



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

1300 AIRPORT LANE, NORTH BEND, OR 97459

Web Address: <http://www.blm.gov/or/districts/coosbay> E-mail: OR_CoosBay_Mail@blm.gov



In Reply Refer To:

5400/1792 (OR-120)
OR120-09-38
Mister Slate CT Timber Sale
EA OR128-07-01
Slater Rocks Environmental Assessment

October 10, 2008

Dear Concerned Citizen:

Attached is a copy of the Decision Documentation for the *Mister Slate CT* Timber Sale, OR120-09-38. The *Mister Slate CT* Timber Sale is a portion of Preferred Alternative of the Slater Rocks Environmental Assessment (EA). This Decision Documentation will also be posted on the District Internet site: <http://www.blm.gov/or/districts/coosbay/index.php>.

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 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 Coos Bay District BLM, 1300 Airport Lane, North Bend, OR 97459-2000, ATTN: Aimee E.B. Hoefs; call 541-756-0100; FAX 541-751-4303, or email to OR_CoosBay_Mail@blm.gov, ATTN: Aimee E.B. Hoefs.

Sincerely,

Paul T. Flanagan

Paul T. Flanagan
Myrtlewood Field Manager

Enclosure



United States Department of the Interior

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In Reply Refer To:

1792 (OR-120)

EA#OR128-07-01

Slater Rocks EA

OR120-TS09-38

Mister Slate CT Timber Sale

DECISION DOCUMENTATION

For the

Mister Slate CT Timber Sale (OR120-TS09-38)

Slater Rocks Environmental Assessment EA #OR128-07-01

Background:

The Myrtlewood Field Office, Coos Bay District Bureau of Land Management, using input from District resource staff and public input, prepared the Slater Rocks Environmental Assessment (EA #OR128-07-01) which concluded with a Finding of No Significant Impact (FONSI) dated May 16, 2008. The EA's Proposed Action includes thinning approximately 1,400 acres of young conifer stands in the Matrix and Riparian Reserve land use allocations, construction of approximately 4.1 miles of new road, renovation/improvement of approximately 14.8 miles of existing roads, and decommissioning a total of 10.7 miles of new and existing roads. The *Mister Slate CT* Timber Sale, composed of EA Units SC13/14/16/17/18, is part of this EA and is located in T. 30 S., R. 09 W., Sections 17 and 21, Willamette Meridian. The proposed treatment area is located in the General Forest Management Area (GFMA) and Riparian Reserve (RR) land use allocations.

Proposed Action:

The *Mister Slate CT* Timber Sale will implement commercial thinning totaling 131 acres and density management thinning totaling 55 acres in dense conifer stands. The *Mister Slate CT* Timber Sale will require construction of 0.21 miles of new roads, and renovation of 0.87 miles of existing roads. The 0.21 miles of newly constructed roads will be decommissioned with this timber sale.

The following table shows the relationship between the *Mister Slate CT* Timber Sale and EA estimates for treatment acres and roadwork. The difference is the result of re-designating some EA units into other future timber sales and field verification of Unit boundaries.

Table I: Comparison of harvest acres and road work between the EA and the Timber Sale

	Treatment Acres	New Road Construction (Miles)	Road Improvement (Miles)	Road Renovation (Miles)	Road Decommissioning (Miles)
EA Estimate	274	0.27	0.18	0.87	0.41
Timber Sale	176	0.21	0.18	0.70	0.21

Approximately 1,958 Mbf of timber is scheduled for removal. This includes approximately 1,344 Mbf from the GFMA which contributes to the Allowable Sale Quantity (ASQ). The remaining volume from the Riparian Reserves, 614 Mbf, does not contribute to the ASQ.

Stands within the GFMA would be thinned from below to achieve a Relative Density (RD) of roughly 35. The prescription for RR stands would also include gap creation and alder retention. Snag and/or down wood creation would occur where applicable within both land use allocations.

The EA included a complete list of Project Design Features (p.24-30) designed to avoid, minimize, or rectify impacts on resources and are included as part of the Proposed Action. These and additional descriptions of the Proposed Action are hereby incorporated by reference. The following is a brief summary of some of these Design Features:

- Stream channels will have a minimum 50-foot no-harvest buffer.
- All units will be harvested using a combination of skyline cable and ground-based equipment.
- Snag and/or down wood will be created where applicable.
- Cable yarding is required with one-end or full suspension.
- All road work activities will use applicable Best Management Practices as described in the RMP.

Additionally, the EA analyzed two road use scenarios involving road rocking levels and seasons of use. The *Mister Slate CT* Timber Sale will be offered as a predominantly summer operation, utilizing dirt rather than rocked road surfaces. Daily timing restrictions will be applied to prevent disturbance to nesting marbled murrelets.

Compliance and Conformance

The EA is tiered to the *Final - Coos Bay District Resource Management Plan and Environmental Impact Statement* (RMP) and its *Record of Decision*, 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, Middle Fork Coquille Watershed Analysis, was updated in October 2007.

Consultation with the National Marine Fisheries Service has not been requested as the proposed project has been determined to have “*no effect*” to threatened Oregon Coast coho salmon. Additionally, project activities would not adversely effect Essential Fish Habitat under the Magnuson-Steven Fishery Conservation and Management Act (16 U.S.C. 1855(b)).

Formal and informal consultation with the U.S. Fish and Wildlife Service was requested in June 2008 for evaluation of effects to northern spotted owl and marbled murrelet. The U.S. Fish and Wildlife Service concurred with the District's effects determination and stated that the Proposed Action "would not jeopardize the continued existence of the spotted owl or the murrelet"¹.

On July 25, 2007, the Under Secretary of the Department of Interior signed a new Survey and Manage Record of Decision² that removed the survey and manage requirements from all of the BLM resource management plans (RMPs) within the range of the northern spotted owl. Additionally, this project falls within at least one of the exceptions listed in the modified October 11, 2006 injunction against the 2004 Survey and Manage Record of Decision³.

Analysis has also concluded that implementation of the proposed actions will not contribute to the need to list any Special Status Species as identified in BLM Manual 6840 and BLM OR/WA 6840 policy. Botanical Special Status Species surveys were completed on all units for which surveys are practical for those species included in the 2008 State Director's Special Status Species List. These surveys did not identify any botanical Special Status Species in the *Mister Slate CT* Timber Sale area.

The Slater Rocks EA is in compliance with the Clean Water Act, the National Historic Preservation Act, and the Clean Air Act. The project area does not contain any Areas of Critical Environmental Concern, designated Wilderness, Wild & Scenic Rivers, or prime and unique farmlands. There were no concerns identified regarding Cultural Resource Values, Native American Religious Concerns, or Environmental Justice issues.

The Slater Rocks EA (EA #OR128-07-01) resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

Public Involvement:

The general public was informed of the planned EA through a letter (March 19, 2007) to those on the Field Office'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/index.php> and in a Legal Notice in *The World* newspaper March 21, 2007 requesting comments for scoping. The public was informed of the EA and FONSI through a direct notification (May 16, 2008) and via a published Legal Notice in *The World* newspaper (May 17, 2008). Four public comments were received. However, no substantive comments were received that required a change to the EA or the FONSI determination.

¹ July 30, 2008. Biological Opinion and Concurrence on the Slater Rocks Density Management Project (FWS 13420-2008-F-0098).

² July 2007. Complete Title: Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl.

³ March 2004. Complete Title: Record of Decision To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl.

Rationale for the Decision:

I am choosing to offer the *Mister Slate CT* timber sale for the following reasons:

- Implementation of the Proposed Alternative best meets the Purpose and Need described in the Slater Rocks EA (p.5-8); the No Action Alternative does not meet the Purpose and Need.
- It is consistent with the RMP objectives and management directions for Matrix and Riparian Reserve land-use allocations as described in the *Final - Coos Bay District Resource Management Plan and Environmental Impact Statement* (RMP) and its *Record of Decision*, as supplemented and amended.
- It provides timber sale volume toward the Coos Bay District Allowable Sale Quantity as required by the Oregon and California Act of 1937.
- It complies with other major applicable laws, regulations, and Bureau policies.

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.

Subsection (b) of 43 CFR § 5003.3 states that “Protests shall be filed with the authorized officer and would contain a written statement of reasons for protesting the decision.” This precludes the acceptance of electronic mail or facsimile protests. Only written and signed hard copies of protests that are delivered to the Coos Bay District would be accepted. The protest must clearly and concisely state the reasons why the decision is believed to be in error.

As set forth in 43 CFR § 5003.3 subsection (c), protests received more than 15 days after the publication of the timber sale notice are not timely filed and would not be considered.

Decision Approved by:

Paul T. Flanagan

October 10, 2008

Paul T. Flanagan
Myrtlewood Field Manager

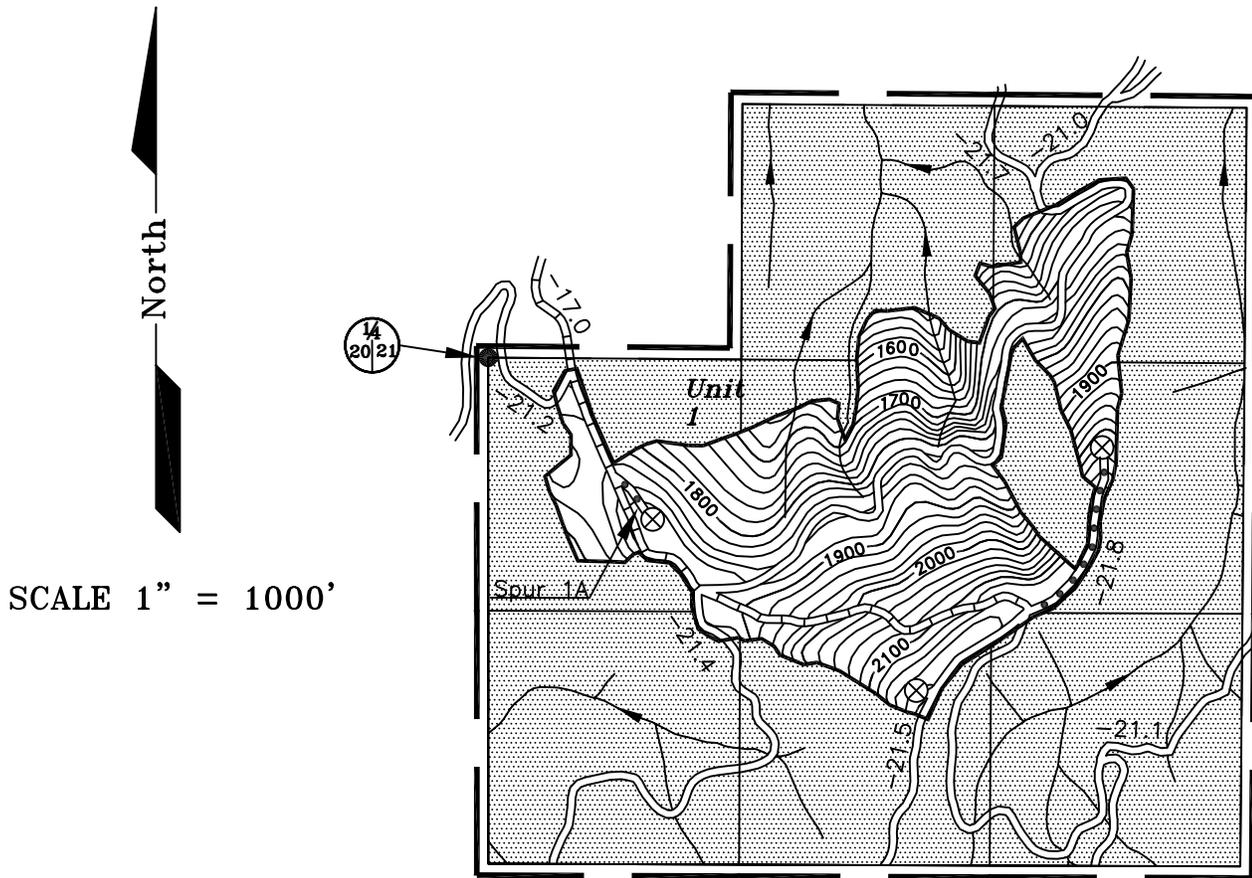
Date

Enclosures

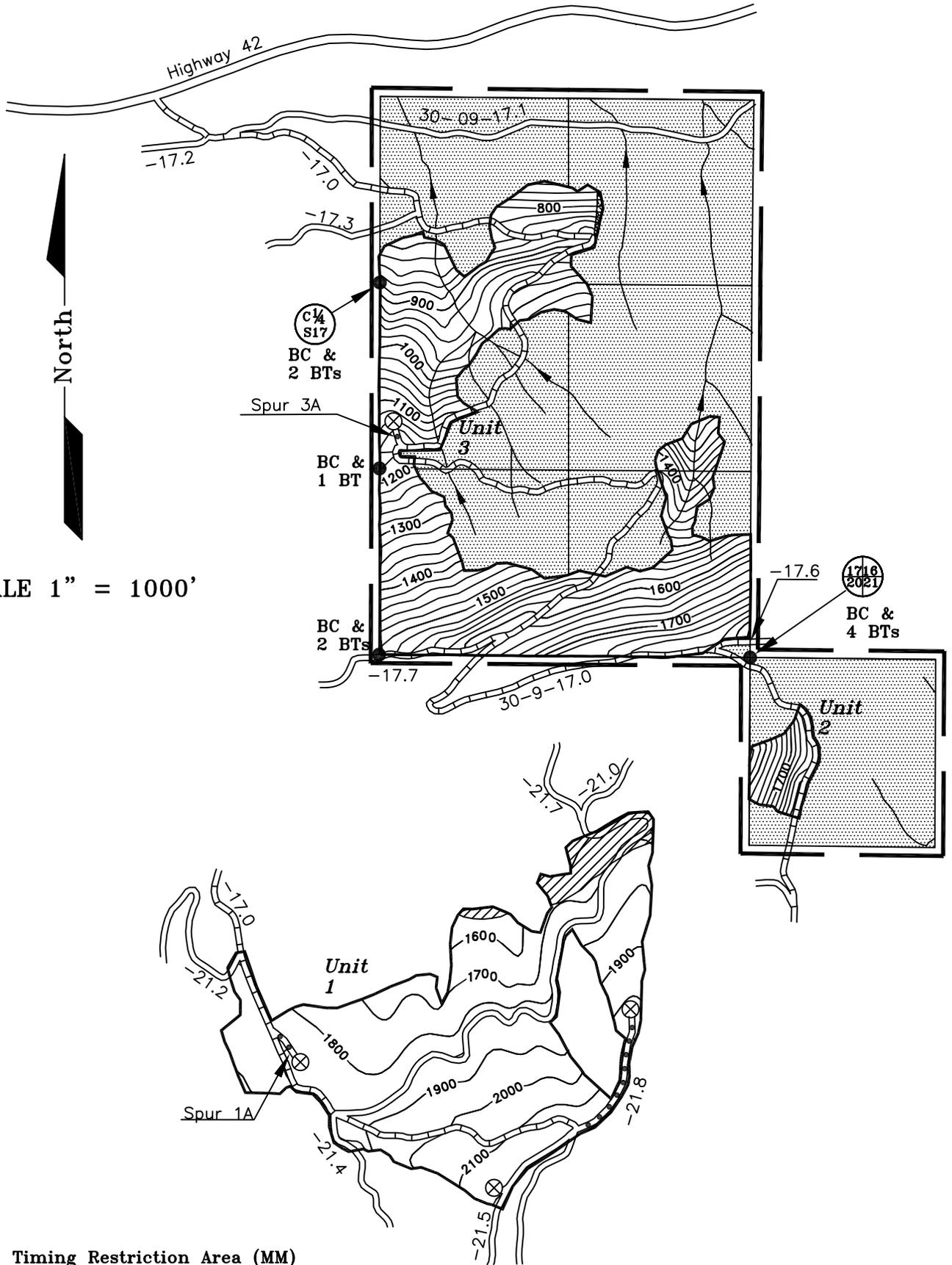
TIMBER SALE CONTRACT MAP
 USDI-BLM COOS BAY DISTRICT
 T. 30 S., R. 9 W., Secs. 17 & 21 Will. Mer.

SALE NO. 09-38
 EXHIBIT A
 Page 1 of 2
 MISTER SLATE CT

Unit 1.....	83 ac.	Total Reserve Area	424 ac.
Unit 2.....	5 ac.	Total Contract Area ...	600 ac.
Unit 3.....	88 ac.		
<u>Total</u>	<u>176 ac.</u>		

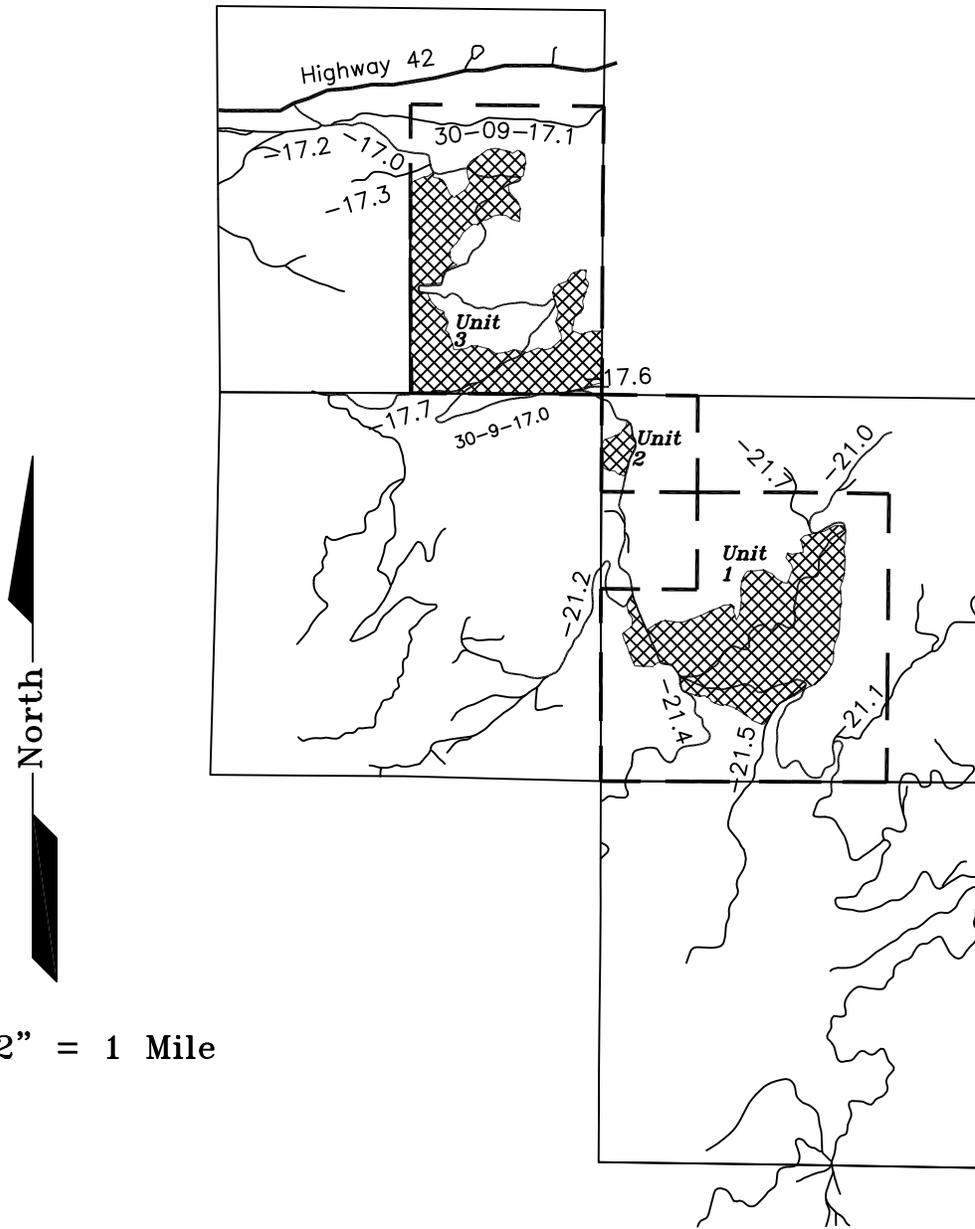


	Partial Cut Unit		Road to be Constructed
	Reserve Area		Road to be Renovated
	Boundary of Cutting Area, Blazed, Posted and Painted		Proposed Landing
	Boundary of Contract Area		Stream Channel
	Existing Road		Corner Found



SCALE 1" = 1000'

 Timing Restriction Area (MM)



SCALE 2" = 1 Mile

-  Partial Cut Unit
-  Existing Road
-  Boundary of Contract Area