



## 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: [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov)

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



IN REPLY REFER TO

5820/1792 (ORC030)

DOI-BLM-OR-C030-2010-0001-EA-Fairview NWFP Projects EA

DOI-BLM-OR-C030-2012-0003-DNA-Fairview U-71 Add-On DM/HC

Wilson Creek Conversion #1

**June 12, 2012**

Dear Concerned Citizen:

We have signed the Decision Record for implementation of the *Wilson Creek Conversion #1* project. The project was analyzed in the Fairview NWFP Projects Environmental Analysis, DOI-BLM-OR-C030-2010-0001-EA and Fairview U-71 Add-On DM/HC Documentation of NEPA Adequacy, DOI-BLM-OR-C030-2012-0003-DNA. *Wilson Creek Conversion #1* is identified as a portion of Unit 71 and U-71 Add-On in the aforementioned NEPA documents.

The Proposed Action will convert approximately 48 acres of red alder stands and will thin approximately 7 acres of conifer stands on lands in the General Forest Management Area (GFMA) and Riparian Reserve (RR) land use allocations. Commercial sawlogs and non-commercial biomass will be harvested from the project area. Sawlogs will be stored on site to be sold at a later date. Non-commercial biomass will be stored on site or at other designated locations for utilization at a later date. Slash generated from harvest activities will be piled on site for burning following harvest. The site will be reforested with a suitable mix of conifer species. The Bureau of Land Management (BLM) has posted these documents on the District Internet site: <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

The decision to implement this forest management project may be protested under 43 CFR 5003-Administrative Remedies. As outlined in 43 CFR 5003 (a) and (b), the protests of a forest management decision may be made within 15 days of the publication date of the decision notice and shall contain a written statement of reasons for protesting the decision. In accordance with the regulations, this notice constitutes the decision document for the purpose of protests which must be filed by close of business (4:30 p.m.) on July 5, 2012 with the Umpqua Field Manager, A. Dennis Turowski, at the Coos Bay District Office, 1300 Airport Lane, North Bend OR., 97459. As interpreted by BLM, the regulations do not authorize acceptance by the BLM of protests in any form other than a signed, paper document that is delivered to the physical address of the BLM office within the 15-day period. Therefore, e-mail, verbal, or facsimile protests will not be accepted.

For further information, contact Bill Elam, Project Lead, at 1300 Airport Lane, North Bend, OR. 97459 or (541) 756-0100, or e-mail at [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov), Attn: Bill Elam.

Sincerely,

*/s/ A. Dennis Turowski*

A. Dennis Turowski  
Umpqua Field Manager



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5400/1792 (ORC030)

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DOI-BLM-OR-C030-2012-0003-DNA-Fairview U-71 Add-On DM/HC

Wilson Creek Conversion #1

## DECISION RECORD Wilson Creek Conversion #1

### Background:

The Umpqua Field Office, Coos Bay District Bureau of Land Management, using input from District resource staff and public input, prepared the *Fairview NWFP Project Environmental Assessment* (Fairview EA) which concluded with a Finding of No Significant Impact (FONSI) dated October 17, 2011. The Proposed Action Alternative proposes to thin approximately 6,370 acres of conifer, and convert approximately 974 acres of red alder to conifer, in 40-75 year old stands, primarily within the North Fork Coquille River Fifth Field Watershed. Subsequent to that EA and FONSI, an additional 14 acres adjacent to and contiguous with a unit analyzed in the Fairview EA was identified as needing a similar conversion and thinning treatment. The Umpqua Field Office completed the Fairview U-71 Add-On DM/HC Documentation of NEPA Adequacy (DNA), DOI-BLM-OR-C030-2012-0003-DNA to analyze this proposal.

### Decision:

It is my decision to implement the *Wilson Creek Conversion #1* project to conduct treatments on 55 acres using a service contract. This treatment consists of 36 acres of alder conversion and 5 acres of density management thinning within the Riparian Reserve (RR) and 12 acres of alder conversion and 2 acres of commercial thinning within the General Forest Management Area (GFMA) land use allocation.

The *Wilson Creek Conversion #1* project is composed of a portion of Fairview EA unit 71 and the DNA unit U-71 Add-On, as outlined in the table below. The project is located in T. 27 S., R. 12 W., Sections 4 and 5, Willamette Meridian. The effects of this project have been analyzed in the Fairview EA (DOI-BLM-OR-C030-2010-0001-EA) and Fairview U-71 Add-On DM/HC DNA (DOI-BLM-OR-C030-2012-0003-DNA), which are incorporated by reference.

Commercial sawlogs and biomass harvested from the project area will be stored at the project area and will be sold at a later date. The project will require construction of 0.07 miles of road as identified in the Fairview EA which will be decommissioned after completion of harvest activities.

The following tables show the relationship between EA/DNA estimates and field verified acres of forest treatment and miles of road construction/decommissioning for the *Wilson Creek Conversion #1* project:

<b>Wilson Creek Conversion #1</b>	<b>EA/DNA Unit Number</b>	<b>Estimated Acres</b>	<b>Actual Acres*</b>
1	71	95.5	41
1	U-71 Add-On	14	14
<b>Totals</b>		109.5	55

\*includes right-of-way acreage

	<b>Treatment Acres</b>	<b>New Road Construction (miles)</b>	<b>Road Decommissioning (miles)</b>
<b>EA/DNA Estimate</b>	109.5	0.13	0.13
<b>Wilson Cr. Conversion #1</b>	55	0.07	0.07

The Fairview EA included a complete list of Project Design Features (pp. 17-27) designed to avoid or minimize impacts on resources as part of the Proposed Action. These and additional features are incorporated as site specific measures in the specifications of the *Wilson Creek Conversion #1* project. The following is a brief summary of some of these Design Features:

Harvest Systems

- The project area will be harvested with skyline cable systems.
- One-end suspension will be required.
- Full suspension will be required when yarding across protected intermittent stream buffers.

Road Decommissioning

- The 0.07 miles of spur road decommissioning consists of barricading with rip rap and water-barring rocked surfaces.

Prescription

- The *Wilson Creek Conversion #1* project has a target prescription of 80 basal area combined for all tree species. The prescription will be applied through a combination of tree marking and contract specifications.
- Non-alder hardwood species  $\geq$  18 inches DBH will be reserved, except those trees that fall within road rights-of-way, landings, yarding corridors, or need to be removed for safety reasons. Non-alder hardwoods that exhibit strong single-stem characteristics would also be reserved when their retention would not prevent or delay establishment of conifer or the attainment of late-successional characteristics in the Riparian Reserve.
- No harvest will be permitted within 35 feet of intermittent stream channels. Full suspension is required when yarding across protected intermittent stream buffers.
- Non-commercial biomass will be yarded to landings and either stored on site or shipped to nearby locations for later utilization.

- Commercial sawlogs will be yarded to landings and processed, sorted and stored on site until sold.

### **Conformance and Compliance:**

This project was developed under the 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 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).

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement.

I have reviewed the NEPA documents for the *Wilson Creek Conversion #1* project and have determined it is consistent with the Coos Bay District Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

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 (FWS Ref. # 13420-2010-I-10) was received from the U.S. Fish and Wildlife Service on June 21, 2010 in which they stated that the Proposed Actions "may effect, but are not likely to adversely affect" the northern spotted owl or the marbled murrelet.

Based on analysis by the Umpqua Field Office fisheries biologist, it has been concluded that the proposed activities in the *Fairview NWFP Project EA* and *Fairview U-71 Add-On DM/HC DNA* project area will have "no effect" on threatened Oregon Coast coho salmon and coho critical habitat. Additionally, project activities would not adversely affect Essential Fish Habitat (EFH). Therefore, consultation with the National Marine Fisheries Service (NMFS) is not warranted (Fairview EA pp. 73).

Analysis also concluded that implementation of the Proposed Action will not increase the likelihood or 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 have been completed on the project for which surveys are practical or those species included in the 2008 State Director's Special Status Species List.

The project area is covered by watershed analyses (Fairview EA pp. 3) which addressed Aquatic Conservation Strategy (ACS) Objectives, and relevant findings were incorporated into the Proposed Action. Based on analysis by the Umpqua Field Office hydrologist, it has been concluded that the proposed activities in the Fairview EA project area will promote attainment of ACS Objectives (Fairview EA pp. 56-66).

The Fairview 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 (Fairview EA pp. 110-111).

The Fairview EA (DOI-BLM-OR-C030-2010-0001-EA) resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

**Public Involvement:**

The Fairview EA and Finding of No Significant Impact were made available for public comment on June 30, 2011. The comment period closed on July 31, 2011.

In response to public comments, additional language to clarify project planning considerations was included in the EA to address the need for roads, the effects of treatment within the Riparian Reserves, large woody debris effects, and provide additional explanation on how the project is consistent with Aquatic Conservation Strategy objectives. These additions did not change the Proposed Action or effects and only provide minor corrections to provide additional clarity to the analysis. The updated environmental document was made available to the public on October 17, 2011.

**Rationale for the Decision:**

Using the Decision Factors for this project (Fairview EA p.7-8); I choose to implement the Proposed Action Alternative as it applies to the *Wilson Creek Conversion #1* project described in the Fairview EA (DOI-BLM-OR-C030-2010-0001-EA) and *Fairview U-71 Add-On DM/HC DNA* (DOI-BLM-OR-C030-2012-0003-DNA) for the following reasons:

- It is consistent with the Proposed Action and best meets the purpose and need described in the Fairview EA. The No Action alternative fails to address the purpose and need for action and does not meet the management objectives.
- The project is consistent with the *1995 Record of Decision and Resource Management Plan for the Coos Bay District of the Bureau of Land Management*. The *Wilson Creek Conversion #1* project meets the objectives and management directions for the land use allocations.
- 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 *A. Dennis Turowski* within 15 days of the publication date of the notice of decision 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 (e-mail) 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 available to him. 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 p.m.) 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 Bill Elam at 1300 Airport Lane, North Bend, Oregon, 97459 or (541) 756-0100, or e-mail at [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov), Attn: Bill Elam.

**Decision Approved by:**

*/s/ A. Dennis Turowski*

*June 12, 2012*

\_\_\_\_\_  
A. Dennis Turowski  
Umpqua Field Manager

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Date