



# 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](mailto:OR_CoosBay_Mail@blm.gov)

Telephone: (541) 756-0100 Toll Free: (888) 809-0839 Fax: (541) 751-4303



### **In Reply Refer To:**

5400/1792 (OR-120)

OR120-09-34

Busy Signal CT Timber Sale

EA OR128-07-01

Slater Rocks Environmental Assessment

***January 26, 2009***

Dear Concerned Citizen:

Attached is a copy of the Decision Documentation for the *Busy Signal CT* Timber Sale, OR120-09-34. The *Busy Signal CT* Timber Sale is a portion of the Action 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>.

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, *Paul T. Flanagan* within 15 days of the publication date of the notice of decision/timber sale advertisement in *The World*, Coos Bay, Or.

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](mailto:OR_CoosBay_Mail@blm.gov), ATTN: Aimee E.B. Hoefs.

Sincerely,

***/s/Paul T. Flanagan***

Paul T. Flanagan  
Myrtlewood Field Manager

Enclosure



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### In Reply Refer To:

1792(OR-128)

EA#OR128-07-01

Slater Rocks EA

OR120-TS09-34

Busy Signal CT Timber Sale

## DECISION DOCUMENTATION

### For the

**Busy Signal CT Timber Sale (OR120-TS09-34)**

**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 1400 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 *Busy Signal CT* Timber Sale, composed of EA Units URC04N/04/03 and HMF02/04/06, is part of this EA and is located in T. 29 S., R. 09 W., Sections 29 and 33, Willamette Meridian. The proposed treatment area is located in the General Forest Management Area (GFMA) and Riparian Reserve (RR) land use allocations.

The following Table shows the EA Unit numbers and the Timber Sale Unit Number for clarification. Some larger Units analyzed in the EA were broken into smaller Timber Sale Units because of logging feasibility and differing stocking levels.

**Table 1: Environmental Assessment and Timber Sale Unit number alignments**

EA #	URC04N	URC04	URC03	HMF02	HMF06	HMF06	HMF04	HMF04
TS #	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8

### Proposed Action:

The *Busy Signal CT* Timber Sale will implement commercial thinning totaling 45 acres and density management thinning totaling 50 acres in dense conifer stands. The *Busy Signal CT* Timber Sale will require construction of 0.17 miles of new roads, and renovation of 4.18 miles of existing roads. A total of 1.53 miles of newly constructed and renovated roads will be decommissioned with this timber sale.

The following table shows the relationship between the *Busy Signal CT* Timber Sale and EA estimates for treatment acres and roadwork. The difference is the result of field verification of Unit boundaries and road locations.

**Table 2: 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)
<b>EA Estimate</b>	142	0.13	0.05	3.16	1.7
<b>Timber Sale</b>	95	0.17	0.00	4.18	1.53

Approximately 1270 Mbf of timber is scheduled for removal. This includes approximately 686 Mbf from the GFMA which contributes to the Allowable Sale Quantity (ASQ). The remaining volume from the Riparian Reserves, 584 Mbf, does not contribute to the ASQ.

Stands within the GFMA will 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.
- Harvest units 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 *Busy Signal CT* Timber Sale will be offered as a predominantly summer operation, utilizing dirt rather than rocked road surfaces. Application of Daily timing restrictions will 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 is the Middle Fork Coquille Watershed Analysis, updated in October 2007.

Consultation with the National Marine Fisheries Service has not been requested nor required, 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”<sup>1</sup>.

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 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 Decision<sup>3</sup>.

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 *Busy Signal 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 required a change to the EA or the FONSI determination.

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

<sup>2</sup> 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.

<sup>3</sup> 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 *Busy Signal 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:**

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer *Paul T. Flanagan* within 15 days of the publication date of the notice of decision/timber sale advertisement in *The World*, Coos Bay, Or.

43 CFR § 5003.3 subsection (b) states: “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 (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Coos Bay district office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: “Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered.” Upon timely filing of a protest, the authorized officer shall, at the conclusion of the review, serve as the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business (4:30 pm) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay district office will issue a protest decision.

For further information, contact Aimee E.B. Hoefs, team lead, at 1300 Airport Lane, North Bend, OR 97459 or call (541) 756-0100.

Decision Approved by:

*/s/ Paul T. Flanagan*

*January 23, 2009*

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Paul T. Flanagan  
Myrtlewood Field Manager

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Date

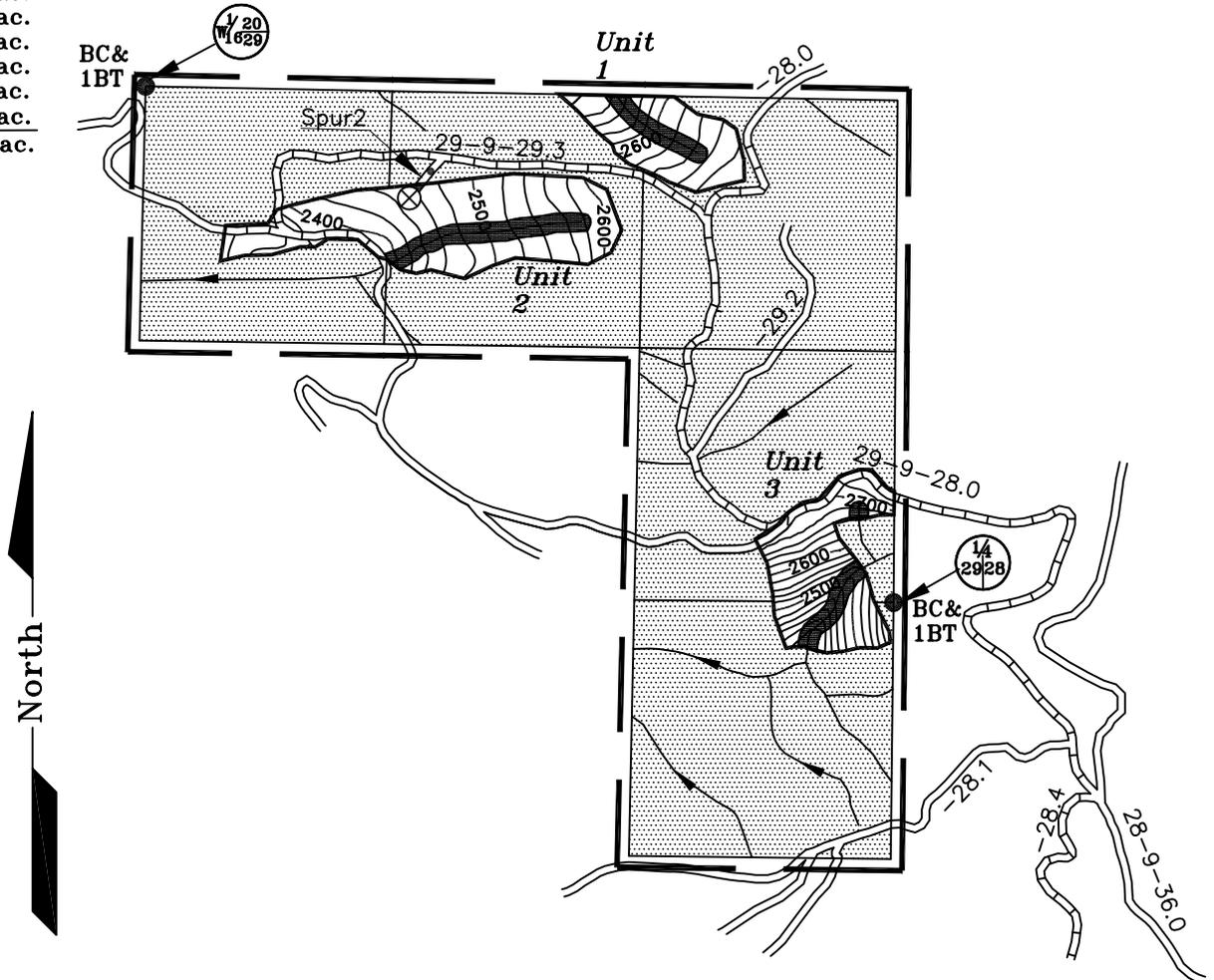
Enclosure

TIMBER SALE CONTRACT MAP  
 USDI-BLM COOS BAY DISTRICT  
 T. 29 S., R. 9 W., Secs. 29 & 33 Will. Mer.

SALE NO. 09-34  
 EXHIBIT A  
 Page 1 of 3  
 BUSY SIGNAL CT

Unit 1	.....	5 ac.
Unit 2	.....	14 ac.
Unit 3	.....	8 ac.
Unit 4	.....	23 ac.
Unit 5	.....	3 ac.
Unit 6	.....	18 ac.
Unit 7	.....	6 ac.
Unit 8	.....	18 ac.
R/W	.....	5 ac.
<b>Total</b>	<b>....</b>	<b>100 ac.</b>

Total Reserve Area ..... 500 ac.  
 Total Contract Area ... 600 ac.



SCALE 1" = 1000'

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





