_2	<input type="text" value="5"/>
PRIORITY	<input type="text" value="01/29/19"/>	UP_QSECT	<input type="text" value="SE"/>	DN_QSECT	<input type="text" value="NW"/>	JUN_1	<input type="text" value="15"/>	JUN_2	<input type="text" value="10"/>	DEC_1	<input type="text" value="5"/>	DEC_2	<input type="text" value="5"/>
		US_RM	<input type="text" value="9"/>	DS_R	<input type="text" value="0"/>								

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Instream Water Rights and Applications Information

Instream Water Right Applications

APP_NO STREAM TRIB_TO
 CERT_NO FROM TO
 DATE SYSTEM BASIN COUNTY REGION
 SPECIES NOW_TES TE_SENS
 METHOD DATA WRD_NO

FLOW REGIMES

Q TYPE	HALF	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
MINIMUM	1	6	6	15	15	15	15	8	6	6	6	6	6
MINIMUM	2		10				10						
REQUESTED	1	6	6	15	15	15	15	8	6	6	6	6	6
REQUESTED	2		10				10						
EANF	1	7.6	13.3	26.9	53.3	92.7	40.1	5	1.8	1.7	2.4	4.8	6.7
PROPOSED	1	6	6	15	15	15	15	5	1.8	1.7	2.4	4.8	6
PROPOSED	2		10				10						

Instream Water Right Information (source: Water Resource Dept.)

STREAM:

CERT_NO	<input type="text"/>	UP_T	<input type="text" value="9"/>	DN_T	<input type="text" value="10"/>	JAN_1	<input type="text" value="6"/>	JAN_2	<input type="text" value="6"/>	JUL_1	<input type="text" value="8"/>	JUL_2	<input type="text" value="8"/>
TYPE	<input type="text" value="IS"/>	UP_NS	<input type="text" value="S"/>	DN_NS	<input type="text" value="S"/>	FEB_1	<input type="text" value="6"/>	FEB_2	<input type="text" value="10"/>	AUG_1	<input type="text" value="6"/>	AUG_2	<input type="text" value="6"/>
APP_NO	<input type="text" value="72174"/>	UP_R	<input type="text" value="37"/>	DN_R	<input type="text" value="38"/>	MAR_1	<input type="text" value="15"/>	MAR_2	<input type="text" value="15"/>	SEP_1	<input type="text" value="6"/>	SEP_2	<input type="text" value="6"/>
COUNTY	<input type="text" value="BAKE"/>	UP_EW	<input type="text" value="E"/>	DN_EW	<input type="text" value="E"/>	APR_1	<input type="text" value="15"/>	APR_2	<input type="text" value="15"/>	OCT_1	<input type="text" value="6"/>	OCT_2	<input type="text" value="6"/>
BASIN	<input type="text" value="8"/>	UP_SECT	<input type="text" value="23"/>	DN_SECT	<input type="text" value="16"/>	MAY_1	<input type="text" value="15"/>	MAY_2	<input type="text" value="15"/>	NOV_1	<input type="text" value="6"/>	NOV_2	<input type="text" value="6"/>
PRIORITY	<input type="text" value="01/29/19"/>	UP_QSECT	<input type="text" value="SWSE"/>	DN_QSECT	<input type="text" value="NESW"/>	JUN_1	<input type="text" value="15"/>	JUN_2	<input type="text" value="10"/>	DEC_1	<input type="text" value="6"/>	DEC_2	<input type="text" value="6"/>
		US_RM	<input type="text"/>	DS_R	<input type="text" value="0"/>								

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NOTES

Instream Water Rights and Applications Information

Instream Water Right Applications

APP_NO STREAM TRIB_TO
 CERT_NO FROM TO
 DATE SYSTEM BASIN COUNTY REGION
 SPECIES NOW_TES TE_SENS
 METHOD DATA WRD_NO

FLOW REGIMES

Q TYPE	HALF	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
MINIMUM	1	25	25	40	40	40	40	25	25	25	25	25	25
MINIMUM	2		30				30						
REQUESTED	1	25	25	40	40	40	40	25	25	25	25	25	25
REQUESTED	2		30				30						
EANF	1	23.6	25.2	52	128	229	198	36.8	17.1	7.3	5.6	7.6	14.8
PROPOSED	1	23.6	25	40	40	40	40	25	17.1	7.3	5.6	7.6	14.8
PROPOSED	2		25.2				30						

Instream Water Right Information (source: Water Resource Dept.)

STREAM:

CERT_NO	<input type="text"/>	UP_T	<input type="text" value="9"/>	DN_T	<input type="text" value="10"/>	JAN_1	<input type="text" value="25"/>	JAN_2	<input type="text" value="25"/>	JUL_1	<input type="text" value="25"/>	JUL_2	<input type="text" value="25"/>
TYPE	<input type="text" value="IS"/>	UP_NS	<input type="text" value="S"/>	DN_NS	<input type="text" value="S"/>	FEB_1	<input type="text" value="25"/>	FEB_2	<input type="text" value="30"/>	AUG_1	<input type="text" value="25"/>	AUG_2	<input type="text" value="25"/>
APP_NO	<input type="text" value="72190"/>	UP_R	<input type="text" value="37"/>	DN_R	<input type="text" value="38"/>	MAR_1	<input type="text" value="40"/>	MAR_2	<input type="text" value="40"/>	SEP_1	<input type="text" value="25"/>	SEP_2	<input type="text" value="25"/>
COUNTY	<input type="text" value="BAKE"/>	UP_EW	<input type="text" value="E"/>	DN_EW	<input type="text" value="E"/>	APR_1	<input type="text" value="40"/>	APR_2	<input type="text" value="40"/>	OCT_1	<input type="text" value="25"/>	OCT_2	<input type="text" value="25"/>
BASIN	<input type="text" value="8"/>	UP_SECT	<input type="text" value="32"/>	DN_SECT	<input type="text" value="19"/>	MAY_1	<input type="text" value="40"/>	MAY_2	<input type="text" value="40"/>	NOV_1	<input type="text" value="25"/>	NOV_2	<input type="text" value="25"/>
PRIORITY	<input type="text" value="01/29/19"/>	UP_QSECT	<input type="text" value="NW"/>	DN_QSECT	<input type="text" value="NE"/>	JUN_1	<input type="text" value="40"/>	JUN_2	<input type="text" value="30"/>	DEC_1	<input type="text" value="25"/>	DEC_2	<input type="text" value="25"/>
		US_RM	<input type="text" value="144"/>	DS_R	<input type="text" value="136"/>								

LEGAL POWDER RIVER FROM CRACKER CREEK AT RIVER MILE 144.1 (NW1/4, SECTION 32, TOWNSHIP 9S, RANGE 37E WM); TO PHILLIPS LAKE AT RIVER MILE +136.3 (NE1/4, SECTION 19, TOWNSHIP 10S, RANGE 38E WM)

USES ANADROMOUS AND RESIDENT FISH REARING

NOTES

APPENDIX E

Sensitive and Endangered Species

- 1) Threatened and Endangered Species (TES) - fauna**
- 2) Proposed, Threatened, Endangered, and/or Sensitive (PETS) Plant Species**

Listed and Proposed Endangered and Threatened Species
and Candidate Species That May Occur on the Wallowa-Whitman National Forest

Listed Species

Birds

Peregrine falcon (LE) (*Falco peregrinus*)
Bald eagle (LT) (*Haliaeetus leucocephalus*)

Fish

Bull trout (Columbia River population) (LT)
(*Salvelinus confluentus*)

Plants

Ute ladies'-tresses (LT) (*Spiranthes diluviulis*)

Mammals

Gray wolf (LE) (*Canis lupus*)
Lynx (PT) (*Lynx canadensis*)

Proposed Species (none)

Candidate Species

Amphibians and Reptiles

Columbia spotted frog (C) (*Rana leteiventris*)

The Fish and Wildlife Service has concerns about the following plants and animals. Although these species have no status under the Endangered Species Act, we are concerned about their population status and threats to their population status and threats to their long-term viability. In context with ecosystem-level management, we suggest that you consider these species and their habitats in project planning and review. (U.S. Fish & Wildlife Service)

Mammals

California wolverine
(*Gulo gulo luteur*)

Pacific fisher
(*Martes pennanti pacifica*)

Small-footed myotis (bat)
(*Myotis ciliolabrum*)

Long-eared myotis (bat)
(*Myotis evotis*)

Long-legged myotis (bat)
(*Myotis volans*)

Yuma myotis (bat)
(*Myotis yumanensis*)

Pale western big-eared bat
(*Plecotus townsendii pallescens*)

Pacific western big-eared bat
(*Otus townsendii townsendii*)

Birds

Northern goshawk
(*Accipiter gentilis*)

Olive-sided flycatcher
(*Contopus borealis*)

Amphibians and Reptiles

Tailed frog
(*Ascaphus truei*)

Fish

Interior redband trout note: on Regional Forester's sensitive species list
(*Oncorhynchus mykiss gibbsi*)

Invertebrates

Blue Mountains cryptochian caddisfly
(*Cryptochia neosa*)

Plants

Upward-lobed moonwort
(*Botrychium ascendens*)

Crenulate grape-fern
(*Botrychium crenulatum*)

Skinny moonwort
(*Botrychium lineare*)

Twin-spike moonwort
(*Botrychium paradoxum*)

Stalked moonwort
(*Botrychium pedunculosum*)

Clustered lady's-slipper
(*Cypripedium fasciculatum*)

Phacelia
(*Phacelia minutissima*)

General Comments

C-Candidate. Taxa for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threat(s) to support proposals to list them as endangered or threatened species. Proposed rules have not yet been issued because this action is precluded by other listing activity. Development and publication rules for these taxa are anticipated. The Service encourages State and other Federal agencies as well as other affected parties to give consideration to these taxa in environmental planning.

Ute-Ladies'-Tresses (*Spiranthes diluvialis*) has the potential to occur in wetland and riparian areas including springs, wet meadows, and river meanders. The plant is known to occur at sites ranging from 1,500 to 7,000 feet in elevation. This species generally flowers from mid-July through September, and can be identified definitively only at that time. The orchid can remain dormant for several years; therefore, we suggest surveys for the orchid be scheduled for sequential years. The species may be adversely affected by modification of riparian and wetland habitats associated with livestock grazing, vegetation removal, excavation, construction for residential or commercial purposes, stream channelization, hydroelectric development and operation, and actions that alter hydrology.

Habitat exists for a variety of mammals and aquatic species, such as wolverine, lynx, insects, and waterfowl.

Gray Wolf (*Canis lupus*): Historical information on the distribution of wolves indicates that northeastern Oregon is within the former range of the Northern Rocky Mountain wolf. Historically, wolves utilized a broad spectrum of habitats including grasslands, sagebrush steppes, coniferous and mixed forest and alpine areas. Habitats used by wolves typically have an abundance of natural prey and, more recently, minimal conflict with human interests and uses. The entire wolf species is under the protection of the Endangered Species Act as endangered (43 FR 9612). Under these circumstances, Federal action agencies are required to consult with the Service if their actions are likely to adversely affect gray wolves.

Lynx (PT) (*Lynx canadensis*): The lynx was listed after the Pine Creek Assessment was completed. Since the listing, the Forest Service as amended their management plans to provide for protection and enhancement of lynx habitat. Mark Penniger, Wildlife Biologist on the La Grande Ranger District reported on the W-W N.F.'s actions in November of 2000. He reported that there was no confirmed sightings nor any expectation of finding any individuals this far South of the Canadian border. Attributes of lynx habitat include layered or vertical crown cover of spruce-fir and an abundant prey base of snowshoe hare and other small mammals. Because this habitat only exists at the higher elevations of the subalpine eco-types, the new provisions do not significantly affect current management activities.

According to the Forest's UPR Biological Assessment, there has been one historic sighting of lynx within the area. Unconfirmed lynx tracks were found within the area.

Bald eagle (LT) (*Haliaeetus leucocephalus*): The Phillips lake area supports a pair of nesting bald eagles, currently on the "endangered" list. No other proposed, endangered, or threatened species are known to occur within the area. The re-establishing dredge ponds offer excellent pond and wetlands habitat.

SENSITIVE PLANTS

The following plants have been found in sites around the UPR Watershed. They are listed by probable site based on type of conifer forest.

Potential Sensitive Plant Species In Upper Powder Watershed

- * = Documented site(s) on Baker Ranger District
- ** = Documented site(s) in Upper Powder watershed

Ponderosa Pine Forest

<u>Scientific Name</u>	<u>Common Name</u>
* <i>Allium brandegei</i>	Brandegee's onion
** <i>Allium campanulatum</i>	Sierra onion
<i>Cypripedium fasciculatum</i>	clustered lady slipper
* * <i>Ranunculus oresterus</i>	Blue Mountain buttercup

Lodgepole Pine Forest

<u>Scientific Name</u>	<u>Common Name</u>
* <i>Botrychium ascendens</i>	ascending moonwort
** <i>Botrychium crenulatum</i>	crenulate moonwort
* <i>Botrychium lanceolatum</i>	lance-leaf moonwort
<i>Botrychium lunaria</i>	common moonwort
** <i>Botrychium minganense</i>	Mingan moonwort
* <i>Botrychium montanum</i>	mountain moonwort
<i>Botrychium pedunculatum</i>	stalked moonwort
* <i>Botrychium pinnatum</i>	northern moonwort
<i>Cypripedium fasciculatum</i>	clustered lady slipper

Grand Fir Forest

<u>Scientific Name</u>	<u>Common Name</u>
* <i>Botrychium ascendens</i>	ascending moonwort
** <i>Botrychium crenulatum</i>	crenulate moonwort
* <i>Botrychium lanceolatum</i>	lance-leaf moonwort
<i>Botrychium lunaria</i>	common moonwort
** <i>Botrychium minganense</i>	Mingan moonwort
* <i>Botrychium montanum</i>	mountain moonwort
<i>Botrychium pedunculatum</i>	stalked moonwort
* <i>Botrychium pinnatum</i>	northern moonwort
<i>Cypripedium fasciculatum</i>	clustered lady slipper
<i>Diphysiatrum sitchense</i> (<i>Lycopodium complanatum</i>)	ground cedar
** <i>Dryopteris filix-mas</i>	male fern
* <i>Listera borealis</i>	northern twayblade

Engelmann Spruce Forest

<u>Scientific Name</u>	<u>Common Name</u>
* <i>Botrychium ascendens</i>	ascending moonwort
** <i>Botrychium crenulatum</i>	crenulate moonwort
* <i>Botrychium lanceolatum</i>	lance-leaf moonwort

	<i>Botrychium lunaria</i>	common moonwort
**	<i>Botrychium minganense</i>	Mingan moonwort
*	<i>Botrychium montanum</i>	mountain moonwort
	<i>Botrychium pedunculatum</i>	stalked moonwort
*	<i>Botrychium pinnatum</i>	northern moonwort
	<i>Cypripedium fasciculatum</i>	clustered lady slipper
	<i>Diphasiatrum sitchense</i> (<i>Lycopodium complanatum</i>)	ground cedar
**	<i>Dryopteris filix-mas</i>	male fern
	<i>Huperzia occidentalis</i> (<i>Lycopodium selago</i>)	fir club-moss
*	<i>Listera borealis</i>	northern twayblade
	<i>Platanthera obtusata</i> (<i>Habenaria obtusata</i>)	small northern bog orchid

Low to Moderate Elevation Riparian Areas (<7,000 feet)

*	<i>Botrychium ascendens</i>	ascending moonwort
**	<i>Botrychium crenulatum</i>	crenulate moonwort
*	<i>Botrychium lanceolatum</i>	lance-leaf moonwort
	<i>Botrychium lunaria</i>	common moonwort
**	<i>Botrychium minganense</i>	Mingan moonwort
*	<i>Botrychium montanum</i>	mountain moonwort
*	<i>Botrychium paradoxum</i>	twin-spike moonwort
	<i>Botrychium pedunculatum</i>	stalked moonwort
*	<i>Botrychium pinnatum</i>	northern moonwort
	<i>Calochortus longebarbatus</i> var. <i>longebarbatus</i>	long-bearded mariposa
*	<i>Carex concinna</i>	low northern sedge
	<i>Carex hystericina</i>	porcupine sedge
	<i>Carex norvegica</i>	Scandinavian sedge
	<i>Cypripedium fasciculatum</i>	clustered lady slipper
	<i>Diphasiatrum sitchense</i> (<i>Lycopodium complanatum</i>)	ground cedar
**	<i>Dryopteris filix-mas</i>	male fern
	<i>Huperzia occidentalis</i> (<i>Lycopodium selago</i>)	fir club-moss
	<i>Kobresia myosuroides</i>	Bellard's kobresia
	<i>Kobresia simpliciuscula</i>	simple kobresia
*	<i>Listera borealis</i>	northern twayblade
	<i>Lycopodium selago</i>	fir club-moss
	<i>Mimulus clivicola</i>	bank monkey-flower
	<i>Phacelia minutissima</i>	least phacelia
	<i>Platanthera obtusata</i> (<i>Habenaria obtusata</i>)	small northern bog orchid
	<i>Pleuropogon oregonus</i>	Oregon semaphore grass
	<i>Salix farriarum</i>	Farr's willow
	<i>Suksdorfia violacea</i>	violet Suksdorfia
	<i>Thelypodium eucosmum</i>	arrow-leaved thelypody

High elevation Riparian Areas (>7,000 feet)

<u>Scientific Name</u>	<u>Common Name</u>
* <i>Botrychium ascendens</i>	ascending moonwort
** <i>Botrychium crenulatum</i>	crenulate moonwort
* <i>Botrychium lanceolatum</i>	lance-leaf moonwort
<i>Botrychium lunaria</i>	common moonwort
** <i>Botrychium minganense</i>	Mingan moonwort
* <i>Botrychium montanum</i>	mountain moonwort
<i>Botrychium pedunculatum</i>	stalked moonwort
* <i>Botrychium pinnatum</i>	northern moonwort
* <i>Carex concinna</i>	low northern sedge
<i>Carex norvegica</i>	Scandinavian sedge
<i>Carex nova</i>	new sedge
<i>Castilleja fraterna</i>	fraternal paintbrush
<i>Diphysiatrum sitchense</i>	ground cedar
(<i>Lycopodium complanatum</i>)	
** <i>Dryopteris filix-mas</i>	male fern
<i>Huperzia occidentalis</i>	fir club-moss
(<i>Lycopodium selago</i>)	
<i>Kobresia myosuroides</i>	Bellard's kobresia
<i>Kobresia simpliciuscula</i>	simple kobresia
* <i>Listera borealis</i>	northern twayblade
<i>Phacelia minutissima</i>	least phacelia
<i>Platanthera obtusata</i>	small northern bog orchid
(<i>Habenaria obtusata</i>)	
<i>Salix farriae</i>	Farr's willow
<i>Suksdorfia violacea</i>	violet Suksdorfia
<i>Saxifraga adscendens</i>	wedge-leaf saxifrage
var. <i>oregonensis</i>	
<i>Senecio dimorphophyllus</i>	Payson's groundsel
var. <i>paysonii</i>	
<i>Thalictrum alpinum</i> var. <i>hebetum</i>	
<i>Trollius laxus</i> var. <i>albiflorus</i>	globeflower

Low to Moderate Elevation Cliffs and Talus (<7,000 feet)

<u>Scientific Name</u>	<u>Common Name</u>
** <i>Allium campanulatum</i>	Sierra onion
* <i>Asplenium trichomanes-ramosum</i>	green spleenwort
(<i>Asplenium viride</i>)	
<i>Cryptogramma stelleri</i>	Steller's rock-brake
<i>Cymopterus nivalis</i>	Hayden's cymopterus
** <i>Pellaea bridgesii</i>	Bridge's cliff-brake
<i>Phlox multiflora</i>	many-flowered phlox

High Elevation Talus Slopes and Rocky Ridges (>7,000 feet)

**	<i>Allium campanulatum</i>	Sierra onion
	<i>Antennaria alpina</i>	aromatic pussytoes
*	<i>Asplenium trichomanes-ramosum</i> (<i>Asplenium viride</i>)	green spleenwort
*	<i>Bupleurum americanum</i>	American thorough-wax
	<i>Campanula scabrella</i>	rough harebell
	<i>Carex nova</i>	new sedge
	<i>Castilleja fraterna</i>	fraternal paintbrush
	<i>Castilleja rubida</i>	purple alpine paintbrush
	<i>Cryptogramma stelleri</i>	Steller's rock-brake
	<i>Cymopterus nivalis</i>	Hayden's cymopterus
*	<i>Geum rossii</i> var. <i>turbinatum</i>	Ross' avens
	<i>Kobresia myosuroides</i>	Bellard's kobresia
**	<i>Lomatium erythrocarpum</i>	red-fruited lomatium
	<i>Lomatium greenmanii</i>	Greenman's lomatium
**	<i>Pellaea bridgesii</i>	Bridge's cliff-brake
	<i>Saxifraga adscendens</i> var. <i>oregonensis</i>	wedge-leaf saxifrage
	<i>Senecio dimorphophyllus</i> var. <i>paysonii</i>	Payson's groundsel
	<i>Senecio porteri</i>	Porter's butterweed
	<i>Townsendia montana</i>	mountain Townsendia
	<i>Townsendia parryi</i>	Parry's Townsendia

Low Elevation Lithosol (scablands, <7,000 feet)

	<i>Achnatherum wallowaensis</i> (<i>Oryzopsis hendersonii</i>)	Wallowa rice grass
*	<i>Allium brandegei</i>	Brandegee's onion
**	<i>Allium campanulatum</i>	Sierra onion
	<i>Astragalus atratus</i> var. <i>owyheensis</i>	Owyhee milk vetch
	<i>Lomatium "pastoralis"</i>	pastoral lomatium
	<i>Mimulus clivicola</i>	Bank monkey-flower
	<i>Primula cusickiana</i>	Cusick's primrose
**	<i>Ranunculus oresterus</i>	Blue Mountain buttercup

A more detailed discussion of findings is contained in the UPR Watershed Analysis (Forest Service) where each sensitive plant species is accompanied by a description of habitat, range of the species, abundance in UPR, rarity and legal status, response to disturbance, threats and potential effects from management activities, information needs, and restoration and conservation opportunities.

PETS Plant Sites

The known occurrences of Proposed, Threatened, Endangered, and/or Sensitive (PETS) plant species in each sub-watershed are shown below. These sites are all documented on the Threatened and Endangered, Plant Occurrence (TEPO) layer in GIS, and in a data base at the Supervisor's Office. It is highly likely that there are additional undiscovered sites of rare plant species in the watershed. The following species are all "sensitive."

PETS Plant Sites in UPR Watershed

SWS	Scientific Name	Occurrence #	# of Plants
20B	<i>Ranunculus oresterus</i>	RAOR*024*OR	50
		RAOR*025*OR	>1,000
	<i>Dryopteris filix-mas</i>	DRFI*041*OR	1
20C	<i>Botrychium minganense</i>	BOMI*076*OR	142
20D	<i>Lomatium erythrocarpum</i>	LOER*004*OR	unknown
		LOER*005*OR	unknown
	<i>Pellaea bridgesii</i>	PEBR*021*OR	unknown
20E	<i>Lomatium erythrocarpum</i>	LOER*009*OR	118
		LOER*010*OR	unknown
	<i>Pellaea bridgesii</i>	PEBR*009*OR	127
20G	<i>Pellaea bridgesii</i>	PEBR*014*OR	20
		PEBR*020*OR	39
20H	<i>Allium campanulatum</i>	ALCA*056*OR	4
	<i>Botrychium crenulatum</i>	BOCR*037*OR	5
	<i>Botrychium minganense</i>	BOMI*077*OR	15
20J	<i>Pellaea bridgesii</i>	PEBR*022*OR	12
20L	<i>Ranunculus oresterus</i>	RAOR*014*OR	500
		RAOR*015*OR	200
		RAOR*016*OR	100
		RAOR*017*OR	5,000
		RAOR*018*OR	25
		RAOR*019*OR	500
		RAOR*020*OR	5,000
		RAOR*021*OR	25
	RAOR*022*OR	200	
	RAOR*023*OR	900	

STATUS OF SENSITIVE PLANTS

The following plants have been found in sites around the UPR Watershed. Each plant is accompanied by a description of habitat, range of the species, abundance in UPR, rarity and legal status, response to disturbance, threats and potential effects from management activities, information needs, and restoration and conservation opportunities.

Sierra onion (*Allium campanulatum*)

Description and Habitat

Range of Species and Abundance in the Upper Powder Watershed

The Sierra onion grows in eastern Oregon south through California, and east into Nevada (Hitchcock and Cronquist, 1973). In Oregon, the range includes the Blue Mountains, Klamath Mountains, Cascades, and the basin and range country of southeastern Oregon (Oregon Natural Heritage Program, 1995).

This species is currently known from only three sites on the Wallowa-Whitman National Forest, but has been found to be more abundant on the Malheur and Ochoco forests. On those two forests it has been found in different habitat types than the sub-alpine rocky sites known from the Wallowa-Whitman. It is found growing in dry Ponderosa pine forests, juniper/mountain mahogany sites, and open sagebrush steppe. There is potential for the species to occur in these habitat types in the watershed, as well as the subalpine parklands.

The Sierra onion is known from two areas in the Upper Powder watershed (Cable Cove area, subwatershed 94H, 4 plants). These sites are fairly high elevation (7,800 & 6,960 feet), open, subalpine habitats. Site reports speculate that there may actually be many more plants present. Extensive surveying was not done at either site. There are hundreds of acres of potential habitat in the watershed.

The underlying geology in both sites in the watershed is the Bald Mountain batholith, which contains tonalite and granodiorite. These areas are characterized by open subalpine forest, and mountain big sagebrush. The known sites in the watershed are on south-facing aspects, but the species could be on other aspects as well.

Since the high elevation subalpine habitats do not generally have much commercial activity, very little survey work has been done in the subalpine parkland habitat of the Sierra onion. There is a very high probability that there are more undiscovered populations of this species in the watershed, both in the subalpine areas, and the lower elevation habitat types. It is recommended that surveys be continued in all potential habitat for this species.

Rarity and Legal Status

The Sierra onion has been found to be relatively common on the Malheur and Ochoco National Forests, but with only three extant sites on the Wallowa-Whitman NF, there is concern regarding conservation of the species on the Forest. The populations on the Wallowa-Whitman NF are on the edge of the species range, and may therefore be important genetically.

The Sierra onion is currently on the Region 6 Sensitive Plant list. However, due to the many sites on other Forests, it has been recommended for removal from this list. It has no special status from the U.S. Fish and Wildlife Service, or the State of Oregon.

Response to Disturbance, Threats, and Potential Effects from Management Activities

Very little commercial activity occurs in the subalpine habitats that this species is associated with. There are no current grazing allotments in these areas in the watershed, and virtually no logging activities have occurred recently, nor are any planned. Mining is probably the greatest potential threat, as the granodiorites can be mineral-rich. Populations in lower elevation sites could be threatened by logging, grazing, and mining.

Information Needs

The site in the Cable Cove area needs to be relocated (re-found) and documented. Rare plant surveys conducted for ground-disturbing project activities will continue to search for this species. Any populations that are found should be considered for protection as part of project design.

Restoration and Conservation Opportunities

No specific restoration or conservation opportunities are recommended for this species.

Grape Ferns (*Botrychium minganense*, *B. montanum*, *B. pinnatum*)

There are also grapeferns known from sites adjacent to the watershed. The Wallowa-Whitman NF lists eight species of sensitive grape ferns. Sites have been found on Baker, Eagle Cap, Unity, and La Grande Districts. The vast majority of sites are in the Eagle Cap Wilderness and on the rim of the Minam on La Grande District. The range of the various species generally is northeastern Oregon, northeastern Washington, some in the Cascades, northern United States and Canada. Northeastern Oregon is world-renowned among botanists for its grapefern diversity.

Grapeferns tend to grow in mesic meadows or riparian zones. One species, the mountain moonwort grows in much wetter areas than the others; it is found in mossy springs, seeps, and bogs. Some species are found along old roads or other areas that have experienced past disturbance. The plants are generally found in meadows adjacent to, or small openings in, spruce or lodgepole forest types.

Threats to grape ferns include grazing, logging, road building, mining, and camping. Since there is very little domestic animal grazing, the threat from them is fairly minimal. However, elk could potentially have a serious impact to habitat in areas where they concentrate. Camping can be a threat, because the plants often occur in open, grassy meadows next to streams. These are very desirable camp sites, especially during hunting season. Horses and mules that accompany campers could also pose a serious threat.

Most of the attention for grapeferns has focused on a few drainages in the Wallowa Mountains. Very little inventory work has been done specifically for grapeferns in the Elkhorn Mountains. The sites that are known were found during routine surveys for projects or recreational plant identification by Forest Service employees and members of the public. There is a very good chance that if a concerted effort were made to survey specifically for grapeferns, several significant sites would be found in the watershed. Attention should focus on the open meadows along streams.

Low northern sedge (*Carex concinna*)

Description and Habitat

Low northern sedge grows in moist spruce forests, or in riparian zones, and bogs. Some reports link the species to calcareous soils, but this is not a confirmed requirement. In the Wallawas, the species is found in a very cold drainage that also supports several other boreal species. The site in the Elkhorns could also support other unusual or sensitive species.

Range of Species, and Abundance in the UPR Watershed

Low northern sedge is common across Canada from Newfoundland to the Yukon, south to Quebec, and into southern British Columbia. In the Rocky Mountains it is found in Colorado. In the north-central United States it grows in South Dakota and Michigan (Hitchcock and Cronquist, 1973). The species is also found in Washington and barely into northeastern Oregon. The three populations of this species on the Wallowa-Whitman NF are at the southwestern edge of the species range. There are two known sites in the Hurricane Creek drainage of the Wallowa Mountains. There is one site in the Granite Creek Watershed in the Elkhorn Mountains.

This species was found in the Channel Creek area within the Granite Creek watershed, in 1990 (Subwatershed 930). The plant was collected and later identified, but no site report was filled out. The Channel Creek location is a best approximation, from the data on file at the Baker RD. There is no information on population numbers, or any specific habitat information. Channel Creek was visited in the summer of 1995, and good potential habitat was confirmed, but no survey was conducted to relocate (re-find) the population. The Geology and Mineral Resources Map of the Mt. Ireland quadrangle indicates that the Channel Creek area is gravel, tuff, and tuffaceous sediments, with mixed rock terrane just to the north (Ferns, Brooks, and Ducette. 1982). This mixed rock terrane could be a source of calcareous sediments to the creek.

Response to Disturbance, Threats, and Potential Effects from Management Activities

The Channel Creek area was formerly part of the Dean-Huck cattle allotment, but the pasture where the low northern sedge occurs has not been grazed for at least five years. The new Allotment Management Plan (finalized in February 1997) removes this pasture from the allotment. Cattle grazing, therefore, is not a threat to this species at this particular site. Since the plant grows in wet areas and spruce forest, the threats from logging should not be great. However, sensitive plant surveys should be done in any potential habitat that is near any proposed logging units. Mining is currently the greatest potential threat to this species in the North Fork John Day/Granite Creek watersheds. The Griffith Placer mine is near this site, but it has been reclaimed and is not currently active.

Restoration and Conservation Opportunities

This population is a high priority for relocation and better documentation. There could be additional populations in the watershed. Botanical surveys in any riparian areas or spruce forest types should focus on the possibility of the occurrence of this species. It is recommended that additional surveys for this species be conducted in areas that have similar geology as the known site; there are several of these areas in the watershed.

Male fern (*Dryopteris filix-mas*)

Description and Habitat

Male fern is a large, dark green fern. Each plant has several fronds clumped together at the base. The fronds can measure up to 3 feet long. It has twice-divided leaves with a kidney-shaped covering over the spores. This species resembles lady fern overall, but is deeper green in color and has several technical differences.

Typical habitat for this species is in moist riparian areas and seeps. It is often found with other riparian-associated species, such as lady fern, Pacific yew, and alder. All sites on the Wallowa-Whitman NF are in shade, and tend to be at moderate elevations. The species is also sometimes found in cracks of rocks or in talus.

Range of Species, and Abundance in the Upper Powder Watershed

Male fern is a circumboreal species; it grows throughout the northern latitudes, in British Columbia, the upper mid-west, and the northeast. It is also found in Europe and Asia. Male fern occurs in Washington, down into Oregon, and south and east into the Rocky Mountains and southwest. In Oregon it is found in the northern Cascades, and at scattered sites in the Blue Mountains. This species of fern has been cultivated for ornamental and medicinal purposes and is readily available commercially.

Red-fruited lomatium (*Lomatium erythrocarpum*)

Description and Habitat

Red-fruited lomatium is a very small plant (only two to three inches tall) that resembles parsley. This species was first described in 1984. It is very distinctive (especially for a lomatium); each flowering plant has one to three clusters of tiny white flowers and highly dissected blue-green leaves. It gets its name from the large, smooth, oval fruits that are red when immature. A long, narrow, tap-root holds the plant in the shifting gravel. A significant portion of each population doesn't produce flowers in any given year.

The species grows exclusively on ridgetops and upper slopes at the highest elevations in the Elkhorn Mountains. All the known sites are located above 8,000 feet. Most are on argillite rock types, but one site is limestone-derived. The plant only grows in open areas with fine gravel. Most of the sites are on steep slopes with no aspect dominant. The most commonly associated species are alpine fleece-flower (*Polygonum phytolaccaefolium*), prickly sand-wort (*Arenaria aculeata*), Cusick's lomatium (*Lomatium cusickii*), and lupine (*Lupinus spp.*).

Range of Species, and Abundance in the Upper Powder Watershed

Red-fruited lomatium is endemic to the Elkhorn Mountains of northeastern Oregon. It grows only in very specific habitat within a 2-mile by 2-mile area, near Rock Creek Butte. There are currently eight documented populations of this species, however, several of these are so close together that genetic exchange is probably occurring. The total number of plants counted in these populations is 2,804 (as of 1997). The majority of the populations are located in the Powder River-Haines watershed (#01).

Watershed. This is a species that could potentially be modeled for, using GIS and existing data bases. Field surveys then could focus on areas of high probability habitat. The historical sites at Twin Lakes should be searched for again, possibly earlier in the year than previous searches (mid-summer as opposed to late summer).

Restoration and Conservation Opportunities

Annual maintenance of the Elkhorn Crest Trail could potentially prevent negative impacts to red-fruited lomatium habitat. Logs and rocks often block the trail, forcing people to pioneer routes around the obstructions. Annual maintenance of the trail would prevent this potential negative impact from recreationists.

All potential habitat for this species is currently open to mineral exploration and potential patenting of land. Due to the very limited range and habitat for this species, it would be possible to withdraw all known sites and high potential habitat from mineral exploration.

Bridge's cliff-brake (*Pellaea bridgesii*)

Description and Habitat

Bridge's cliff-brake is a small (up to 10 inches tall), attractive, rock fern. Each plant has several fronds clumped together. Each blue-green frond has many oval leaflets on dark, wiry stems. The spores are produced on the edges of the bottom of the leaflets. There is no cover over the spores as there is in many ferns. This fern is an evergreen and it can be found any time that it is not covered by snow.

Bridge's cliff-brake grows on hot, dry, rocky slopes. All of the known sites on the Wallowa-Whitman are on argillite (a metamorphosed sedimentary rock), but the species could also occur on granite, or possibly even basalt. The known sites are on southerly aspects; the range of aspects is 115-213 degrees, with an average of 167 degrees. The slope ranges from flat (on ridgetops), to fairly steep (on cliffs); the range of slopes is 5-70%, with an average of 32%. The elevation range of the known sites is 5,000 to 8,000 feet. These habitat conditions only represent the known sites; other populations could be discovered outside these ranges.

Range of Species, and Abundance in the Upper Powder Watershed

Bridge's cliff-brake is common in the Sierra Nevada mountains of California and Nevada. It is also found in northeastern Oregon and in west central Idaho, which is several hundred miles disjunct from the rest of its range.

Twenty-two populations of Bridge's cliff-brake have been found on the Wallowa-Whitman NF; there are 6,800 plants total at these sites. All of the populations are confined to the southern parts of the Wallowa and Elkhorn Mountains. There are documented sites on Pine (10 populations), Eagle Cap (5 populations), Baker (6 populations), and Unity Districts (1 population). There are probably more undiscovered populations of this species on the Forest. Rare plant surveys have not been conducted in the majority of the high potential habitat.

Four of the five populations of Bridge's cliff-brake on Baker District are in the Upper Powder watershed. The exception is one population in the Powder River-Haines Watershed, just over the Elkhorn Ridge from the Upper Powder Watershed. All of the populations in the Watershed are located in the moderate to high elevation portions of Subwatersheds 20D, 20E, 20G, and 20J;

these are all on the south side of the Elkhorn Ridge. 199 plants have been counted in four of these populations. The fifth population (in Subwatershed 20D) has not been inventoried.

There may be undiscovered populations of Bridge's cliff-brake in the Upper Powder watershed. The Subwatersheds that are most likely to support additional populations are those on the south flanks of the Elkhorn Ridge (above 5,000 feet in Subwatersheds 20C-20E, 20G, 20H, 20I, and 20K). There could be populations in other Subwatersheds, but it is less likely.

Rarity and legal Status

Bridge's cliff-brake is a relatively moderately common rare species on the Wallowa-Whitman National Forest. As discussed above, there are 6,800 plants known from 22 sites. It is found in very particular habitat within a restricted range. However, rare plant surveys have shown that there are many areas where the habitat appears to be ideal, yet there are no Bridge's cliff-brake plants. Bridge's cliff-brake is a fairly common, relatively wide-ranging species. The populations on the Wallowa-Whitman NF are on the edge of the species range, and may therefore be important genetically.

Bridge's cliff-brake is on the Region Six Sensitive plant list, it has no special status from the U.S. Fish and Wildlife Service, or the State of Oregon.

Response to Disturbance, Threats, and Potential Effects from Management Activities

The steep, rocky, nature of the habitat for Bridge's cliff-brake provides natural protection from most disturbance. Cattle and native ungulates tend to avoid such areas, and logging prescriptions specify that operators avoid this habitat type. Natural erosion from snow and frost heaving is probably common in the habitat. The deep roots and spreading nature of the fern indicates that it has probably adapted to natural shifting of the substrate.

Fire will probably not negatively affect the species over its range. The habitat probably precludes fire from burning plants in low-intensity fire situations. The habitat would generally not be purposely burned during prescribed fires.

In high-intensity fires (as in many wildfires) Bridge's cliff-brake plants can burn. This was observed in the Twin lakes fire on Pine District in 1994. Two populations were burned in that fire, all of the surrounding trees were killed, and fire burned through the rocks and plants. Monitoring plots were established after the fire. Some plants were only heat-scorched, and still had identifiable fronds with leaflets, other plants only had black, burned stems visible. Ninety percent of the plants that burned, but were still visible after the fire, grew new fronds in the first year after the fire. All the plants that survived the first year were thriving three years after the fire. There also appears to be young plants at one site, where the fire may have actually reduced competition and allowed establishment of new plants.

The threats to Bridge's cliff-brake are relatively low. The rocky habitat provides natural protection from most grazing and logging. Argillite is not preferred for road gravel, so rock pits are not a great threat to the species. Sometimes quartz veins or other mineralization occur in argillite. Where this occurs, mining could be a threat. Mining and road building historically may have negatively affected some individual plants or populations, but probably did not impact a large percent of the overall populations. Gardeners could potentially transplant plants for ornamental purposes, but this has not been documented.

Information Needs

Rare plant surveys for projects will continue to search for and document this species. Any populations that are found should be protected as part of project design. The specific substrate and habitat type makes this species a good candidate for computer modeling for potential habitat, then follow-up surveys can confirm or deny the existence of populations in areas of high probability habitat.

Restoration and Conservation Opportunities

No specific restoration or conservation opportunities are recommended for this species.

Blue Mountain buttercup (*Ranunculus oresterus*)

Description and Habitat

The Blue Mountain buttercup is a low-growing, yellow-flowered buttercup. The leaves of the Blue Mountain buttercup have smooth edges, and are long, narrow, and taper gradually to the base. This is unique among the buttercups of this area. The species blooms immediately after spring snow melt, while the soil is still saturated. This usually occurs from early March through the end of May. Later in the summer the plant dries up and disappears. This species was very rarely collected historically, probably due to the early blooming nature of the species.

The species grows in open, rocky areas with poor drainage. Most sites tend to be in areas where it is very wet in the spring from snow melt, and then very dry the rest of the year. Sites tend to be in flat areas, and located in valley bottoms or on plateaus. Some plants are found under ponderosa pine trees, but these usually represent the edges of larger populations in openings.

Range of Species, and Abundance in the Upper Powder Watershed

As the name implies, this species is only found in the Blue Mountains of Oregon. It has been documented on the Wallowa-Whitman NF, and also on the Prairie City District of the Malheur National Forest. All of the sites on the Wallowa-Whitman NF are on the southern and eastern parts of the forest. There are currently 80 sites documented for this species on the Forest. However, many of these sites are located near each other, and it is highly likely that genetic exchange is occurring between these populations. There are tens of thousands of plants total on the Forest. In some areas the species forms a mass of yellow in the early spring.

There are 12 documented sites of Blue Mountain buttercup on the Baker Ranger District, all in the Upper Powder watershed. The open, scabby areas that are common in the lower elevation portions of the watershed provide excellent habitat for this species. It is possible that there are other populations in other watersheds on Baker District, but the probability is not high, due to the specific habitat requirements. A large portion of the potential habitat for this species in the Upper Powder Watershed has been surveyed recently for timber sale projects, so it is likely that the majority of the populations have been documented. Potential habitat for this species is in Subwatersheds 20B, 20C, 20F, 20L, 20M, and 20N, at elevations below 5,500 feet.

Rarity and Legal Status

The Blue Mountain buttercup has been found to be fairly abundant on the Wallowa-Whitman NF. There are currently 80 sites on the forest, with ten of thousands of plants. Because the species is endemic to the Blue Mountains, there is still some conservation concern, but this plant is truly the most common of the plants of concern on the Forest.

The Blue Mountain buttercup is currently on the Region 6 Sensitive plant list. However, due to the many sites that have been found in recent years, it has been recommended for removal from this list. It has no special status from the U.S. Fish and Wildlife Service, or the State of Oregon.

Response to Disturbance, Threats, and Potential Effects from Management Activities

There is no specific data regarding response to disturbance for this species. However, given the flatness of the habitat and the historic levels of grazing in such areas, it may be assumed that the plant tolerates some level of disturbance. The early blooming nature of the species may provide natural protection from grazing, as the species is usually done growing and reproducing for the year before most cattle are turned out.

Road building is the greatest threat to this species. Roads with gravel will eliminate habitat for this species. However, native surface roads may allow the plant to remain or even create new habitat. Some plants have been found in road beds and surrounding cleared areas.

The barrenness of the habitat probably precluded much fire historically. Prescribed fires are often set in the early spring, just when this species is blooming. There could potentially be negative effects from prescribed fires in the spring.

Because the bulk of most populations are in open, non-forested areas, direct effects of logging are negligible. These areas traditionally were used for decking logs, current timber sale design usually avoids decking in open, scabby areas.

Information Needs

Rare plant surveys for projects will continue to search for and document this species. Any populations that are found should be considered for protection as part of project design. Timing of surveys is critical for this species, as it can only be found early in the spring. Monitoring of prescribed fire will help determine the effects of spring burning.

Restoration and Conservation Opportunities

No specific restoration or conservation opportunities are recommended for this species.

APPENDIX F

Baker County's Noxious Weed Rating System

BAKER COUNTY WEED POLICY AND CLASSIFICATION SYSTEM

"NOXIOUS WEED" means any weed designated by the Baker County Board of Commissioners that is injurious to public health, agriculture, range, recreation, wildlife, or any public or private property; any weed that impacts and displaces desirable vegetation, such as Threatened and Endangered Plant Species, wildlife habitat, livestock, etc.

It is acknowledged that certain noxious weeds have become so thoroughly established and are spreading so rapidly on state, county, and federally owned lands, as well as on private land, that they may have been declared by Oregon Revised Statue 570.505 to be a menace to public welfare. Steps leading to eradication where possible, are necessary. It is further recognized that the responsibility for such eradication and/or intensive control rests not only on the private landowner and operator, but also on the cities, county, state, and federal government.

WEED CONTROL POLICY

THEREFORE, IT SHALL BE THE POLICY OF BAKER COUNTY TO:

1. Increase awareness of potential economic loss due to existing and new invading weeds through continuous education with the public.
2. Rate and classify weeds at the county level.
3. Prevent the establishment and spread of noxious weeds.
4. Encourage and implement the control or containment of infestations of designated weed species and, where possible, their eradication.
5. Manage a biological control of weeds program for yellow starthistle, leafy spurge, St. Johnswort, Canada thistle, rush skeletonweed, diffuse knapweed, spotted knapweed, and others, in cooperation with ODA's Biological Control of Weeds Program.
6. Cooperate with other states, federal agencies, private citizens the Tri-County Weed Magement Area and other groups in enhancing the Baker County Vegetation Management Program.

WEED CLASSIFICATION SYSTEM

THE PURPOSE OF THE CLASSIFICATION SYSTEM IS TO:

1. Act as the Baker County official guideline for implementing noxious weed control programs.
2. Assist Baker County in the distribution of available funds as specified in ORS 570.580 to 670.600 (Cost assistance grants and matching fun grants).

NOXIOUS WEED CONTROL RATING SYSTEM

Noxious weeds, for the purpose of this system, shall be designated "A", "B", "C".

1. "A" designated weed: a weed of known economic importance which occurs in small enough infestations to make eradication/containment possible; or not known to occur, but its presence in adjacent counties makes future occurrence seem imminent

RECOMMENDED ACTION: Infestations are subject to intensive control when and where found by Baker County with possible assistance from the Oregon Department of Agriculture.

2. "B" designated weed: a weed of known economic importance which is locally abundant, but of limited distribution in other counties.

RECOMMENDED ACTION: Moderate to intensive control at the county level.

3. "C" designated weed: a weed of economic importance which is abundant county-wide and in adjacent counties.

RECOMMENDED ACTION: Moderate control at the county level.

"A", "B", "C" DESIGNATED WEEDS

"A" DESIGNATED WEEDS

- | | |
|------------------------|------------------------|
| 1. Tansy ragwort | Senecio jacobaea |
| 2. Musk thistle | Carduus nutans |
| 3. Leafy spurge | Euphorbia esula |
| 4. Rush skeletonweed | Chondrilla juncea |
| 5. Mediterranean sage | Salvia aethiopis |
| 6. Russian knapweed | Centaurea repens |
| 7. Spotted knapweed | Centaurea maculosa |
| 8. Diffuse knapweed | Centaurea diffusa |
| 9. Dalmatian toadflax | Linaria dalmatica |
| 10. Yellow starthistle | Centaurea solstitialis |
| 11. Dyers woad | Isatis tinctoria L. |
| 12. Whitetop | Cardaria draba |

- | | |
|--------------------------|-----------------------------------|
| 13. Perennial pepperweed | <i>Lepidium latifolium</i> |
| 14. Purple loosestrife | <i>Lythrum salicaria</i> |
| 15. Black henbane | <i>Hyoscyamus niger</i> L. |
| 16. Jointed goatgrass | <i>Aegilops cylindrica</i> (Host) |
| 17. Buffalobur | <i>Solanum rostratum</i> Dun. |
| 18. Common Bugloss | <i>Amsinckia officinalis</i> L. |

"B" DESIGNATED WEEDS

- | | |
|---|-----------------------------|
| 1. Canada thistle | <i>Cirsium vulgare</i> |
| 2. Scotch thistle | <i>Onopordum acanthium</i> |
| 3. Puncturevine | <i>Tribulus terrestris</i> |
| 4. Klamathweed* | <i>Hypericum perforatum</i> |
| (* in rangeland, outside of cultivated areas) | |
| 5. Venice mallow | <i>Hibiscus trionum</i> |
| 6. Yellow toadflax | <i>Linaria vulgaris</i> |
| 7. Dodder | <i>Cuscuta campestris</i> |
| 8. Chickory | <i>Chchorium intybus</i> L. |
| 9. Teasel | <i>Dipsacus fullonum</i> L. |
| 10. Common Tansy | <i>Tanacetum vulgare</i> L. |

"C" DESIGNATED WEEDS

- | | |
|--------------------|--|
| 1. Waterhemlock | <i>Circuta maculata</i> |
| 2. Poison hemlock | <i>Conium maculatum</i> L. |
| 3. Momingglory | <i>Convolvulus arvensis</i> |
| 4. Russian thistle | <i>Salsola iberica</i> |
| 5. Medusahead | <i>Taeniatherum caput-medusae</i> (L.) |
| 6. Kochia | <i>Kochia scoparia</i> (L.) |
| 7. Common Mullein | <i>Verbascum thapsus</i> |
| 8. Moth Mullein | <i>Verbascun blattaria</i> L. |
| 9. Bur Buttercup | <i>Ranunculus testiculatus</i> Crantz |

APPENDIX G

RESIDENTS COMMENTS

1) Responses to Questionnaire

2) Comments from Public Review of Draft #1

POWDER BASIN WATERSHED COUNCIL ASSESSMENT COMMITTEE
COMMITTEE RESPONSE TO PUBLIC COMMENTS

By Timothy M. Bliss, Council Chair
July 9, 2001 Draft

TABLE 1. Committee Response to Questionnaires Received Before/After the February 7, 2001 Public Meeting.

COMMENTOR	ISSUE (re questions 4, 5, 6)	COMMITTEE COMMENT
Jack L. & Pam Barnes	(1-1) "Protect what we have left and not let it deteriorate any more than it already has." (1-2) Issues were rated as equally important.	(1-1) The council has no authority to protect or to prevent deterioration of resources. However, the assessment will include a discussion of current watershed conditions and whether or not those conditions represent natural or deteriorated conditions. (1-2) Noted.
Hank Schaffeld	(2-1) "Snowmobile...use should not be restricted...as they do not touch the ground to cause an impact." (2-2) Issues were rated as follows: #1 - Habitat for large animals and game species #2 - Utilization of natural resources #3 - Streambank stabilization and erosion control #4 - Water quality. #5 - Scenic and recreational concerns #6 - Aquatic species habitat improvement #7 - Wildlife habitat for small mammals and non-game species #8 - Flood control and floodplain management #9 - Water quantity, annual and seasonal flows #10 - General watershed health	(2-1) The snowmobile regulation issue is beyond the scope of this assessment. (2-2) Noted.
Walt Pratt	(3-1) "Cleaner...McCully Fork water supply." (3-2) "Protect certain areas from cattle grazing and monitor stream health." (3-3) "Monitor, report and recommend solutions for watershed health."	(3-1) The City and the Forest Service are working on this. (3-2) Cattle grazing issue is not specific enough. The assessment recognizes the need for monitoring. (3-3) Recommendations for solutions and monitoring are beyond the scope of the assessment of existing conditions. These initiatives require landowner initiative and participation.

	<p>(3-4) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - General watershed health #2 - Habitat for large animals and game species #3 - Water quality #4 - Water quantity, annual and seasonal flows #5 - Streambank stabilization and erosion control #6 - Wildlife habitat for small mammals and non-game species #7 - Aquatic species habitat improvement #8 - Scenic and recreational concerns #9 - Flood control and floodplain management #10 - Utilization of natural resources 	(3-4) Noted.
James B. Moore	<p>(4-1) "Mining too close to the tributaries in the watershed." (4-2) "Keep water clean and area beautiful." (4-3) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - Water quality #2 - Utilization of natural resources #3 - General watershed health #4 - Flood control and floodplain management #5 - Streambank stabilization and erosion control #6 - Water quantity, annual and seasonal flows #7 - Scenic and recreational concerns #8 - Aquatic species habitat improvement #9 - Wildlife habitat for small mammals and non-game species #10 - Habitat for large animals and game species 	<p>(4-1) The assessment notes that mining close to streams impacts riparian wetlands and floodplains. (4-2) This is beyond the authority of the council. (4-3) Noted.</p>
Steven R Bauer	<p>(5-1) "This used to be an excellent fishery. It is now a waste of time to fish." (5-2) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - Scenic and recreational concerns #1 - Aquatic species habitat improvement #2 - Water quality #2 - Utilization of natural resources #3 - Water quantity, annual and seasonal flows #4 - General watershed health #4 - Flood control and floodplain management #4 - Wildlife habitat for small mammals and non-game species #4 - Habitat for large animals and game species #7 - Streambank stabilization and erosion control 	<p>(5-1) The issue is a degraded fishery. No cause or time frame is noted. (5-2) Noted.</p>

David Weitzel	<p>(6-1) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - General watershed health #2 - Aquatic species habitat improvement #3 - Habitat for large animals and game species #4 - Wildlife habitat for small mammals and non-game species #5 - Water quality #6 - Flood control and floodplain management #7 - Scenic and recreational concerns #8 - Streambank stabilization and erosion control #9 - Utilization of natural resources #10 - Water quantity, annual and seasonal flows 	(6-1) Noted.
Robert Curl	<p>(7-1) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - Water quality #2 - General watershed health #3 - Habitat for large animals and game species #4 - Wildlife habitat for small mammals and non-game species #5 - Aquatic species habitat improvement #6 - Streambank stabilization and erosion control #7 - Flood control and floodplain management #8 - Utilization of natural resources #9 - Scenic and recreational concerns #10 - Water quantity, annual and seasonal flows 	(7-1) Noted.
Bruce Park	<p>(8-1) "I would like to see the 'Rule of Law' by congress...and constitutional law...recognized in the implementing of any rules and Regs by state, county or city entities."</p> <p>(8-2) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - General watershed health #1 - Scenic and recreational concerns #1 - Water quality #1 - Utilization of natural resources 	<p>(8-1) This issue is beyond the scope of this assessment. However, formation of the watershed council constituted county implementation of a state law allowing the formation of local watershed councils, with citizen involvement in watershed assessments and citizen-sponsored watershed improvement plans.</p> <p>(8-2) Noted.</p>
Anne & Elbert Rice	<p>(9-1) "In midsummer and later too much is diverted for the irrigation channel. Fields will be flooded (and I should wonder if that doesn't 'wash out' the soil nutrients). ...see that enough water remains in the river all year, for the fish and 'life' of the river.</p>	<p>(9-1) It is noted in the assessment that stream diversions for legal water rights substantially reduce flow in reaches of several streams.</p> <p>(9-2) Noted.</p>

	<p>(9-2) Issues were rated as follows: #1 - Water quantity, annual and seasonal flows #2 - Habitat for large animals and game species #3 - Scenic and recreational concerns</p>	
Dan & Jan Blair	<p>(10-1) Several unsightly eyesores (literal junk yards) have grown near the banks on S.R. 7 between Baker City & Sumpter. We are concerned about contamination by oil, gas, grease from junked autos/bus/equipment.</p> <p>(10-2) Issues were rated as follows: #1 - General watershed health #2 - Water quality #3 - Scenic and recreational concerns #4 - Aquatic species habitat improvement #5 - Utilization of natural resources #6 - Water quantity, annual and seasonal flows #7 - Streambank stabilization and erosion control #8 - Wildlife habitat for small mammals and non-game species #9 - Habitat for large animals and game species #10 - Flood control and floodplain management</p>	<p>(10-1) No location is provided, so the committee is unable to determine if any of these areas are in the analysis area above Mason Dam. Eyesores are not within the scope of the assessment. Evidence of contamination of surface water or ground water would be included in the assessment, if provided. No evidence was provided. The commentator should discuss the potential for contamination with ODEQ. It will be noted in the assessment that there is a high potential for contamination of surface water and ground water by any future spills of contaminants in the mine spoils, or near streams and wetlands.</p> <p>(10-2) Noted.</p>
Carlton McBroom	<p>(11-1) "My concern isn't for the watershed, but what is trying to be forced on to it. Water temperature will never be 60 degrees or less all year around, never has been."</p> <p>(11-2) "I expect you to tell the Gov. the truth. Unreasonable goals for any watershed is just spinning your (our) wheels, spends money, eats up thousands of hours, corrects nothing."</p>	<p>(11-1) The assessment does not deal with appropriateness of state water temperature standards. Some water temperature data included in the assessment shows that water temperatures at lower elevations exceed 60 degrees F. during the summer.</p> <p>(11-2) The assessment will not set any unreasonable goals. One of the purposes of the assessment is to recommend additional work to fill in knowledge gaps in the assessment, so landowners can make more informed decisions about potential watershed improvement actions, whether or not they would be a waste of time and money.</p>

	<p>(11-3) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - Utilization of natural resources #2 - Flood control and floodplain management #3 - Habitat for large animals and game species #4 - Wildlife habitat for small mammals and non-game species #5- Streambank stabilization and erosion control #6 - General watershed health #7 - Aquatic species habitat improvement #8 - Scenic and recreational concerns #9 - Water quantity, annual and seasonal flows #10 - Water quality 	(11-3) Noted.
Anonymous	<p>(12-1) "The Forest Service takes too long to approve [mining] operating plans. Water assessment is a significant component."</p> <p>(12-2) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - Water quantity, annual and seasonal flows #2 - Streambank stabilization and erosion control #3 - General watershed health #4 - Flood control and floodplain management #5 - Scenic and recreational concerns #6 - Water quality #7 - Wildlife habitat for small mammals and non-game species #8 - Utilization of natural resources #9 - Aquatic species habitat improvement #10 - Habitat for large animals and game species 	<p>(12-1) This issue is beyond the scope of this assessment. This assessment is unrelated to actions or assessments by the Forest Service that affect approval of mining plans of operation. This assessment will help local landowners more easily qualify for watershed improvement grants from the Oregon Watershed Enhancement Board.</p> <p>(12-2) Noted.</p>
Don Foster	<p>(13-1) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - General watershed health #2 - Water quantity, annual and seasonal flows #3 - Utilization of natural resources #4 - Scenic and recreational concerns #5 - Habitat for large animals and game species #6 - Flood control and floodplain management #7 - Streambank stabilization and erosion control #8 - Water quality #9 - Wildlife habitat for small mammals and non-game species #10 - Aquatic species habitat improvement 	(13-1) Noted.

Landon J. Fischer	<p>(14-1) "I'm concerned over tributaries (creeks & streams) that have picked up human derived pollutants. These pollutants originate from unpoliced mining activities, new homes in wooded areas, and concentrated gatherings of livestock."</p> <p>(14-2) Issues were rated as follows: #1 - Scenic and recreational concerns #2- General watershed health #3 - Water quality #4 - Aquatic species habitat improvement #5 - Streambank stabilization and erosion control #6 - Utilization of natural resources #7 - Flood control and floodplain management #8 - Wildlife habitat for small mammals and non-game species #9 - Habitat for large animals and game species #10 - Water quantity, annual and seasonal flows</p>	<p>(14-1) No data is provided by the commentor on specific human derived pollutants or locations of concern. The only pollutant identified on ODEQ's 303(d) list is water temperature. ODEQ's Final 1988 Oregon Section 303(d) List Decision Matix does include observations of other potential pollutants (sediment, flow modification, habitat modification) published in the 1988 Oregon Statewide Assessment of Nonpoint Sources of Pollution. This information is included in the council's assessment.</p> <p>(14-2) Noted.</p>
Laura A. Schroeder	<p>(15-1) "Make sure the assessment prioritizes uses [agri-business, lumber, mining, farming, ranching]...to sustain the local economy."</p> <p>(15-2) Issues were rated as follows: #1 - Utilization of natural resources #2 - Flood control and floodplain management</p>	<p>(15-1) The assessment does not directly affect the local economy. Any watershed improvement actions implemented by landowners through plans based on the assessment may have the potential to positively or negatively affect portions of the local economy, depending on landowner decisions and future actions of regulatory agencies concerned about water quality and endangered species. The assessment will note that a major local issue is sustaining the local economy.</p> <p>(15-2) Noted.</p>
William H. Clark		

	<p>(16-1) "Construction, especially of homes in the floodplain, county road maintenance, and impacts on the river and the riparian area. The old dredge piles." (16-2) Issues were rated as follows:</p> <ul style="list-style-type: none"> #1 - Water quality #2 - Streambank stabilization and erosion control #3 - Wildlife habitat for small mammals and non-game species #4 - Aquatic species habitat improvement #5 - General watershed health #6 - Habitat for large animals and game species #7 - Utilization of natural resources #8 - Scenic and recreational concerns #9 - Water quantity, annual and seasonal flows #10 - Flood control and floodplain management 	<p>(16-1) The assessment notes that past and current activities in floodplains have impacted the river and riparian areas. County planning regulations do not prevent construction of homes in floodplains. The assessment contains little or no data on county road maintenance; little information is available. (16-2) Noted.</p>
<p>Robert Church, Elberta Schroeder, W. F. Schroeder</p>	<p>(17-1) The following is a summary of responses by these three persons to the question: "Which, if any, of the following possible local actions/plans do you consider to be the most important? Please select 1 to 3 of the possible [nine] choices." #1 - Identify and close abandoned groundwater wells in the watershed to prevent potential ground water pollution. #1 - Identify underground fuel storage tanks. #1 - Find out how, where, why, and how often flood flows have damaged irrigation diversions and canals. #2 - Map and classify the historical dredge tailings as wetlands. #3 - Do stream surveys, such as Hankin and Reeves methodology, to described complete lengths of streams by differentiating stream segments, including classifying segments by channel size and shape, floodplain, and riparian vegetation. The Forest Service has reported the need to survey and resurvey some streams.</p> <p>#1 means 3 of 3 respondents chose the item. #2 means 2 of 3 respondents chose the item. #3 means 1 of 3 respondents chose the item.</p> <p>Non-selected items were:</p> <ul style="list-style-type: none"> * Identify culverts, diversions and other barriers that do not provide fish passage. * Obtain water quality information for drainages where information is minimal or non-existent. * Recognize and discuss the economic impacts of not grazing in the riparian zones. Also develop range condition trend graph or map. 	<p>(17-1) The low number of respondents in relation to the number of questions means the results are of little statistical value. Nevertheless, the information does reflect the greatest concerns of the 3 respondents with respect to the 9 assessment issues.</p>

- * Identify and show on a map the miles of road within the watershed by condition and type within 200 feet of a stream.
- * Investigate opportunities for reintroducing beaver into the watershed.

(17-2) The following is a summary of responses by these three persons to the query: "Please identify what you care about. Rate the 10 information needs...in order of importance...5 being the most important, 1 being the least important, and 0 to designate no importance at all."

- #1 - Forest health.
- #2 - Fire locations: an analysis of year by year data with burn locations to help determine areas of higher risk.
- #2 - An estimate of subsurface flows and recharge values to give a more complete analysis of the water cycle and water balance.
- #3 - Water rights summary of groundwater, surface water, and reservoir storage rights.
- #3 - Opportunities to provide more late summer stream flow through improved water use efficiency, diversion management, storage, etc.
- #4 - The amount of dewatering that may be partially caused by consumptive uses on specific stream segments. List potentially over-appropriated streams.
- #4 - Determine what part of bull trout stream habitat is located in areas that are grazed. Summarize information about grazing practices on public and private land.
- #5 - Location and mapping of irrigation diversions and dams. What is the total fish mortality caused by unscreened irrigation diversions?
- #6 - Professional biologists speculate that Phillips Lake has changed the migration time and patterns of bull trout; more study of this issue is needed.
- #7 - A list of irrigation ditches with OWRD approved measuring devices.
- #7 - The extinction of bull trout can not be projected without long-term population counts and the establishment of trends. Surveys have determined the presence of fish, and populations have been projected by sampling and comparing counts to similar stream surveys. Is this adequate?

(17-2) The low number of respondents in relation to the number of questions means the results are of little statistical value. Nevertheless, the information does reflect the greatest concerns of the 3 respondents with respect to the 10 assessment issues.

TABLE 2. Committee Response to Public Comments on Draft #1 of the Upper Powder River Watershed Assessment (May 22, 2001 draft)

COMMENTOR	ISSUE	COMMITTEE COMMENT
Robert S. Church	<p>(1-1) "There is no mention of protecting our rights as property owners. This is a big priority of all property owners."</p> <p>(1-2) "Another concern is Forest Health Management. In my opinion...the Forest Service...should be addressing the Noxious Weed Problem."</p> <p>(1-3) "I want the dredge tailings to remain just as they are."</p>	<p>(1-1) The purpose of the assessment is to compile and summarize existing information primarily from public documents about watershed conditions for further volunteer landowner-lead planning and watershed improvement initiatives. The primary driver of the assessment process is historic and ongoing impacts to beneficial uses of the public resource, water, which occurs on both private and public lands. Potential government enforcement of federal and state laws and regulations regarding water quality, water rights, and endangered species that rely on aquatic habitat does have the potential to impact conditions and activities on private property that adversely affect beneficial uses of water (re. water quality), water rights, and endangered species. Therefore, the legislature of the State of Oregon has provided the means for local citizens and landowners to voluntarily organize into Watershed Councils for the purpose of developing assessments, plans and projects to proactively address impacts to public resources (water, endangered species) on private land. This assessment by the Powder Basin Watershed Council furthers the goal of assisting landowners to plan and implement watershed improvements at their discretion. The assessment is not a regulatory document, but is part of a local landowner-lead planning effort to help local landowners collaborate and have more control over their future land use decisions.</p> <p>(1-2) This issue is beyond the scope of this assessment. The Forest Service has a noxious weed management plan. This issue should be discussed with Baker Ranger District.</p> <p>(1-3) Dredge tailings are owned by private landowners, Oregon Department of Parks and Recreation, Baker County, and The United States of America. National Forest land is managed by Wallowa Whitman National Forest. Landowners are using dredge tailings for various purposes, other than wildlife habitat, including aggregate, mining, grazing, railroad grade, highways, reservoirs, irrigation ditches, buildings, municipal water source, etc. How the tailings are used is largely a property rights issue, which is beyond the scope of this assessment. However, the influence of the current condition of the dredge tailings on water quality, water rights, endangered</p>

	<p>(1-4) "Another concern of mine is the fact that they don't give advance notice of their meetings, except for the day before. Then when no one comes to the meetings, the report is that there was any local interest. This enables them to report that there wasn't any public interest, therefore they do as they please. It is very hard to be receptive of these agencies when they are so dictatorial."</p>	<p>species, wildlife habitat, fish habitat, noxious weeds invasion, streambank and stream channel stability, and wetland and floodplain function is within the scope of this assessment.</p> <p>(1-4) The Council provided the public with several opportunities to help develop, modify, or comment on the issues:</p> <p>(a) The Education Committee developed a Community Information Packet about the assessment and placed it at several locations in the Sumpter area in mid-December 2000.</p> <p>(b) Bill Hart, the contractor, did outreach with the community by mailing a watershed questionnaire with the City of Sumpter January water bills. The Council received 17 replies.</p> <p>(c) Bill Hart attended meetings of the Sumpter City Council, Eastern Oregon Miner's Association, and a snowmobilers club in January 2001.</p> <p>(d) The Education Committee gave the Baker City Herald a copy of the Community Information Packet and news release regarding the February 7, 2001 public meeting in Sumpter on January 30, 2001. The newspaper chose not to do an article, and provided notice of the public meeting time and location only the day before the meeting. The Record Courier received the same information on January 31st, but it was too late for publication that week. Information was published the day after the meeting.</p> <p>(e) The Education Committee ran a community announcement about the February 7th meeting through a local radio station the day of the meeting.</p> <p>(f) The Council held the public meeting at the Nugget in Sumpter on February 7th. Five people attended, including the mayor of Sumpter.</p> <p>(g) On May 22, 2001, the Assessment Committee delivered the draft assessment and extracts prepared by the Education Committee and Contractor to Sumpter (4 locations).</p> <p>(h) On May 23, 2001, the Education Committee mailed extracts to about 20 individuals/organizations in the assessment area.</p> <p>(i) On May 28, 2001, the Education Committee submitted a news release on the availability of the draft assessment to the newspapers.</p> <p>(j) The Education Committee staffed a public comment station in Sumpter on June 15-16, 2001 to gather local comments on the assessment, including the issues.</p> <p>(k) Lyle DeFrees, a rancher in the watershed who missed notification of the</p>
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		<p>February 7th meeting, decided to become a member of the Assessment Committee to have a more direct role in the assessment process. You are also invited to participate in the assessment and planning process.</p> <p>(f) The first draft of the Upper Powder River Watershed Assessment was distributed for public comment on the issues and content on May 22, 2001. The public comment period closed June 21, 2001. Therefore, you had 30 days to review the assessment and submit your views on the issues, etc.</p>
<p>Valerie Oman</p>	<p>(2-1) "This document and all it's trends are a <u>violation</u> of our <u>personal rights</u>, and our <u>property rights</u>."</p> <p>(2-2) "Where is the proof that all economic and recreational use has damaged the whole area?"</p> <p>(2-3) "There is so much more wildlife and wildlife habitat because of the dredge tailings, better logging, improved range condition (from grazing and water developments) and irrigated land."</p> <p>(2-4) "The bull trout issues is <u>insane</u>. The Forest Service tried to kill them off for <u>years</u> and now they want to stop everything to <u>save</u> them. Let's use some common sense."</p> <p>(2-5) "It's our <u>right</u> to use our land."</p>	<p>(2-1) The Watershed Council and its activities (including this assessment) were authorized by the legislature and governor. Any perceived violation of personal rights or private property rights should be discussed with the local state legislator and senator. Those issues cannot be addresses in the assessment. See Response 1-1.</p> <p>(2-2) The Assessment does not indicate that (a) all economic and recreation use has damaged the area, or that (b) the whole watershed has been damaged. The percentage of the watershed with impaired water quality, or damage to stream channels, floodplains, wetlands, and upland soils has not been inventoried, but is roughly estimated to be about 10%, including mine tailings and detrimental soil conditions in the uplands.</p> <p>(2-3) Wildlife habitat is not an issue in this assessment. The primary issues relate to water quality, water rights and endangered fish species.</p> <p>(2-4) Neither the Forest Service or ODFW tried to "kill off" the bull trout. ODFW manages fish populations in the state. The US Fish and Wildlife Service (USFWS), not the US Forest Service, was/is responsible for listing the bull trout as a threatened species and for requiring recovery of the species. The US Forest Service is required to implement orders of the USFWS and to cooperate with ODFW in habitat management.</p> <p>(2-5) This is true. However, certain resources have been determined by federal and state government to be public resources: water, air, fish & wildlife. Any use of</p>

	(2-6) "The gist of all this is to <u>stop</u> everything under the guise of a noble idea. Well, we are <u>not</u> buying it."	private land that adversely impacts a public resource may be subject to government regulation. This assessment does not infringe upon private property rights. (2-6) The assessment stops nothing. It is statement of issues, existing condition, and missing information, with recommendations for further assessment and planning for watershed condition improvement by landowners. The Watershed Council hopes private landowners will read and understand the assessment, will collaborate in a voluntary planning effort, and will have the desire to exercise their land management rights as private landowners and <u>begin</u> to correct any watershed conditions on their property that a state or federal regulatory agency may desire to regulate in the future..
Anonymous	(3-1) "I think the Powder Basin Watershed Council is doing an excellent job, but I am suspicious of where this all will lead."	(3-1) See comments (1-1) and (2-6).
Don Foster	(4-1) "It is very complete and informative." (4-2a) "In order to expand Bull Trout habitat the conditions described [in the assessment]...would need to be duplicated elsewhere. Probably not economically or logistically possible in most cases." (4-2b) "I believe stream composition has more to do with Bull Trout survival than the 50 deg. [F. water temperature] benchmark as Bull Trout live in other waters and reach larger sizes in streams several degrees warmer..." (4-3) "Some uses contradict what might be best for other activities or needs within the watershed. An example would be heavy recreation activity can move Elk and other wildlife from public land onto less traveled	(4-1) Actually, the assessment is not complete; see the information needs section. (4-2a) This is beyond the scope of this assessment, mostly an issue for ODFW and USFWS to resolve with the US Forest Service. (4-2b) The relevancy of the 50 deg. F. standard is beyond the scope of this assessment. Research by EPA & ODFW indicates bull trout live in somewhat warmer water; EPA & ODEQ are reevaluating the standard in light of these findings. (4-3) This type of analysis is beyond the scope of this assessment.

	<p>private land. Or a forest health project could temporarily limit habitat or improve it depending on species and needs.”</p> <p>(4-4) “Questions remain about the impact on surrounding or adjacent lands [that] policy decisions on U.P.R.W.A. would have. I’m suggesting that there exists under-estimation on the mutual importance of public and private lands working in unison. It’s critical that public lands remain available for grazing and that private lands provide wildlife habitat. This interdependence seems to be often overlooked by public land managers....”</p> <p>(4-5) “My overall concern is that communication stay open and positive.”</p>	<p>(4-4) The cooperation issue is beyond the scope of this assessment. However, it can be noted in the assessment that several issues cross ownership boundaries and should involve cooperation of affected landowners. These issues include water quality, streamflow, fish & wildlife species and their habitat, fuel management, insects & disease.</p> <p>(4-5) This is also the Council’s desire.</p>
Dolores Dennis	<p>(5-1) “The number one problem in the watershed is the proliferation of noxious weeds, particularly White Top.”</p> <p>(5-2) “when Dan Warnock was allowed to graze around Phillips reservoir [the weeds] were held in check but...now they are allowed to go to seed unattended and unhampered.”</p> <p>(5-3) “Another problem...is...agency employees going on to private lands without stopping to check first with the landowners.”</p>	<p>(5-1) Noxious weeds were identified as an issue in the assessment.</p> <p>(5-2) Grazing has been identified by the assessment committee as a potential treatment of noxious weed invasion (Lyle DeFrees). However, treatment plans for noxious weed control are beyond the scope of this assessment. The grazing exclusion on National Forest land around Phillips Reservoir is also beyond the scope of this assessment. The private landowners should discuss the noxious weed-grazing relationship with the Tri-County Weed Coordinator, Dave Clemens, and with Baker Ranger District.</p> <p>(5-3) This is beyond the scope of this assessment. Please discuss with the appropriate state or federal agency.</p>

Rick Lusk, Baker County Watermaster	(6-1) "I do have some concerns, and at this time, could not consent to having my name affiliated with it. I will do my best to read it and submit comments, but with my work schedule this summer, I doubt it will be any time soon."	(6-1) We will note in the draft assessment that you have not submitted comments and that you cannot support the content of the assessment until your comments are submitted and incorporated.
Jeff Zakel, ODFW	<p>(7-1) "My comments are in two forms: Typed June 19, 2001 comments – these refer to first draft sections. My comments to this draft are written in the margin and I have tried to dog-ear the pages, but may have missed a few. My comments are extensive and are spread throughout the document.</p> <p>(7-2) I'm not comfortable with the document going to a final without another review. The document is too long, redundant, has inaccuracies, and in places reflects opinions of the writers. If this document came to the council for a vote I could not support its release."</p>	<p>(7-1) Your comments will be incorporated into Draft #2.</p> <p>(7-2) The assessment committee agrees there are many problems with the 1st draft of the assessment. Members of the committee have expressed similar concerns and lack of support for the document.</p>
Jackie Dougan, BLM	<p>(8-1) "The issues section should...follow the outline of the previous chapter where the Issues were identified by the Assessment Committee."</p> <p>(8-2) "Use of [the term] 'draw bottoms' is inappropriate. Usually we are including fish-bearing streams, intermittent streams, wetland riparian areas, snow-flow channels."</p>	<p>(8-1) Agree. The format of the Issues section needs to be revised.</p> <p>(8-2) Agree. We will use the following terms: Perennial stream (fish-bearing or non-fish-bearing). Intermittent stream. Ephemeral stream (usually flows < 30 days/ year). Riparian wetland (lotic wetland). Non-riparian wetland (lentic wetland).</p>

	<p>(8-3) " All of the Grazing information [under the 'II. Water/A.Riparian Zone (Eco-system) Health' is] inappropriate – in length, placement and fact. Does not adequately get at riparian health. Needs good overview of present condition, newest information."</p> <p>(8-4) "Quotes need to be severely referenced, otherwise it is personal and must be quoted as such."</p> <p>(8-5) {Jackie also provided extensive comments on a copy of the first draft}.</p>	<p>(8-3) Agree. The Riparian Zone Health section needs to be revised.</p> <p>(8-4) Agree. Quotes need a reference.</p> <p>(8-5) Your comments will be incorporated into Draft #2.</p>
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MAJOR ISSUE: Lack of Support for Draft #1 of the Upper Powder River Assessment; Major revisions were needed.

- (1) Three members of the Council (Rick Lusk, Jeff Zakel, Jackie Dougan) and two members of the Assessment Committee (Ron Golus and Tim Bliss) indicated lack of support for Draft #1 of the Upper Powder River Assessment. Jeff and Jackie suggested major revisions. Ron Golus provided the major input in reorganization. Consequently the Assessment Committee and BOR agreed to produce Draft #2 for review by the Assessment Committee.
- (2) Draft #2 was produced and the Assessment Committee approved it for publication with minor edits and addition of material missing from the Appendix.

APPENDIX H

Safety Net Regulations

HR2389
SAFETY NET REGULATION

Title 1

- Payments for FY2001 through 2006 to be made as soon after the end of the FY as possible
 - Start with high three year average 1986 through 1999, then adjust annually after FY 2000 by 50 percent of CPI
 - Recipients may elect to receive Safety-net payments or 25/50 percent payments. If elect for 25/50 percent payments, election good for two years.
 - Payment is made first out of harvest receipts, balance out of Treasury.
 - If elect for safety-net payments, 80 to 85 percent must be used for traditional purposes. 15 to 20 percent must be allocated to (1) Title II Community Forestry Receipts or (2) Title III County Projects, or (3) returned to Treasury.
 - Any county for which a safety-net payment is less than \$100,000 may use 100 percent of fund for traditional purposes.
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- RAC's to be formed and available for each unit of federal lands (units may be combined) with a minimum of one per state. May use existing RAC's.
 - RAC's review and propose projects to the Secretaries of Agriculture and of the Interior for approval.
 - Secretaries may approve projects only if each of the following conditions are met: (1) consistent with Federal laws; (2) consistent with existing plans; (3) project has been approved by RAC; (4) submission to Secretary adequately describes the project; and (5) "the project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality." [Note: this multipart standard may be impossible to meet.]
 - Rejection of a project by the Secretary is not subject to judicial review. Approval of a project makes it a federal action for all purposes, including judicial review.
 - 50% of project funds must be used for road maintenance, decommissioning or obliteration or stream and watershed restoration.

NOTE – The money referred to in HR2389 is to be spent within National Forest boundaries on projects that will benefit the County. The County Road Department, the Watershed Council and the Wallowa-Whitman National Forest are collaborating on projects. See "Fish Resources" beginning on page 131 of the Overview for a list of potential projects to be funded with this money.