

U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Coos Bay District

Documentation of NEPA Adequacy (DNA)

BLM Office: Coos Bay District, Umpqua Field Office **Tracking No.** DOI-BLM-OR-C030-2010-0004-DNA

Background:

This site proposed for density management thinning was previously harvested in 1967 and planted in 1968, thus being 42 years old. The forest stand was pre-commercially thinned in 1983 to a spacing of 13 x 13 and fertilized in 1990. Current stocking levels in the project area are not on a trajectory to develop old growth characteristics in accordance with the Management Direction for Late-Successional Reserves. Current stocking averages 212 trees per acre (tpa), with 202 tpa of Douglas fir, 4 tpa of grand fir, and 5 tpa for western hemlock. The relative density of the stand is 59, with an average stand diameter of 13.8 inches. The project area topography is gently sloping to steep ground with about 87% of the ground less than 70% slope and 13% over 70% slope. The project area is bisected by a perennial stream with several intermittent streams within the project area.

A. Description of the Proposed Action:

Proposed Action Title/Type: Holey Foley DM

Location / Legal Description: Elk Creek Watershed and the Lower Elk Creek Subwatershed
T.21 S., R 07W., Sec 33. Will. Mer.
LSR & Riparian Reserve land use allocation

Proposed Action:

The Proposed Action Alternative is to conduct density management thinning on approximately 120 acres within the Late-Successional and Riparian Reserve Land Use Allocation.

Density Management Thinning Prescription

The proposed density management prescription would thin overstocked Douglas-fir and retain any minor species; bigleaf maple, western redcedar, Pacific yew, grand fir, and western hemlock. This prescription would leave a residual basal area of 130, which equates to approximately 80 trees per acre, with an average stand diameter of 17.1 inches. The average cut diameter would be 11.6 inches. The only minor tree species removed would be those trees in the road right-of-way, yarding corridors, landings, and within the clearing zone for guyline circles. All unmerchantable trees, which are generally less than 6-inches dbh, may be left uncut on site at purchasers' discretion.

Marking a stand using a basal area thinning prescription leaves a target square footage of basal area per acre. This basal area target, rather than a spacing target, would obtain a greater spacing variability between residual trees and a more natural appearing relation between the tree sizes and spacing. In the resulting stand, small trees would be more closely spaced and large trees would be spaced farther apart than would have been obtained using a spacing prescription that is based on trees per acre. The effect is that where the suitable leave trees are small, trees would be spaced more closely together; where leave trees are large, the trees would be more widely spaced. Where gaps in the canopy occur using a basal area prescription, additional trees would be left next to a gap to partially compensate for the lack of trees in the gap to help attain the target basal area per acre averaged across the unit. The effect would be that trees would be spaced closer together adjacent to gaps than in those areas away from gaps.

Logging Systems

Harvest of the project area would be accomplished by both cable and ground based logging equipment. The ground based portion would be restricted to ground <35% in slope; cable logging would generally be employed on slopes greater than 35%.

Road Management

New road construction would consist of approximately two spur roads totaling 23 stations of natural surface. These spur roads are not located within Riparian Reserves. Landing construction would consist of creating wide spots to facilitate safe yarding and loading of logs and are typically about ¼ acre in size, which includes the existing roadbed.

Approximately 1.5 miles of existing rock road, Road No. 22-7-22.1, would be renovated. Renovation activities would include clearing brush and/or trees within the road prism, cleaning or replacing ditch relief culverts, restoring proper road surface drainage, grading, or other maintenance. A series of roadside landings along Road No. 22-7-22.1 would be established to facilitate harvest operations.

Yarding would be conducted from either existing Road No. 22-7-22.1 or newly constructed spurs.

Design Features for the Proposed Action

All project Design Features outlined in EA OR125-05-01, Umpqua River Sawyer Rapids (URSR) pertinent to the above area are herein incorporated. Below are listed the more salient project design features.

Harvest Methods

In cable yarding areas, a skyline cable system with 75 feet lateral yarding capability and ability to obtain one-end log suspension would be required.

Trees in skyline cable yarding corridors would be cut to facilitate yarding operations. Skyline corridors would be required to be no wider than 12 feet. The location, number, and width of cable yarding corridors would be specified prior to yarding, with natural openings used as much as possible.

A cut-to-length harvester and forwarder or a low ground pressure track hoe would be permitted when soil moisture content is less than 25% as measured with the "Speedy Moisture Meter".

Roads

Road construction and renovation activities requiring soil displacement would be limited to the dry season.

Hauling on dirt-surfaced roads would only be allowed between June 1 and October 15 unless dry conditions extend the hauling season.

All 23 stations of new construction would be decommissioned. Water barring, sub-soiling, and seeding and mulching would be required as needed to reduce potential erosion and to help restore the natural hydrologic flow. Decommissioned roads would also be barricaded to prevent vehicle passage.

Riparian Reserves

In the conifer thinning, no trees would be harvested within 30 feet of intermittent streams and shade buffers would extend 50 to 60 feet upslope along perennial streams. Shade buffers may be expanded or reduced on a site specific basis depending on the presence of: unstable areas, amount of topographic aspect and understory shade, tree height, terrain slope, and stream orientation.

Wildlife – special status species, survey & manage, snags

Snags and large remnant trees would be reserved from cutting. Snags that must be felled to meet safety standards or are accidentally knocked over would be retained on site.

Seasonal restrictions within the restricted distances, from March 1 through August 5, and daily timing restrictions from August 6 through September 15, along the northwest unit boundary, adjacent to unsurveyed suitable northern spotted owl and marbled murrelet habitat would be implemented.

No surveys are required for Survey and Manage species, because the project is in conformance with the Pechman exemption for conducting thinning in stands less than 80 years of age.

B. Land Use Plan (LUP) Conformance

This project is tiered to and in conformance with the *Coos Bay District Resource Management Plan/Final Environmental Impact Statement* (USDI BLM 1994) and its *Record of Decision* (ROD/RMP), as supplemented and amended. The Coos Bay ROD/RMP is supported by and consistent with the *Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan [NFP])* (USDA/USDI 1994) and its *Record of Decision* (USDA/USDI 1994a).

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Plan and implement silvicultural treatments inside Late-Successional Reserves to be beneficial to the creation of late-successional habitat (ROD/RMP p 19).

If needed to create and maintain late-successional forest conditions, conduct thinning operations in forest stands up to 80 years of age. This will be accomplished by precommercial and/or commercial thinning of stands regardless of origin (e.g., planted after logging or naturally regenerated after fire or blowdown) (ROD/RMP p 19).

Apply silvicultural practices for Riparian Reserves to control stocking, re-establish and manage stands, and acquire desired vegetation characteristics needed to attain Aquatic Conservation Strategy objectives (ROD/RMP p 13).

C. Identify applicable NEPA document(s) and other related documents that cover the proposed action.

Umpqua River Sawyer Rapids EA OR125-05-01; FONSI signed 01-30-2008.

Proposed activities that may affect listed wildlife species within the project area were submitted for consultation with the U.S. Fish and Wildlife Service in accordance with Section 7(A)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(A)(2) and (A)(4) as amended). A letter of concurrence was received from the U.S. Fish and Wildlife Service, dated June 29, 2007, in which they concur that the proposed actions are not likely to adversely affect the northern spotted owl or the marbled murrelet. The proposed action, within this DNA is within the project area that was analyzed and submitted to USFWS.

D. NEPA Adequacy Criteria.

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

The proposed action in this DNA is essentially the same as the density management units described in the Proposed Action Alternative in the Umpqua River Sawyer Rapids EA OR125-05-01 (URSR EA). The project is located within the Lower Elk Creek subwatershed and straddles the eastern boundary of the URSR EA analysis area. The URSR EA analyzed 9,208 acres of thinning in the LSR, GFMA, and RR land use allocations, ages 31 -80, which is primarily (91%) within the Umpqua River-Sawyers Rapids 5th field watershed.

The proposed action is comparable to unit 85 that was analyzed in the URSR EA. The Holey Foley harvest area is located approximately 0.4 of a mile distance from unit 85 and, at 42 years old, is 4 years older than unit 85. The marking prescription for Holey Foley would leave 130 basal area, almost identical to unit 85 at 127 basal area. Holey Foley would utilize the same haul route as unit 85; north to Saddle Butte then southwest down Little Paradise Ridge.

The Holey Foley area was initially overlooked and should have been included in the URSR EA because of its age class and proximity to URSR.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

The referenced EA contains a No Action and a Proposed Action alternative. Under the Proposed Action, URSR EA analyzed about 6,233 acres of density management thinning in the Riparian Reserve and the Late-Successional Reserve to enhance the growth and vigor of the residual trees, and by that, put those areas on a trajectory to develop large diameter trees, and future large diameter snags and down wood debris. The prescription for Holey Foley is similar to that proposed for similar forest stands within the URSR EA. No additional environmental concerns, interests, or resource values are known to be present at the current proposed action site that would prompt the development and analysis of additional alternatives.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

No new information or circumstances have arisen since URSR EA was published in 2008 that would affect the adequacy of the analysis.

In light of recent court developments on the Survey & Manage program, this project is exempt from the requirement of S&M. 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.), granting the 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 & Manage mitigation measures. Following this Court's ruling, the previous direction for the Survey & Manage program established by the District Court in Western Washington is still in place. On October 11, 2006, Judge Pechman issued a

modified injunction in *Northwest Ecosystem Alliance et al. v. Rey*, Case No. 04-844-MJP (W.D. Wash.). 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 called the "Pechman exemptions"). This project complies with one of those exemptions in that this is a "thinning project in stands younger than 80 years old."

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

The EA describes effects to the aquatic ecosystem, water quality, soils, special status wildlife species, northern spotted owl, marbled murrelet, migratory birds, and special status plant species. Based on a review by an interdisciplinary team, the anticipated direct, indirect, and cumulative effects from implementing the Holey Foley DM thinning would fall within those analyzed in the URSR EA. There are no known wildlife special status species in the project area. Botanical surveys have been completed for Holey Foley and no Threatened and Endangered species were located. One Bureau sensitive lichen species (*Bryoria subcana*) was located on one tree in the project area. No other Special Status Species (SSS) were located in the project area. The SSS site has been buffered to enable the sub stratum to persist and preserve the microhabitat.

In sum, there is no indication that implementing the Holey Foley DM thinning would result in different environmental effects than those anticipated in the EA.

No unanticipated actions or events have occurred in the URSR planning area that would have additional cumulative effects with the Holey Foley DM thinning project. The Holey Foley area was initially overlooked but should have been included in the URSR EA based on its age class, proximity to URSR, and the fact that it would complete all current thinning objectives in the 2210 acres of the Lower Elk Creek subwatershed within the Coos Bay District boundary. The URSR EA analyzed 180 acres of thinning in the Lower Elk Creek subwatershed. Presently, only about 85 acres are scheduled for timber sales; the remaining 100 acres are no longer planned for thinning due to lower relative densities. The addition of the Holey Foley thinning would result in a total of 205 thinning acres in the Lower Elk Creek subwatershed. Overall, of the 9,208 acres of proposed thinning analyzed in the URSR EA, 5,790 acres are scheduled for timber sales; the addition of Holey Foley thinning would result in a new total of 5,910 acres, which is within the range of the original NEPA analysis.

The analysis of effects to northern spotted owls and marbled murrelet is consistent with that contained in the original consultation with the U.S. Fish and Wildlife Service in accordance with Section 7(A)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(A)(2) and (A)(4) as amended). A letter of concurrence was received from the U.S. Fish and Wildlife Service, dated June 29, 2007, in which they concur that the proposed actions are not likely to adversely affect the northern spotted owl or the marbled murrelet.

The actions defined in EA OR125-05-01; Umpqua River Sawyer Rapids, were determined to be a "No Effect" for listed fish species and Essential Fish Habitat (EFH). The design criteria for this project are the same, hence, would similarly be a "No Effect" for listed fish species.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

The FONSI for the URSR EA was published January 30, 2008. The public comment period for EA OR 125-05-01, Umpqua River Sawyer Rapids was from 1/30/08 to 3/03/08. Comments were received from Umpqua

Watersheds, Oregon Wild, and Confederated Tribes of Coos-Lower Umpqua Siuslaw. As a result of comments received, some of the language in the EA was clarified and an updated EA was posted on May 12, 2008. In addition, this DNA will be posted for public review and comment for a period of 15 days.

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Agency/Resource Represented</u>
Scott Hoefs	Forester	Team Lead, Forestry
John Chatt	Wildlife Biologist	Wildlife, T, E, SSS
Dan VanSlyke	Fisheries Biologist	Fish, T, E, SSS
John Colby	Hydrologist	Hydrology
Jennie Sperling	Botanist	Botany T, E, SSS
Scott Knowles	Natural Resource Specialist	Environmental Justice, Noxious Weeds, POC
Paul Gammon	HazMat Coordinator	Hazardous Materials
Dale Stewart	Soil Science	Soils
Stephan Samuels	Archaeologist	Cultural Resources
Nancy Zepf	Recreation Spec.	Recreation

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion:

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation (Umpqua River Sawyer Rapids EA OR125-05-01) fully covers the proposed action and constitutes BLM’s compliance with the requirements of the NEPA.

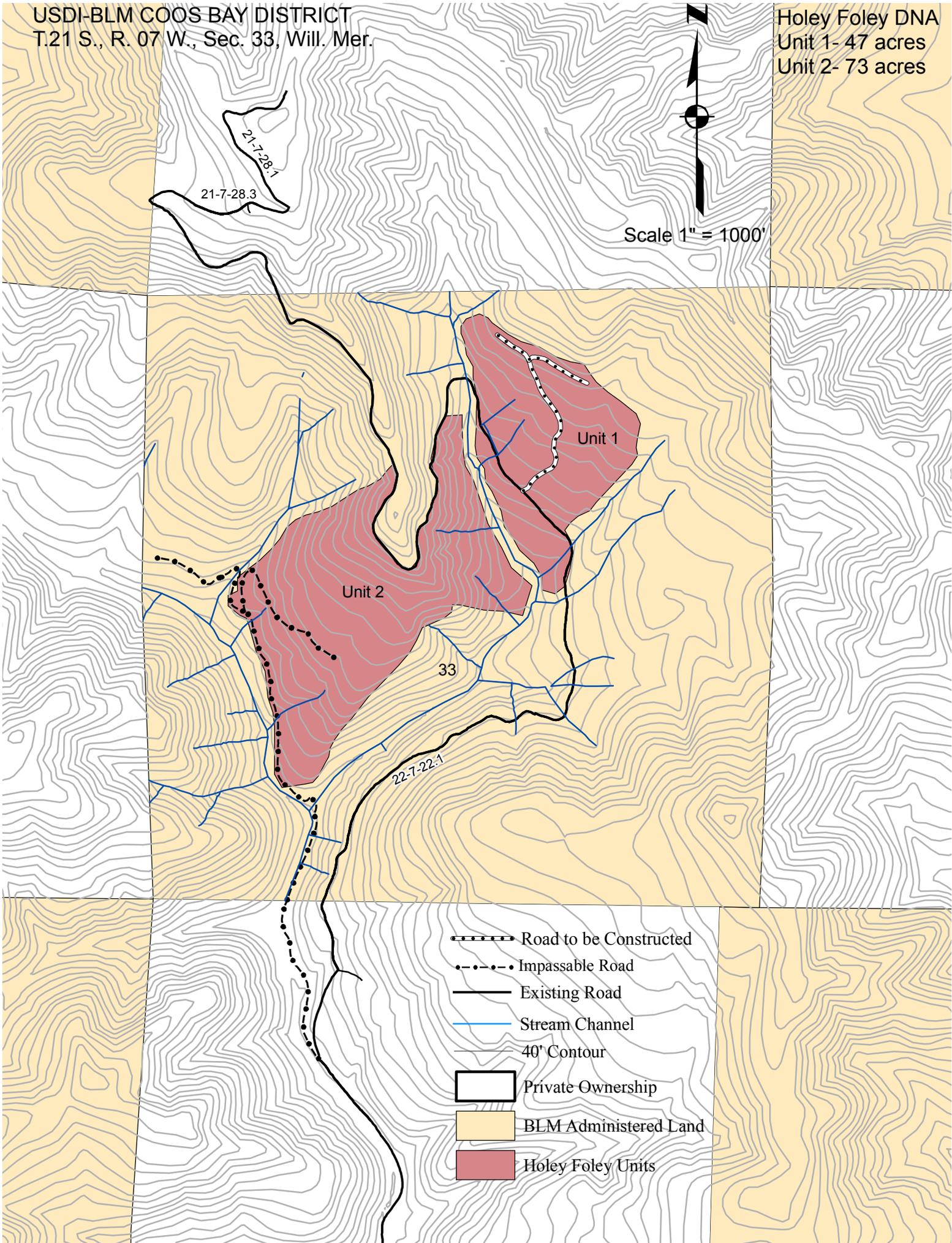
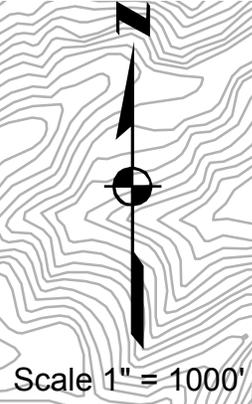
Signature of Project Lead _____ /s/ Scott W. Hoefs

Signature of NEPA Coordinator _____ /s/ Steven D. Fowler

Signature of the Responsible Official: _____ /s/ A. Dennis Turowski Date: 8/30/2010

USDI-BLM COOS BAY DISTRICT
T.21 S., R. 07 W., Sec. 33, Will. Mer.

Holey Foley DNA
Unit 1- 47 acres
Unit 2- 73 acres



21-7-28.7
21-7-28.3

33

22-7-22-1

Unit 1
Unit 2

- Road to be Constructed
- Impassable Road
- Existing Road
- Stream Channel
- 40' Contour
- Private Ownership
- BLM Administered Land
- Holley Foley Units