



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

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In Reply Refer To:

5400/1792 (ORC040)

OR120-TS11-35

Cam Shaft CT Timber Sale

EA# OR128-03-17

East Fork Coquille Environmental Assessment

February 24, 2011

Dear Concerned Citizen:

We have prepared the Decision Documentation for the *Cam Shaft CT* Timber Sale, OR120-TS11-35. The *Cam Shaft CT* Timber Sale is a portion of the Preferred Alternative of the East Fork Coquille Environmental Assessment (EA).

The Decision Documentation is posted on the District Internet site:

<http://www.blm.gov/or/districts/coosbay/plans/index.php>.

Please direct requests for copies, questions, or comments to Coos Bay District BLM, 1300 Airport Lane, North Bend, OR 97459-2000, ATTN: Jeff Davis; call 541-756-0100; FAX 541-751-4303, or email to OR_CoosBay_Mail@blm.gov, ATTN: Jeff Davis.

Sincerely,

/s/ Kathy Hoffine

Kathy Hoffine
Myrtlewood Field Manager



United States Department of the Interior

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East Fork Coquille Environmental Assessment

DECISION DOCUMENTATION

For the

Cam Shaft CT Timber Sale (OR120-TS11-35)

East Fork Coquille Environmental Assessment

Background:

The Myrtlewood Field Office, Coos Bay District Bureau of Land Management, previously prepared an Environmental Assessment (EA# OR128-03-17 East Fork Coquille) which contained analysis of the effects of conducting commercial thinning and density management thinning (Alternative 3) within the East Fork Coquille project area as well as analysis of a No Action Alternative and another Action Alternative. This EA, which is hereby incorporated by reference, resulted in a FONSI (Finding of No Significant Impact) signed June 28, 2005.

The BLM previously offered this sale as OR120-TS07-33 *Camas Powerline CT*; the sale was sold on August 24, 2007.

In the summer of 2009, Congressional delegations of Oregon and Montana asked the Secretary of the Interior to extend existing BLM timber sale contracts due to the significant impact of the economic downturn on forest product manufacturing. The Secretary responded “that the BLM lacks the regulatory authority to grant across-the-board extensions. However, under the principles of contract law, the parties to a contract may come to a mutual agreement to cancel contractual obligations” (Instruction Memorandum 2010-003). This policy was only applicable to sales sold prior to September 15, 2009 with uncut timber remaining under contract.

The purchaser of the *Camas Powerline CT* Timber Sale requested mutual cancellation of the contract on November 6, 2009. The purchaser completed 146 acres of harvest, all of the new road construction and some road decommissioning. Through this mutual cancellation process, the purchaser officially returned the remaining 150 harvestable acres of the *Camas Powerline CT* Timber Sale to the BLM on June 16, 2010. The BLM is now re-offering the remaining 150 acres of unharvested timber.

The following Table shows the acreage and Unit number progression from the EA to the two subsequent timber sales, *Camas Powerline CT* and *Cam Shaft CT*.

Table -1 Unit Numbers and Acreages for the EA, Camas Powerline CT and Camshaft CT.

EA Unit Number	EA Acreage Estimate*	Camas Powerline CT Unit Number	Camas Powerline CT Unit Acres	Cam Shaft CT Unit Number	Cam Shaft CT Unit Acres
34	114	1	104	1	70
35	96	2	98	2	31
33	11	3	9	3	9
32	18	4	17	-	0
31	20	5	21	-	0
30	44	6	41	4	40
35	0	7	6	-	0
Acreage Total 296			Acreage Total 150		

*The acreage difference between the EA and the first sale is the result of field verification of unit boundaries and final road locations.

Proposed Action:

The *Cam Shaft CT* Timber Sale will implement commercial and density management thinning in the Matrix and Riparian Reserve land use allocations. The original purchaser has completed all of the new road construction, renovation/maintenance and 1.7 miles of decommissioning. This timber sale will decommission/fully decommission the remaining 0.6 miles of newly constructed and renovated roads.

The BLM estimates that 2.5 MMbf is available for harvest. There are approximately 104 acres of commercial thinning and 46 acres of density management thinning in the *Cam Shaft CT*. Snags and down wood would be created in the Riparian Reserve.

The EA included a complete list of Project Design Features (Appendix A pp. i-iv) 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 no-harvest buffers.
- Harvest units will use a combination of skyline cable and ground-based equipment.
- Snags and/or down wood will be created where applicable.
- Cable yarding will be required with one-end or full log suspension.
- All road work activities will use applicable Best Management Practices as described in the RMP.

Compliance and Conformance

This project was developed under the management direction of the *1995 Coos Bay District Record of Decision and Resource Management Plan* (1995 ROD/RMP). The analysis supporting this decision tiers to the *Final Coos Bay District Proposed Resource Management Plan/Environmental Impact Statement* (USDI 1994). This 1995 *Record of Decision* is also supported by, and consistent with, the *1994 Final Supplemental Environmental Impact Statement on Management of Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* and its associated *Record of Decision* (USDA/USDI 1994).

The East Fork Coquille EA is also tiered to and in conformance with the *Coos Bay Integrated Noxious Weed Program* (EA OR-120-97-11).

The *Cam Shaft CT* Timber Sale project is consistent with court orders relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated by the Coos Bay District Resource Management Plan.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Rey, et al.*, No. 08-1067 (W.D. Wash.) (Coughenour, J.), granting Plaintiffs' motion for partial summary judgment and finding a variety of NEPA violations in the BLM and USFS 2007 Record of Decision eliminating the Survey and Manage mitigation measure. Previously, in 2006, the District Court (Judge Pechman) had invalidated the agencies' 2004 RODs eliminating Survey and Manage due to NEPA violations. Following the District Court's 2006 ruling, parties to the litigation had entered into a stipulation exempting certain categories of activities from the Survey and Manage standard (hereinafter "Pechman exemptions").

Judge Pechman's Order from October 11, 2006 directs: "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities on projects to which the 2004 ROD applied unless such activities are in compliance with the 2001 ROD (as the 2001 ROD was amended or modified as of March 21, 2004), except that this order will not apply to:

- A. Thinning projects in stands younger than 80 years old;
- B. Replacing culverts on roads that are in use and part of the road system, and removing culverts if the road is temporary or to be decommissioned;
- C. Riparian and stream improvement projects where the riparian work is riparian planting, obtaining material for placing in-stream, and road or trail decommissioning; and where the stream improvement work is the placement large wood, channel and floodplain reconstruction, or removal of channel diversions; and
- D. The portions of projects involving hazardous fuel treatments where prescribed fire is applied. Any portion of a hazardous fuel treatment project involving commercial logging will remain subject to the survey and management requirements except for thinning of stands younger than 80 years old under subparagraph a. of this paragraph."

Following the Court's December 17, 2009 ruling, the Pechman exemptions are still in place.

This project complies with the Coastal Zone Management Act and I have determined that there would be no adverse effects to Coastal Zone resources from implementing this project. There would be no effects to water quality (EA pp. 57-63) and the project would restore or maintain the Aquatic Conservation Strategy Objectives (EA p. 101).

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

The East Fork Coquille EA (OR128-03-17) resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

Public Involvement

The BLM informed the general public of the East Fork Coquille project by conducting Scoping prior to project development (July 14- August 8, 2003) and making the EA/FONSI available for comment (June 28-July 28, 2005).

Rationale for the Decision

I am choosing to offer the *Cam Shaft CT* Timber Sale for the following reasons:

- Implementation of the Proposed Alternative best meets the Purpose and Need described in the East Fork Coquille EA (pp.1 and 2); the No Action Alternative does not meet the Purpose and Need.
- It is consistent with the *1995 Record of Decision and Resource Management Plan* for the Coos Bay District of the Bureau of Land Management.
- It complies with other major applicable laws, regulations and Bureau policies.

Administrative Remedies

The original *Cam Shaft CT* Timber Sale had an administrative remedy opportunity with the timber sale advertisement (July 25, 2007). There was not a protest on the Decision.

The decision described in this document is a forest management decision and is subject to protest by the public. However, the principle of administrative finality precludes any protest of the *Cam Shaft CT* Timber Sale that is not substantially different than the original *Camas Powerline CT* Timber Sale from which this sale is derived. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protest of this decision may be filed with the authorized officer *Kathy Hoffine* 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 reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information to her. The authorized officer shall, at the conclusion of the review, serve 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 Jeff Davis, Forest Manager, at 1300 Airport Lane, North Bend, OR 97459 or (541) 756-0100.

Decision Approved by:

/s/ Kathy Hoffine

February 17, 2011

Kathy Hoffine
Myrtlewood Field Manager

Date

Attachment: Timber Sale Prospectus Map (Exhibit A, A-1; 4 pages)

TIMBER SALE CONTRACT MAP
 USDI-BLM COOS BAY DISTRICT
 T. 28 S., R. 9 W., Secs. 15 & 17 Will. Mer.

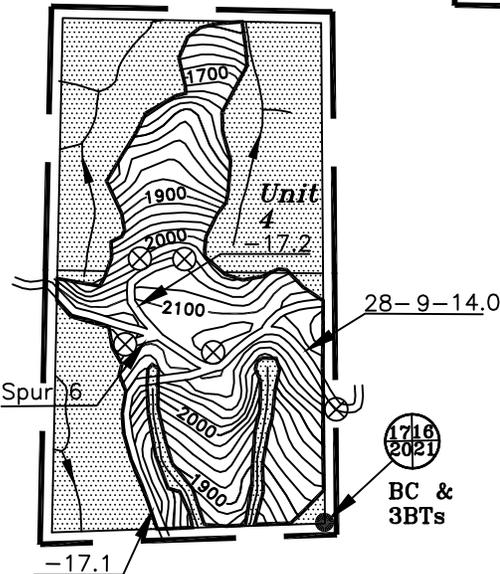
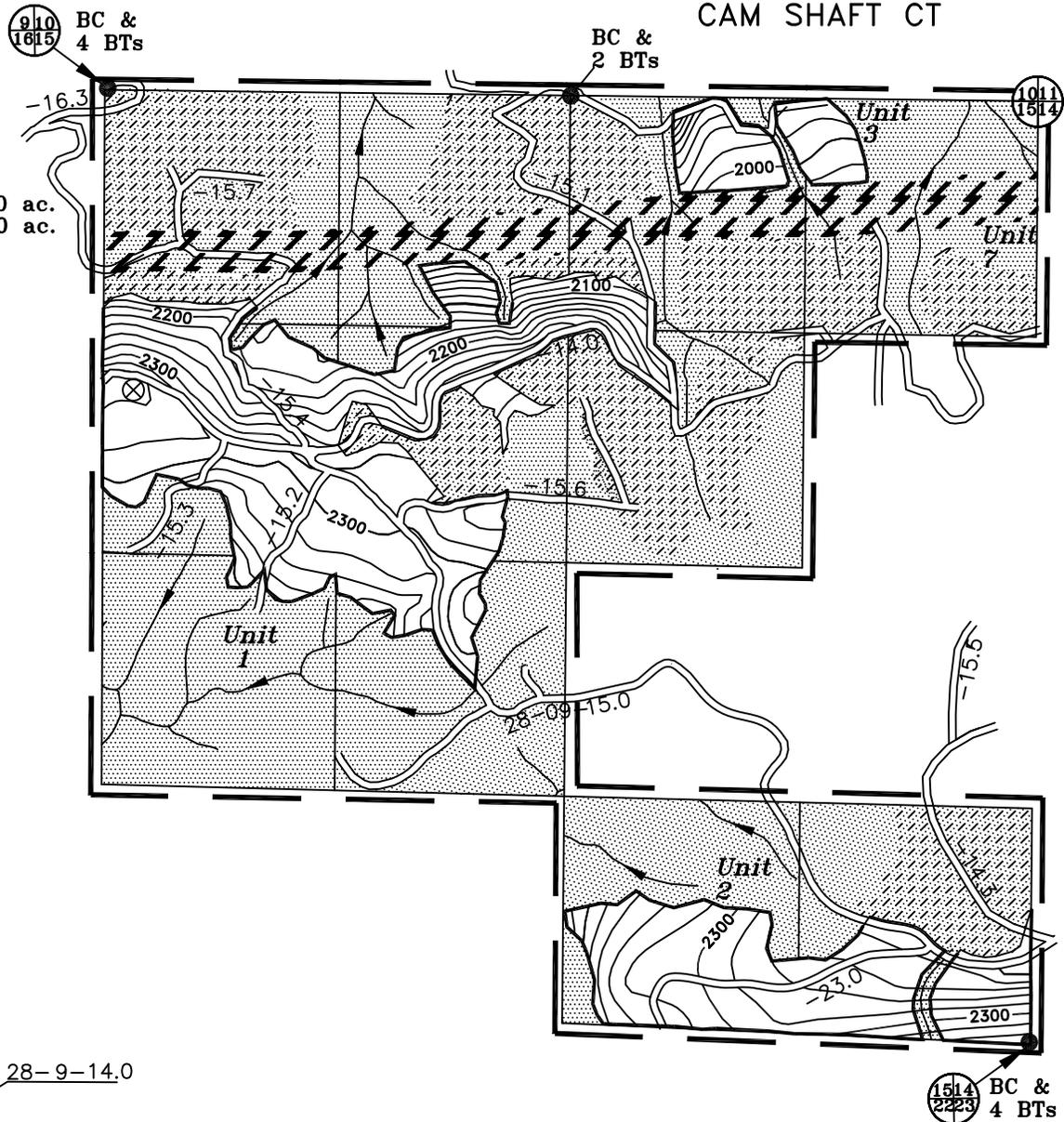
SALE NO.11-35
 EXHIBIT A
 Page 1 of 3
 CAM SHAFT CT

Unit 1..... 70 ac.
 Unit 2.....31 ac.
 Unit 3.....9 ac.
 Unit 4.....40 ac.
 Total150 ac.

Total Reserve Area 370 ac.
 Total Contract Area 520 ac.



SCALE 1" = 1000'



	Partial Cut Unit
	Reserve Area
	Previous Sale Area - Reserve
	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
	B. P. A. Transmission Line Easement

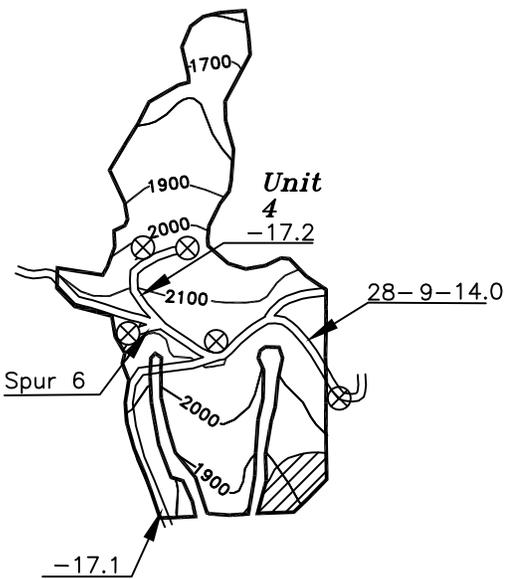
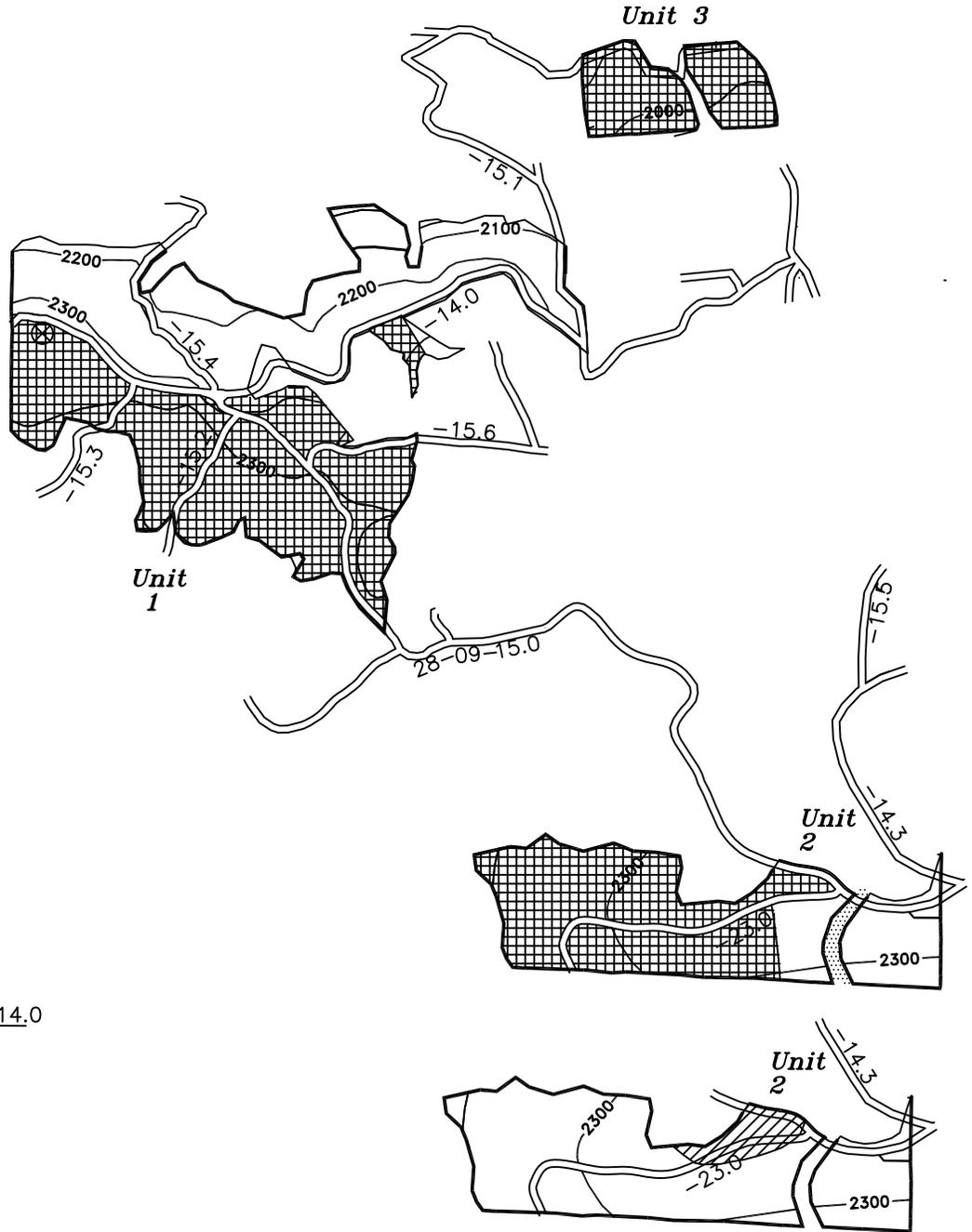
TIMBER SALE CONTRACT MAP
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SALE NO.11-35
 EXHIBIT A
 Page 2 of 3
 CAM SHAFT CT

Ground-Based	
Unit 1 35 ac.
Unit 2 22 ac.
Unit 3 9 ac.
Unit 4 0 ac.
Total 66 ac.



SCALE 1" = 1000'



Seasonal Restriction (MM)



Ground-Based Yarding Area

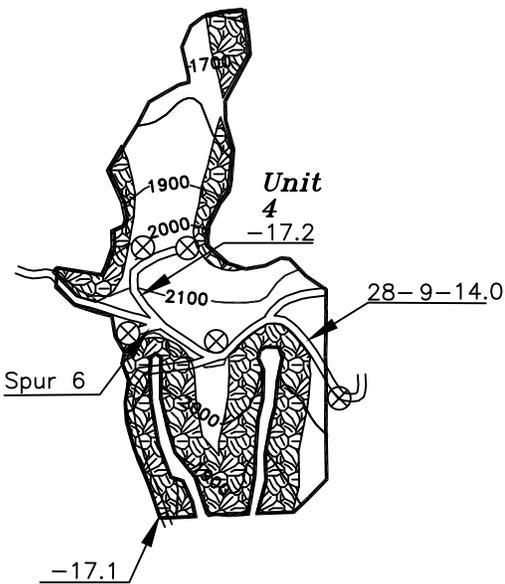
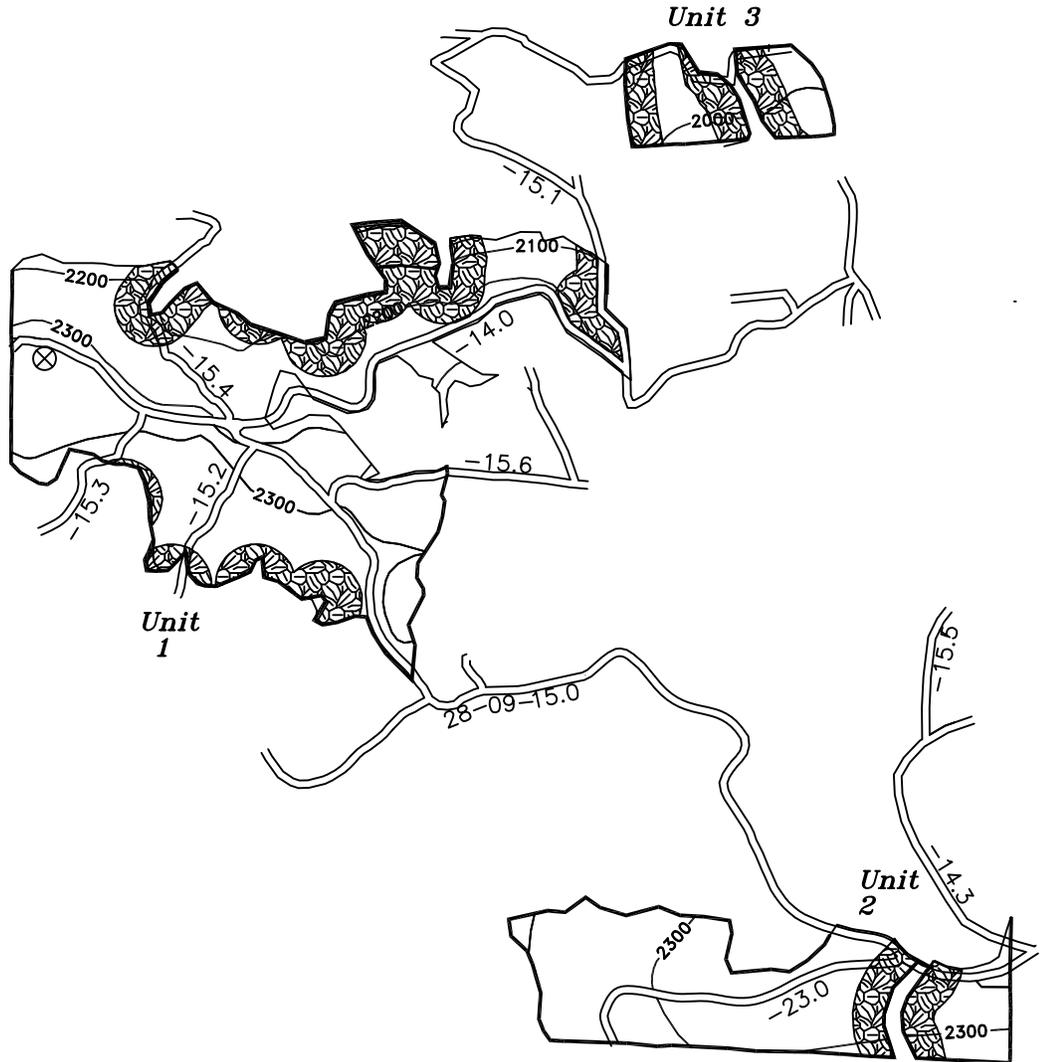
TIMBER SALE CONTRACT MAP
 USDI-BLM COOS BAY DISTRICT
 T. 28 S., R. 9 W., Secs. 15 & 17 Will. Mer.

SALE NO.11-35
 EXHIBIT A
 Page 3 of 3
 CAM SHAFT CT

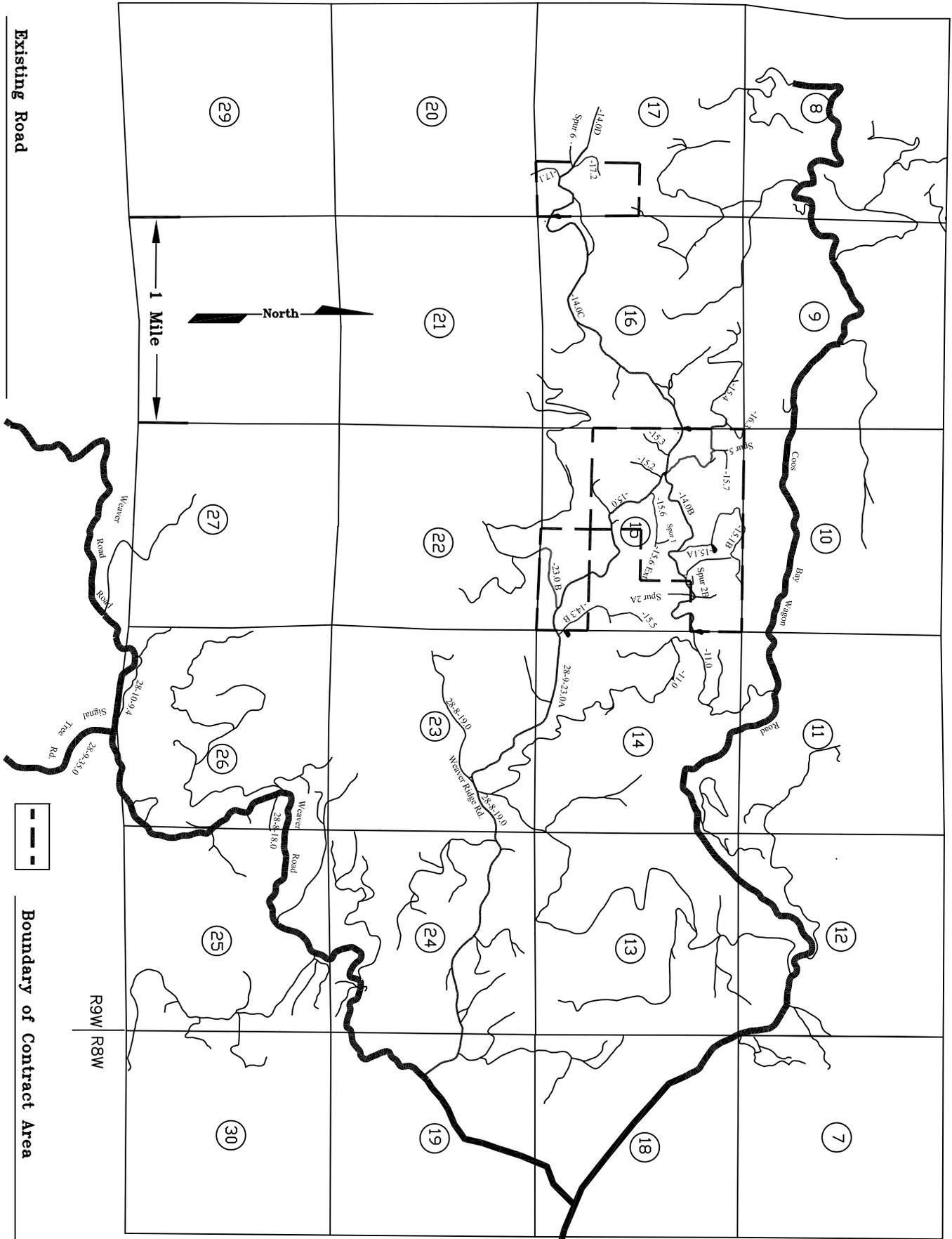
Riparian Acres	
Unit 1	18 ac.
Unit 2	4 ac.
Unit 3	5 ac.
Unit 4	19 ac.
Total	46 ac.



SCALE 1" = 1000'



Snag & Down Wood Treatment Area



Existing Road

Boundary of Contract Area