



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

1300 AIRPORT LANE, NORTH BEND, OR 97459

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1792 (OR-120)  
OR128-TS08-31  
EA # OR128-03-24

*July 21, 2008*

Dear Concerned Citizen:

Attached is a copy of the Decision Documentation for the Cherry Wall DMT Timber Sale, OR128-TS08-31. This decision implements portions of the Brummit Creek Density Management and Restoration EA (EA# OR128-03-24). The Cherry Wall DMT Timber Sale is a portion of Alternative 2 (Proposed Action) of the Environmental Assessment. In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for this timber sale will not become effective until the Notice of Sale is published in a newspaper of general circulation in the area where the lands affected by the decision are located. For this project, the Notice of Sale will be published in *The World* newspaper.

Please direct requests for copies, questions, or comments to the BLM Coos Bay District Office, Attention Paul Leman.

Sincerely,

*Paul Flanagan /s/*

Paul Flanagan  
Myrtlewood Field Manger

Enclosure



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1792 (OR-120)  
EA # OR128-03-24  
OR128-TS08-31

### **DECISION DOCUMENTATION** **For the** **Cherry Wall DMT Timber Sale** **Brummit Creek Density Management and Restoration EA** **EA # OR128-03-24**

#### **Background:**

The Cherry Wall DMT Timber Sale (OR128-TS08-31) is a portion of Alternative 2 (the Proposed Action) of the Brummit Creek Density Management and Restoration EA (EA # OR128-03-24) which concluded with a Finding of No Significant Impact (FONSI) dated January 26, 2005. Alternative 2 includes thinning approximately 1,966 acres of young conifer stands in Late Successional Reserve and Riparian Reserve land use allocations, restoring approximately 513 acres of alder-dominated stands to mixed conifer, constructing 4.8 miles of new road, renovating or improving 74.5 miles of existing roads, and decommissioning 50.7 miles of road. The project areas analyzed in the EA are located within Late Successional Reserve and Riparian Reserve land use allocations in:

- T. 27 S., R.10 W., Sec. 13-16 and 20-35, W.M.
- T. 28 S., R.10 W., Sec. 1-12, W.M.
- T. 27 S., R. 9 W., Sec. 19-21, 29-31 and 33, of W.M.
- T. 28 S., R. 9 W., Sections 4-9, W.M.

The Cherry Wall DMT Timber Sale would implement density management thinning harvests totaling 302 acres on 9 conifer-dominated EA units (9, 10n, 10s, 11, 20, 22, 38, 39, 40) and 62 acres of hardwood conversion, including removal of all red alder and thinning of existing conifers, on 6 hardwood-dominated EA units (9h, 18, 19, 21, 21n, 41).

The Cherry Wall DMT Timber Sale would require construction of 0.96 miles of new road, and renovation of 10.77 miles of existing roads. A total of 2.76 miles of constructed and existing roads would be decommissioned with this timber sale. The Cherry Wall DMT areas to be treated are located within Late Successional Reserve and Riparian Reserve land use allocations in:

- T. 27 S., R. 10 W., Sec. 20, 21, 28, 29, 31, 32, and 33, W.M.<sup>1</sup>

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<sup>1</sup> Road renovation extends outside of identified sections.

The following tables show the relationship between the Cherry Wall DMT Timber Sale units and the corresponding Brummit Creek Density Management and Restoration EA units, and between timber sale harvest and road work compared to EA harvest and road work.

**Table 1** – Comparison of unit numbering and treatment acres for EA and timber sale. DMT is density management thinning of conifer-dominated units; Hwd is hardwood conversion of hardwood-dominated units.

Cherry Wall DMT Unit Number	EA Unit Number	EA Acres	EA Prescription*	Actual acres	Actual Acres of hardwood conversion
1	18, 19	62.8	Hwd	59	59
2	40	24.0	DMT	22	0
3	11	34.3	DMT	31	0
4	20, 22, 23w	43.8	DMT	4	0
5	24n	9.5	DMT	5	0
6	23e	8.9	DMT	42	0
7	21	19.4	Hwd	12	12
8	21n	22.8	Hwd	19	19
9	41	18.3	Hwd	16	16
10	10n	7.4	DMT	6	0
11	10s	4.8	DMT	5	0
12	9, 9h	50.0	DMT, Hwd	51	14
13	38	35.4	DMT	28	0
14	39	30.3	DMT	29	0

\* EA Units 19, 21, 21n, 40, and 41 contain hardwood patches slated for removal under the EA. They are shown in EA Table 8-4 as “DMT/Hwd or Hwd/DMT = mixed density management thinning and hardwood conversion (predominant treatment listed first)” (EA, pg. 110).

**Table 2** – Comparison of harvest acres and road miles for EA and timber sale. EA estimates of acres of forest treatment and miles of road treatment were developed from GIS coverages used in the original EA. Estimates were predicted to change slightly during implementation (EA # OR128-03-24, pg. 15).

	Density Management (Acres)	Hardwood conversion (Acres)	New Road Construction (Miles)	Road Improvement (Miles)*	Road Renovation (Miles)	Road Maintenance (Miles)**	Road Decommissioning (Miles)
<b>EA Estimate</b>	233	141	0.81	0.06	9.17	NA	2.08
<b>Timber Sale</b>	209	120	0.96	0	10.77	11.5	2.76

\* Road improvement associated with this decision reflects changes in operating seasons and resulting elimination of surfacing for wet season haul. Roads designated under the EA to be improved have been designated to be renovated under the Cherry Wall DMT timber sale.

\*\* Road maintenance, including brushing of existing roads and replacement of ageing culverts (primarily on or near ridgetop road systems) is covered under BLM’s CX OR120-08-02.

The EA is tiered to the *Final - Coos Bay District Resource Management Plan (RMP) and Environmental Impact Statement* and its *Record of Decision (ROD)*, as supplemented and amended, which is in conformance with the *Final Supplemental Environmental Impact Statement on Management of Habitat for the Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (i.e. Northwest Forest Plan [NFP]) and its *Record of Decision* as supplemented and amended. The relevant watershed analysis (East Fork Coquille Watershed Analysis, May 2000) recently received a minor revision, and the EA references have been updated to reflect the revised watershed analysis. Additionally, two addenda to the Brummit Creek Density Management and Restoration EA were released for public comment on February 28, 2007. These addenda addressed: 1) additional information regarding the abundance, distribution, and function of hardwood communities in the analysis area and at larger spatial scales; and 2) the addition of a small (roughly 5 ac.) treatment area, Unit 15s.

The proposed action is consistent with the National Marine Fisheries Service's March 18, 1997 Biological Opinion and Conference Opinion on activities covered in the Coos Bay District's RMP. The portion of the EA being implemented through the Cherry Wall DMT timber sale will have no effect on Oregon Coast Coho Salmon or its critical habitat, which is listed as threatened under the Endangered Species Act. The Cherry Wall DMT timber sale will have no effect on Essential Fish Habitat as designated by the Magnuson-Stevens Act.

Formal consultation with the U.S. Fish and Wildlife Service was reinitiated on May 5, 2008 to allow implementation of this project within the marbled murrelet critical breeding season and within the daily restricted times for murrelets. The U.S. Fish and Wildlife Service found that the proposed action would not jeopardize the continued existence of the murrelet (Biological Opinion #13420-2008-F-0061) and concurred with the District's determination for those actions which may affect, are not likely to adversely affect murrelets or their designated critical habitat. The Service's original Letter of Concurrence (LOC #1-15-05-I-0065) remains valid with respect to spotted owls and their designated critical habitat. In that letter, the Service had concurred that the action originally proposed was not likely to adversely affect wildlife species or critical habitat listed under the Endangered Species Act. Project design criteria identified during consultation have been incorporated into the proposed action.

The estimated environmental effects contained in the EA are based on research, professional judgment, and the experience of the interdisciplinary team. No significant adverse impacts are expected on (1) Air Quality, (2) Areas of Critical Environmental Concern, (3) Cultural Resource Values, (4) Prime or Unique Farmland, (5) Flood Plains, (6) Native American Religious Concerns, (7) Hazardous Materials/Solid Waste, (8) Threatened or Endangered Species, (9) Water Quality, (10) Wetlands and Riparian Zones, (11) Wild and Scenic Rivers, (12) Wilderness Values, (13) Noxious Weeds, (14) Port Orford cedar, (15) ACS, (16) Energy production, transmission, or conservation, or (17) Unresolved conflicts concerning alternative uses of available resources.

**Public Comments:**

The general public was informed of the planned EA through a letter dated October 9, 2003 to those on the Resource Area's mailing list which included adjacent landowners and the others who had requested scoping notices of timber sale EAs. An announcement was also posted on the District's Internet site: <http://www.blm.gov/or/districts/coosbay>, and in a Legal Notice in The World newspaper on October 14, 2003 requesting comments for scoping. The public was informed of the EA and FONSI through a direct notification on January 26, 2005 and via a published Legal Notice in The World newspaper on January 28, 2005. Four public comments were received. Public comments about the EA generally fell into three categories: 1) items considered in the EA or addressed and covered by the Final-Coos Bay District Resource Management Plan and Environmental Impact Statement and its Record of Decision (RMP-ROD) (USDI-BLM, 1995); 2) items beyond the scope of the site specific EA; and 3) issues indicating a need for clarification or elaboration. The ID Team and I determined that none of the issues raised during the comment period warrant a revision to the EA; therefore, the FONSI is still appropriate.

**Decision:**

It is my decision to implement the Proposed Action Alternative in the Brummit Creek Density Management and Restoration EA as it applies to the *Cherry Wall DMT Timber Sale* shown in Table 1 and Table 2. These units will now be referred to as the Cherry Wall DMT Timber Sale (OR128-TS08-31). This action consists of fourteen units totaling 329 acres. Approximately 155 acres consist of density management thinning and hardwood conversion in the Late-Successional Reserve LUA and 174 acres of the sale consist of density management thinning and hardwood conversion in the Riparian Reserve LUA.

Road management activities associated with this timber sale consist of construction of 0.96 miles of new road, renovation of 10.77 miles of existing roads, and decommissioning of 2.76 miles of roads. Actual lengths of new road construction, improvement and road renovation are roughly comparable to those predicted in the EA (Table 2). Depicted differences in Table 2 represent the difference between GIS estimates of road length and actual lengths. Road alignment (location) and effects would be roughly the same as those analyzed in the EA for these roads, and would be fully within the scope of the EA. Additionally, the proposed road improvement included in the EA has been changed to road renovation due to the changes in operating season and the resulting elimination of wet season hauling under this timber sale. Roughly 12 miles of road maintenance would be completed within the analysis area to facilitate completion of the project. This maintenance, including brushing of existing roads and replacement of ageing culverts (primarily on or near ridgetop road systems) is covered under BLM's CX OR120-08-02 ("Fiscal Year 2008 Road, Recreation Site, and Wildlife Habitat Site Maintenance").

This project will enhance and restore structural diversity in young, dense stands through density management and hardwood conversion. Design features include retaining existing snags and downed logs and creating new snags and downed logs. Density management within Riparian Reserves associated with this project will facilitate development of future stand conditions that contribute to meeting the Aquatic Conservation Strategy (ACS) objectives. The project will accomplish needed maintenance and improvement of the transportation

network, provide temporary access within the units for harvest activities, and affect the decommissioning of roads not needed for future management. This project will produce almost 2,664 thousand board feet of timber through trees cut during density management treatments but surplus to habitat needs.

On July 25, 2007, the Under Secretary of the Department of Interior signed a new Survey and Manage Record of Decision<sup>2</sup> that removed the Survey and Manage requirements from all BLM RMPs within the range of the northern spotted owl. In any case, this project falls within at least one of the exceptions listed in the modified October 11, 2006 injunction.

BLM has reexamined the objectives of the Cherry Wall DMT Timber Sale as described in the Brummit Creek Density Management and Restoration EA (pg. 6). All proposed EA units in this timber sale are younger than 80 years old. All culvert replacements would be on roads that are in use and part of the road system; culverts on temporary or decommissioned roads would be removed. Botanical surveys were completed on all units for Survey and Manage (based on species included in the 2003 Annual Species Review) and special status plant species. These surveys located a single site of a Bureau Sensitive lichen species, *Bryoria subcana*, in Units 4, 5, and 6 of the Cherry Wall DMT timber sale. The trees containing this lichen are reserved from harvest and a no cut buffer of trees has been left around the site to protect these trees. It is expected that this buffer will allow this species to persist on-site. Surveys have been conducted for marbled murrelets (*Brachyramphus marmoratus*), northern spotted owl (*Strix occidentalis caurina*), bald eagle (*Haliaeetus leucocephalus*) and peregrine falcons (*Falco peregrinus anatum*) within the analysis area.

Hardwood conversion units associated with the Cherry Wall DMT Timber Sale (Table 1) received pre-disturbance surveys compliant with the *2001 Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines* (as the 2001 ROD was amended or modified as of March 21, 2004). No Survey and Manage Category B, D, E, or F plant species were found or are known to occur within the Cherry Wall DMT action area. Hardwood conversion units in the action area do not contain suitable habitat for the red tree vole.

### **Rationale For Decision:**

I am choosing to offer the *Cherry Wall DMT* timber sale for the following reasons:

- It meets the purpose and need for action described in the EA and in the *Final - Coos Bay District Resource Management Plan and Environmental Impact Statement* (RMP) and its *Record of Decision*, as supplemented and amended.
- It is consistent with the RMP objectives and management directions for Late Successional LUA, Riparian Reserve LUA, and roads.
- It is consistent with the Proposed Action (Alternative 2) as described in the EA.
- The No Action alternative fails to address the purpose and need for action and does not meet the management objectives.

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<sup>2</sup> Complete Title: Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Forest Service Land and Resource Management Plans Within the Range of the Northern Spotted Owl

- The addendum to the EA relating to hardwood communities in the analysis area makes clear that hardwood conversion associated with this timber sale would not represent a significant impact on the human environment and would be well within the scope of effects considered in the original EA.

**Administrative Remedies:**

In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for this timber sale will not become effective until the Notice of Sale is published in a newspaper of general circulation in the area where the lands affected by the decision are located. For this project, the Notice of Sale will be published in *The World* newspaper.

Decision Recommended by:

*Jill Williams /s/*

Jill Williams  
Natural Resource Staff Administrator

*July 21, 2008*

Date

*Teresa Stutesman /s/*

Teresa Stutesman  
Natural Resource Staff Administrator

*July 21, 2008*

Date

Decision Approved by:

*Paul Flanagan /s/*

Paul Flanagan  
Myrtlewood Field Manager

*July 21, 2008*

Date

Enclosure: Timber Sale Prospectus Map (Exhibit A. & A.-1 5 pages)

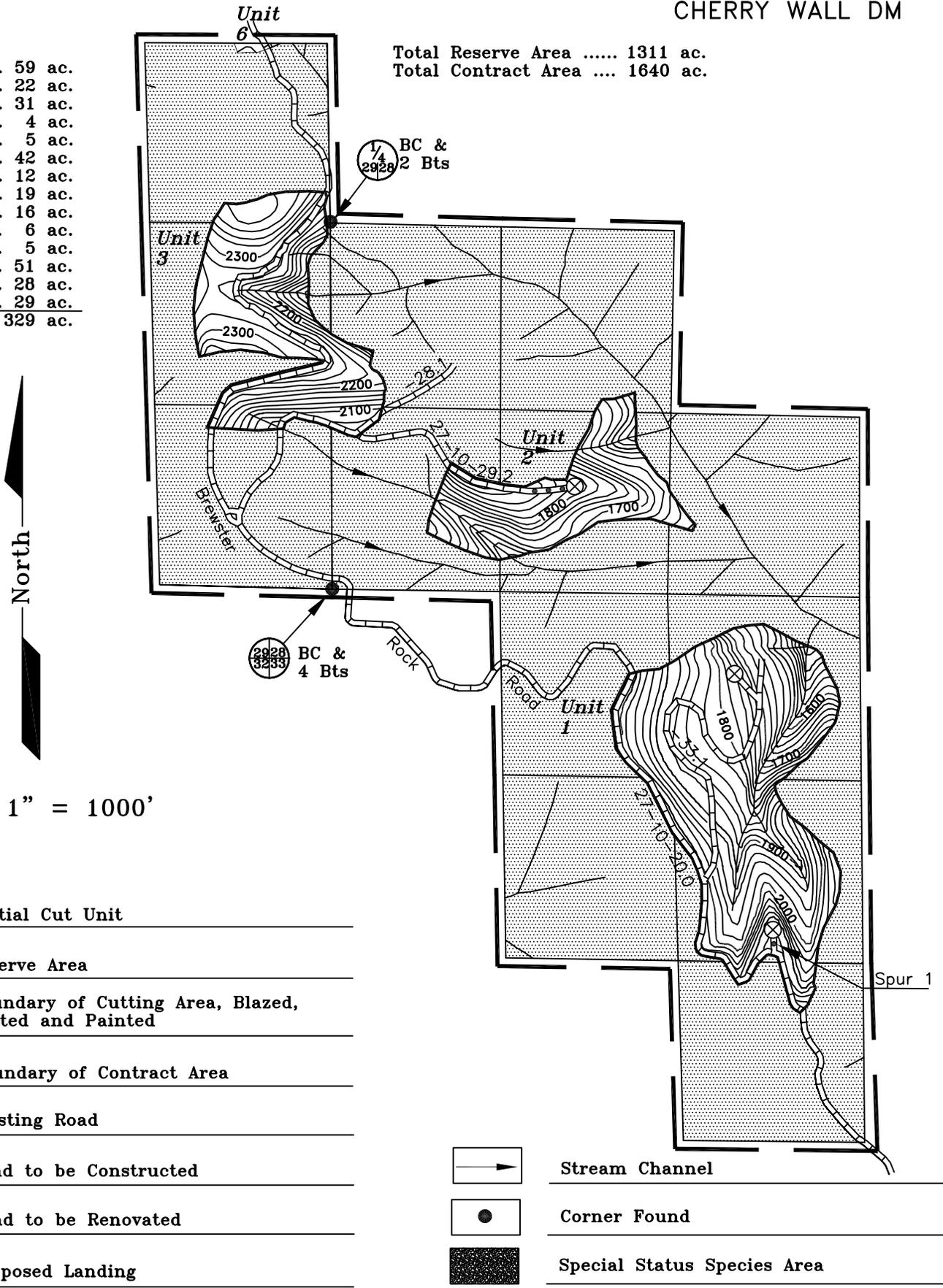
TIMBER SALE CONTRACT MAP  
 USDI-BLM COOS BAY DISTRICT

T. 27 S., R. 10 W., Secs. 20,21,28,29,31,32,&33 Will. Mer.

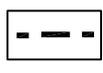
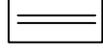
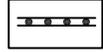
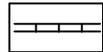
SALE NO. 08-31  
 EXHIBIT A  
 Page 1 of 4  
 CHERRY WALL DM

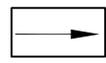
Unit 1	.....	59 ac.
Unit 2	.....	22 ac.
Unit 3	.....	31 ac.
Unit 4	.....	4 ac.
Unit 5	.....	5 ac.
Unit 6	.....	42 ac.
Unit 7	.....	12 ac.
Unit 8	.....	19 ac.
Unit 9	.....	16 ac.
Unit 10	.....	6 ac.
Unit 11	.....	5 ac.
Unit 12	.....	51 ac.
Unit 13	.....	28 ac.
Unit 14	.....	29 ac.
<b>Total</b>	<b>.....</b>	<b>329 ac.</b>

Total Reserve Area ..... 1311 ac.  
 Total Contract Area .... 1640 ac.



SCALE 1" = 1000'

-  Partial Cut Unit
-  Reserve Area
-  Boundary of Cutting Area, Blazed, Posted and Painted
-  Boundary of Contract Area
-  Existing Road
-  Road to be Constructed
-  Road to be Renovated
-  Proposed Landing

-  Stream Channel
-  Corner Found
-  Special Status Species Area

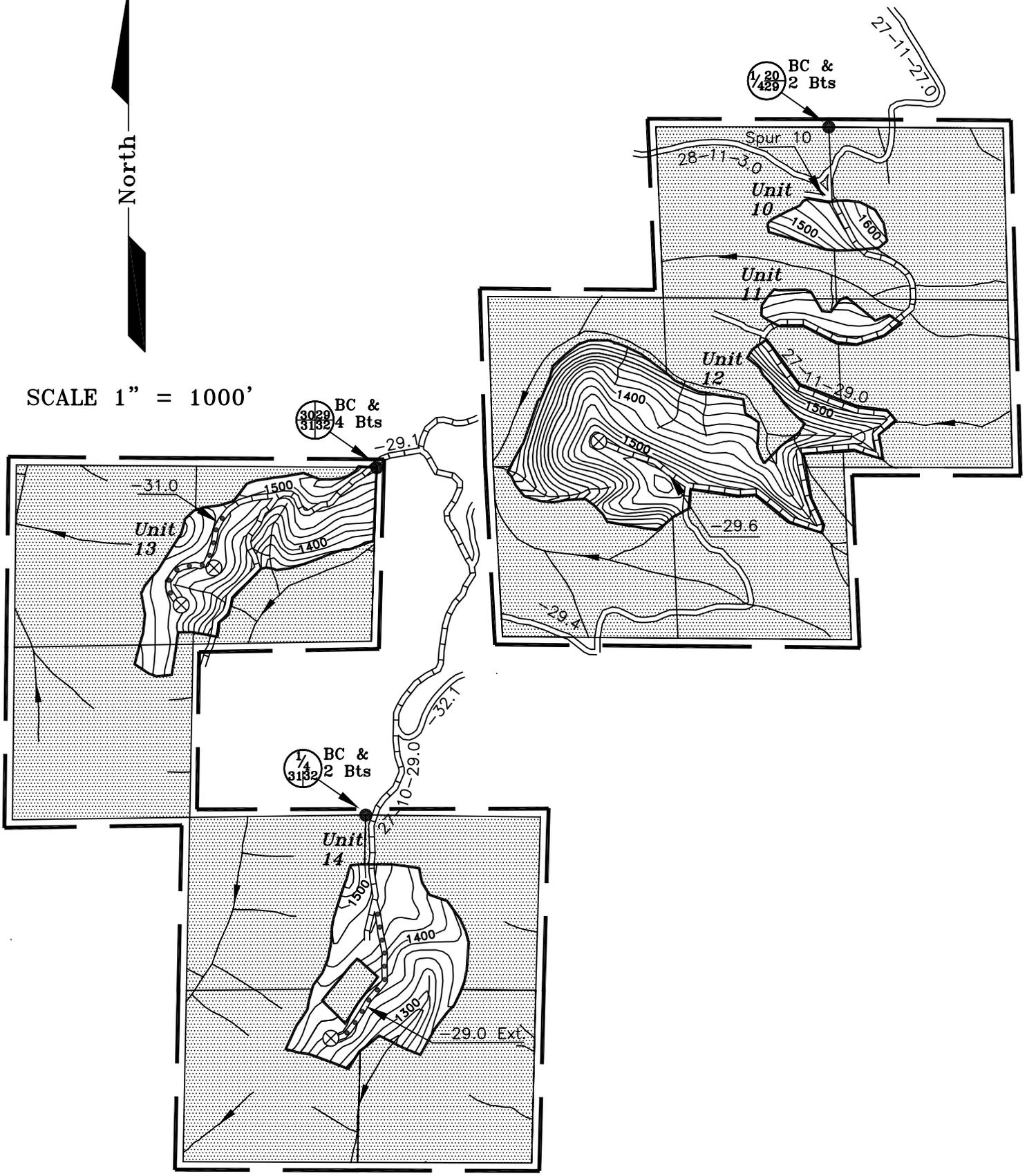


TIMBER SALE CONTRACT MAP  
USDI-BLM COOS BAY DISTRICT  
T. 27 S., R. 10 W., Secs. 20,21,28,29,31,32,&33 Will. Mer.

SALE NO. 08-31  
EXHIBIT A  
Page 3 of 4  
CHERRY WALL DM

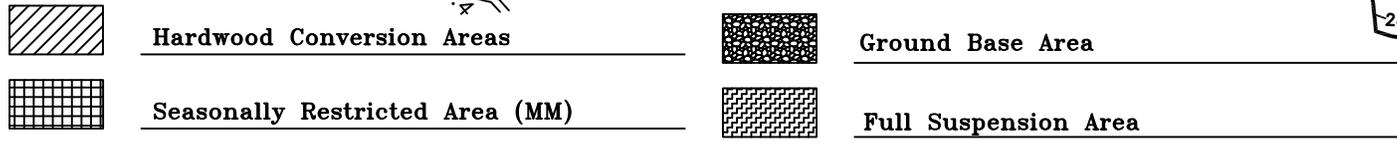
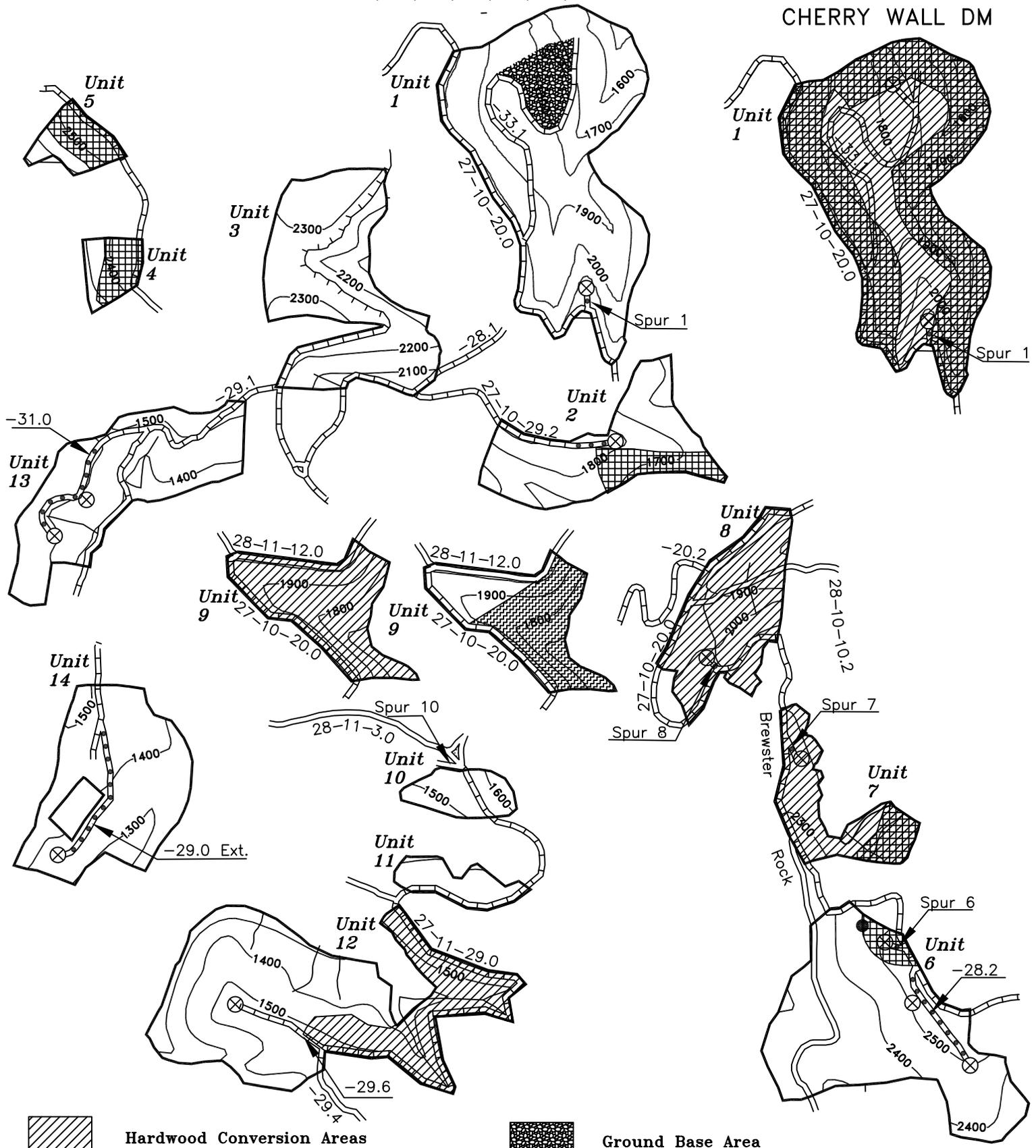


SCALE 1" = 1000'



TIMBER SALE CONTRACT MAP  
 USDI-BLM COOS BAY DISTRICT  
 T. 27 S., R. 10 W., Secs. 20,21,28,29,31,32,&33 Will. Mer.

SALE NO. 08-31  
 EXHIBIT A  
 Page 4 of 4  
 CHERRY WALL DM



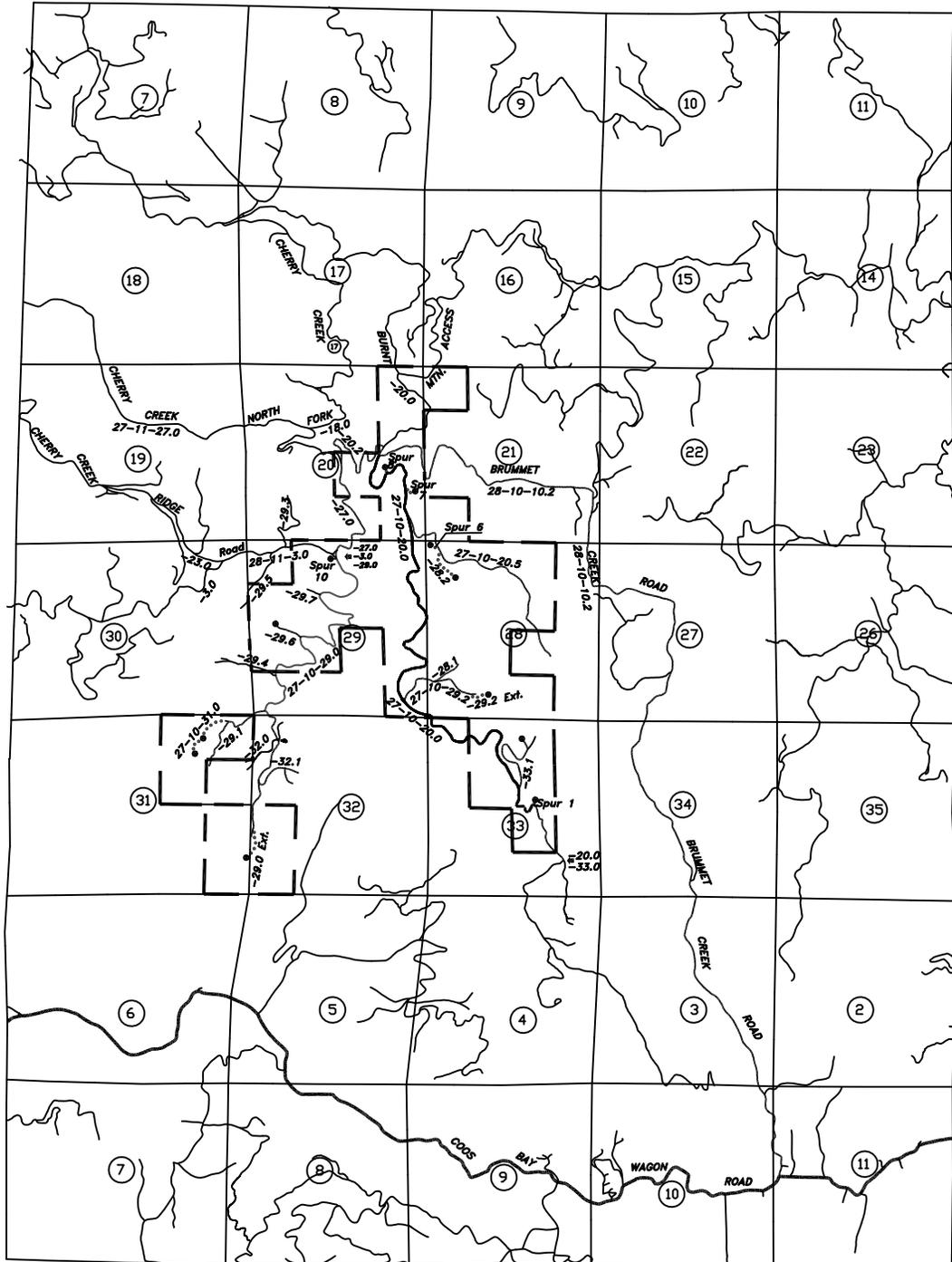
TIMBER SALE CONTRACT MAP  
 USDI-BLM COOS BAY DISTRICT  
 T. 27 S., R. 10 W., Secs. 20,21,28,29,31,32,&33

SALE NO. 08-31  
 EXHIBIT A-1  
 Page 1 of 1  
 CHERRY WALL DM

R 11 W | R 10 W



SCALE 1" = 1 Mile



T  
 27  
 S  
 T  
 28  
 S



Existing Road



Road to be Constructed



Boundary of Contract Area



Road Number Break



Proposed Landing