

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DECISION RECORD
Documentation of NEPA Adequacy
West 18th Thinning Project
DOI-BLM-OR-E050-2009-0008-DNA

Decision:

It is my decision to implement the West 18th thinning project as described in the Documentation of NEPA Adequacy **DOI-BLM-OR-E050-2009-0008-DNA** and in the attached implementation prescription.

The proposed action has been reviewed by Resource Area Staff and appropriate project Design Features as specified in the North Lake Creek EA which analyzed these actions will be incorporated into the proposal. Based on the Documentation of NEPA Adequacy, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

On July 16, 2009 the U.S. Department of the Interior, withdrew the Records of Decision (2008 ROD) for the Western Oregon Plan Revision and directed the BLM to implement actions in conformance with the resource management plans for western Oregon that were in place prior to December 30, 2008.

Since project planning and preparation of National Environmental Policy Act documentation for this project began prior to the effective date of the 2008 ROD, this project had been designed to comply with the land use allocations, management direction, and objectives of the 1995 resource management plan (1995 RMP).

The Proposed Action is in conformance with the standards and guidelines of the 1995 Eugene District Record of Decision and Resource Management Plan (as amended).

Administrative Remedies:

The forest management decision to be made on the action described in the Documentation of NEPA Adequacy is subject to protest under 43 CFR subpart 5003. Under 43 CFR 5003.2 subsection (b), the decision will be published in local newspaper(s) and this notice shall constitute the decision document. Under 43 CFR 5003.3 subsection (a), protests may be filed with the authorized officer within 15 days of the publication date of this decision. Under 43 CFR 5003.3 (b), protest(s) filed with the authorized officer shall contain a written statement of reasons for protesting the decision. A decision on this protest would be subject to appeal to the Interior Board of Land Appeals, although, under 43 CFR 5003.1 subsection (a), filing a notice of appeal under 43 CFR part 4 does not automatically suspend the effect of a decision governing or relating to forest management under 43 CFR 5003.2 or 5003.3.

Authorizing Official:

/s/ William E. Hatton
William E. Hatton
Field Manager
Siuslaw Resource Area

September 29, 2009
Date

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)
Eugene District, Oregon

West 18th Thinning DOI-BLM-OR-E050-2009-0008-DNA

A. Description of the Proposed Action

The proposed action is to implement the West 18th Thinning by commercially thinning approximately 490 acres within the North Lake Creek planning area. The proposed action, including silvicultural prescriptions, logging systems, Riparian Reserve treatments, road decommissioning prescriptions, and wildlife mitigation measures is described in the attached "Project Implementation Prescription."

Location: T.15 S. R.6 W. Sec.7, 18 and 19 and T.15 S. R.7 W. Sec. 12 and 13, Will. Mer.

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name: Eugene District Record of Decision and Resource Management Plan (RMP), as amended

Date Approved: June 1995

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

The Eugene District Record of Decision and Resource Management Plan calls for providing a sustainable supply of timber from the Matrix Land Use Allocation (LUA) (p. 84). The Proposed Action is within the Matrix LUA. The RMP also calls for applying silvicultural practices in Riparian Reserves to control stocking, reestablish and manage stands, and acquire desired vegetation characteristics needed to attain Aquatic Conservation Strategy objectives (p. 24).

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

1. EA OR090-04-07, North Lake Creek Thinning Project; June, 2005.
2. Biological Assessment of the North Lake Creek Thinning Project, January 25, 2005, Eugene District, Siuslaw Resource Area.
3. Biological Opinion (*amended*) – US Fish and Wildlife Service, March 17, 2005.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Yes. The North Lake Creek EA considered commercial thinning on 5,500 acres of Matrix and Riparian Reserve LUAs. The Proposed Action is included in that analysis area (see Map 5 in the EA).

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, resource values, and circumstances?

Yes. The EA analyzed an appropriate range of alternatives given the purpose and need for the project. Five alternatives were analyzed: (1) Alternative A, No Action; (2) Alternative B, designed to contribute to the Eugene District's Allowable Sale Quantity (ASQ) as well as provide for forest health and productivity; (3) Alternative C, designed to contribute to ASQ, but included additional objectives to protect and enhance northern spotted owl habitat and mushroom productivity; (4) Alternative D, designed to contribute to ASQ, but included objectives to emphasize stand structure development in a portion of the Riparian Reserves and minimize short-term impacts to aquatic habitat; and (5) Alternative E, which would contribute to ASQ, but also enhance aquatic habitat complexity. See EA, pp. 5-11. The selected alternative is Alternative E as described in the North Lake Creek Thinning Project EA, modified to include the heavy thinning in 20% of the Riparian Reserves as described under Alternative D. West 18th thinning includes 490 acres of moderate thinning as described in Alternative E. No new

environmental concerns, interests, resource values, or circumstances have been revealed since the EA was published in 2004 that would indicate a need for additional alternatives.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances.

Yes. No new information or circumstances have arisen since the EA was published in 2004 that could affect the adequacy of the analysis. The effects analysis regarding road-related sediment was extensive and appropriate for the type of landscape comprising the West 18th thinning timber sale, in that the type and amount of road construction and renovation needed to implement the West 18th thinning project is consistent with what was anticipated in the EA (pp. 5, 8, 9-11). Effects analysis in the EA regarding dispersal habitat for spotted owls and mushroom production remains adequate. Portions of the West 18th thinning project overlap with the home ranges of two owl pairs. 36 acres of thinning will overlap the Swartz Creek owl home range, this site has been occupied by barred owls for five years and is considered unoccupied by spotted owls. 358 acres of thinning will overlap the Alsea owl home range, this site is occupied by the Alsea owl pair. The Alsea owls nested and produced fledglings in 2008, they did not nest in 2009, the site will continue to be monitored to ascertain nesting and suitable mitigations will be applied to prevent disturbance during the critical breeding period. The EA specified that thinning dispersal habitat would degrade but not remove dispersal habitat (pp. 31-32). The effects determination due to light to moderate thinning and road renovation associated with this action is likely to adversely affect the Alsea spotted owl pair because of modification to foraging habitat within their home range. This conclusion is consistent with the findings of the original Biological Opinion and amendment from the USFWS. Analysis of mushroom productivity assumed that productivity would be reduced on a nearly 1:1 ratio between the number of trees removed and loss of mushrooms, when averaged over a large area and multiple years (EA, p. 34). The EA estimated that productivity would be reduced overall to 38% within thinned areas (EA, p.36) for the Proposed Action under a moderate thinning regime (EA, p. 8) with a relative density in the mid-30's. The silvicultural prescription for West 18th thinning would result in a relative density of approximately 32 which is within the range anticipated in the EA.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes. A new recovery plan for the northern spotted owl was released in August of 2008, resulting in portions of the North Lake Creek area being designated as critical habitat. The West 18th thinning timber sale is located within the newly designated critical habitat. Formal consultation was reinitiated for the North Lake Creek EA resulting in an amendment to the original Biological Opinion. The West 18th thinning project is consistent with the US Fish and Wildlife Service's biological opinion and its amendment for the North Lake Creek EA. There are no changes in resource conditions from when the EA was published in 2004. There are no changes in resource-related plans, policies or programs of other government agencies, Indian tribes. There are no changes in statute, case law, or regulation that would affect the implementation of the West 18th thinning project.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes. The EA describes impacts to the aquatic ecosystem, northern spotted owl foraging habitat and dispersal habitat, mushroom productivity, noxious weeds, and implementation costs. Impacts from implementing the West 18th thinning timber sale would fall within those analyzed in the EA, and were anticipated in the EA. The models used in the EA to predict road-related sediment remain current and appropriate at the landscape scale. The analysis of effects to northern spotted owls is consistent with that contained in the original and amended Biological Opinion from the US Fish and Wildlife Service. No new research has come to light regarding effects of commercial thinning on mushroom productivity. The EA analysis included typical effects that would be expected at the site-specific level, and identified BMPs that would be implemented as needed depending on site-specific conditions. There are no known wildlife special status species in the project area. No special status botanical species were found during surveys. There is no indication that implementing the West 18th thinning would result in different environmental effects than those anticipated in the EA.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. Cumulative effects considered in the EA included those from past and future timber sales on public and private land, recreation management activities through implementation of the Upper Lake Creek Recreation Area Management Plan (RAMP), and road paving (EA, p. 19). No unanticipated actions or events have occurred in the North Lake Creek planning area that would have additional cumulative effects with the West 18th thinning project.

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

Yes. The West 18th thinning project area is within the North Lake Creek planning area, which went through extensive public scoping prior to development of the EA. In August, 2003, a scoping letter was mailed to over 300 groups, businesses, local government agencies, and individuals, announcing that BLM was seeking help identifying issues and concerns regarding timber harvest in the North Lake Creek area. An open house was held at the Triangle Grange on September 4, 2003, and BLM staff was available during the Blachly Fair, September 7-8, 2003. In May, 2004, the North Lake Creek EA was released for a 30-day public review and was sent to 12 groups or businesses, 9 state or local government agencies, and 15 individuals. In addition, a notice announcing the availability of the EA was sent to approximately 90 individuals who had received commercial mushroom harvesting permits for this area since October 2003.

Formal consultation as required by Section 7 of the Endangered Species Act was initiated with the US Fish and Wildlife Service (FWS). The FWS issued its biological opinion on March 17, 2005. After a new spotted owl recovery plan was released by the USFW in August of 2008 formal consultation was reinitiated with the services and an amendment to the original Biological Opinion was issued on September 15, 2008. Because the current proposed action would have no effect on coho salmon and its designated critical habitat, as well as no adverse effect on Essential Fish Habitat, consultation with NOAA Fisheries is not required.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>
Chris Finn	Team Lead
Scott Richards	Engineer
Jeff Apel	Engineer
Karin Baitis	Soils Scientist
Sharmila Premdas	Landscape Planner/Team Lead
Dan Crannell	Wildlife Biologist
Janet Zentner	Logging Systems Forester
Doug Goldenberg	Botanist
Peter O'Toole	Planning Forester
Christi Oliver	Recreation
Leo Poole	Fisheries Biologist
Dave Reed	Fuels Specialist
Steve Steiner	Hydrologist

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures.

(see attached implementation prescription)

REVIEWED BY

/s/ Alan Corbin
Acting NEPA Coordinator

September 29, 2009
Date

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

/s/ William E. Hatton
Field Manager
Siuslaw Resource Area

September 29, 2009
Date

**North Lake Creek
Project Implementation Prescription
West 18th Timber Sale- Tract #10-575
T15S, R6W, Secs. 7, 18 & 19
T15S, R7W, Sec 12 & 13**

SILVICULTURE

Stand Types

D3=1940, D3=1942, D3=1950, D3=1960, D2=1965, D2=1972

Matrix and Riparian Reserve Treatment

- Vary the leave tree spacing as needed to generally reserve the larger diameter, more vigorous trees.
- Select conifer leave trees to reserve 135 ft² basal area/acre.
- Retention of target basal area will average 80 conifer trees/acre, stand RD = 32.
- Selected leave trees should generally be of good form and relatively free of defect.
- Reserve hardwoods, yew trees and snags shall be reserved, unless in the Right of Way
- Re-mark existing orange marked conifers for retention.
- Yellow-painted trees are Special Habitat Trees for marbled murrelets not be felled, damaged, or removed during logging operations.

Est. Yield

Thin 15 Mbf/ac from 200 acres = 3.0MMbf

Thin 20 Mbf/ac from 290 acres = 5.8 MMbf

Matrix 300 ac = 5.4MMbf // RipRes 190 ac = 3.4 MMbf

Progeny Site

Thin retention trees systematically and spaced so as to maintain more-or-less uniform spacing and equal inter-tree competition. Approximately 170 TPA would be retained.

LOGGING SYSTEMS

Cable Yarding Design Features

- All cable yarding shall be to designated or approved landings.
- To minimize impacts, keep spacing of cable corridors 150 feet apart at one end whenever possible, and limit to 12 feet in width (a cable system capable of 75 foot lateral yarding should be used).
- Minimum one-end suspension is required. Intermediate supports may be necessary to achieve the required suspension.
- Full suspension of logs is required when yarding over streams. Anticipate the need to yard logs over Stream 7 on map. Leave corridor trees cut in reserve area on site.
- Cable yarding corridors would be made erosion resistant if needed where severe gouging has occurred.

Ground Based Yarding Design Features

- Require that operations occur when soil moisture content provides the most resistance to compaction (generally less than 25%--during the dry season, typically, July 1 to October 15), as approved by the Authorized Officer.
- Limit skid trails to slopes less than 35%.
- Pre-designate skid trails.
- Use existing skid trails wherever possible.
- Limit skid trails to <10% of the harvest area by requiring a minimum 150 foot spacing between skid trails at one end, and limiting the width of skid trails to 12 feet.
- Limit low ground pressure (<6 psi) ground-based yarding equipment to one round trip when operating outside designated primary skid trails, utilizing downed slash to minimize soil disturbance.

- Require felling of trees to lead to the skid trails and maximize winching distances.
- Skid logs to designated or approved landings.
- Till skid trails and landings and place slash and brush on trails. Tilling should immediately follow logging operations and take place prior to the onset of the fall rainy season. If tillage cannot be accomplished the same operating season, leave all trails in an erosion resistant condition and block.
- Within 210 feet of any stream, skid trails must be located at least 75 feet from the boundary of the reserve area

Additional Ground Based Yarding Design Features (Progeny Site)

- To prevent damage to progeny site test trees, place skid trails in designated locations running diagonally across the test site. Use existing skid roads whenever possible. Require Authorized Officer approval of skid trails.
- Require directional felling to protect the reserve trees from damage during the felling operations. Use protective wraps on the stems of reserve trees, when necessary, to protect the cambium from damage during yarding operations.

ROAD CONSTRUCTION AND RENOVATION

1. Roads to be surfaced:

Construct roads as follows and surface with crushed rock to facilitate winter haul:

<u>Name</u>	<u>Length (Stas.)</u>	<u>Notes</u>
Spur E	2.60	
Spur F	0.90	
Spur G	1.50	
Spur I	1.60	
Spur K	3.70 (stas. 0+00-3+70)	Changed to Purchaser option to rock in contract
15-6-7.72	11.70	Changed to Purchaser option to rock in contract Spur N in contract.
15-6-7.73	9.80	Changed to Purchaser option to rock in contract Spur O in contract.
15-6-7.74	15.40	Changed to Purchaser option to rock in contract Spur M in contract.
15-6-18.71	7.80	Changed to Purchaser option to rock in contract 15-6-18.7 in contract
15-6-18.73	3.30	15-6-18.9 in contract
15-6-18.74	7.50	15-6-18.10 in contract
15-6-18.75	5.60	15-6-18.11 in contract
15-7-13.73	22.05	15-6-13.2 in contract
15-7-13.78	5.30	15-6-13.3 in contract

Improve BLM roads as follows by brushing, scarifying or grading and/or widening the existing subgrade to a 14' width, and surfacing the subgrade with crushed rock:

<u>Name</u>	<u>Length (Stas.)</u>	<u>Notes</u>
15-6-7	7.60	Changed to Purchaser option to rock in contract
15-7-13.1	16.10	
15-6-17.1	66.43	
15-6-17.2 Segs D & E	4.00	
15-6-7.75	3.60	15-6-7.72 in contract. Changed to Purchaser option to rock in contract
15-6-18.72	9.30	15-6-18.8 in contract
15-6-18.76	14.60	15-6-18.71 in contract

2. Roads with natural surface:

Construct roads as follows:

Name	Length (Stas.)
Spur A	1.70
Spur B	2.50
Spur C	1.35
Spur D	1.80
Spur H	3.70
Spur J	7.15
Spur K	4.30 (stas. 3+70-8+00)
Spur L	17.05
15-6-18.3	2.95

Renovate roads as follows by brushing, scarifying or grading and/or widening the existing subgrade to a 14' width:

Name	Length (Stas.)
15-6-7	16.00
15-6-17.2	24.40
15-6-18.1	13.95
15-6-18.4	5.70
15-6-18.5	36.00

Re-condition BLM roads as follows by replacing and/or installing new culverts. Re-surface Road No. 15-6-17.2B with crushed rock:

Name	Length (Miles)
15-6-26A-L	5.40
15-7-36H,I	0.56
15-6-17.2B (portion)	0.94

Logger's choice landings/spurs should generally be less than one hundred feet and have Authorized Officer's approval.

ROAD DECOMMISSIONING

Conduct all decommissioning work during the dry season. Decommissioning may include the following work items as indicated in the following table.

- (aa) Till all skid trails and natural surface roads with decompaction equipment, such as a track mounted excavator .
- (bb) Construct drainage dips, waterbars and/or lead-off ditches as needed.
- (cc) Place logging slash, where available, on the entire road prism of tilled, natural-surfaced roads. Place logging slash, where available, on rocked road surfaces for the distance visible from 14-6-34.
- (dd) Block roads with root wads, logs and slash or earthen barricades.

Road Number	Road Rocking	Decommissioning measure(s) to be used				
		(aa)	(bb)	(cc)	(dd)	(ee)
		Tilling	Drainage	Logging Slash	Blocking	Earthen Barricades
All skid trails	Not allowed	X	X	X		
Spur A	Not Allowed	X	X	X		
Spur B	Not Allowed	X	X	X		
Spur C	Not Allowed	X	X	X		
Spur D	Not Allowed	X	X	X		
Spur E	If Rocked		X	X		
	If Not Rocked	X				
Spur F	If Rocked		X	X		X
	If Not Rocked	X				
Spur G	If Rocked		X	X		
	If Not Rocked	X				
Spur H	Not Allowed	X	X	X		
Spur I	If Rocked		X	X		
	If Not Rocked	X				
Spur J	Not Allowed	X	X	X		
Spur K (3+70 to 8+00)	Not Allowed	X	X	X		
Spur L	Not Allowed	X	X	X		
Spur M	If Rocked		X	X	X	Entrance
	If Not Rocked	X				
Spur N	If Rocked		X			
	If Not Rocked	X				
Spur O	If Rocked		X			
	If Not Rocked	X				
15-6-17.1	If Rocked		X	X	X	100'-200'
	If Not Rocked					
15-6-17.2 D	If Rocked		X	X	X	Entrance
	If Not Rocked					
15-6-17.2 E	Not Allowed		X		X	
15-6-18.1	Not Allowed		X			
15-6-18.3	Not Allowed	X	X	X		
15-6-18.5 (WeyCo control)	Not Allowed		X			
15-6-18.7	If Rocked		X			
	If Not Rocked	X				
15-6-18.71	If Rocked		X			
	If Not Rocked	X				
15-6-18.8	If Rocked		X			
	If Not Rocked	X				

15-6-18.9	If Rocked		X			
	If Not Rocked	X				
15-6-18.10	If Rocked		X			
	If Not Rocked	X				
15-6-18.11	If Rocked		X			
	If Not Rocked	X				
15-6-7 Renovation	Not Allowed		X			
15-6-7 Improvement	If Rocked		X			
	If Not Rocked					
15-6-7.72	If Rocked		X	X	X	Entrance
	If Not Rocked	X				
15-7-13.1	If Rocked		X			
	If Not Rocked	X				
15-7-13.2	If Rocked		X			
	If Not Rocked	X				
15-7-13.3	If Rocked		X			
	If Not Rocked	X				

WILDLIFE

Threatened and Endangered Species

Northern spotted owls:

- 1.5 miles seasonal restriction from Alsea site nesting pair:
 - Require a seasonal restriction from March 1 – July 7, designated on the project map as “Special Operating Area”. Prohibit operations, except loading and hauling, during this time period.
 - In 2008, the Alsea owl pair produced two young, and in 2009 the owl pair was confirmed not-nesting.

Marbled murrelets:

- No seasonal restrictions are required.
- Other restrictions:
 - Habitat trees and associated trees providing protection to that structure have been painted and excluded from harvest activities
 - Tailholds need to be identified in the 1810 FOI polygon and approved by the wildlife biologist prior to attaching of logging equipment to protect structure

Bald eagles:

- No restrictions are required.

Special Status Species

No Special Status Species or unique habitats were located during surveys.

Survey and Manage Species

There are no vertebrate or invertebrate species in the project area for which S&M species surveys are required.

HYDROLOGY

Prohibit hauling over Road No. 15-6-17.2 south of Road No. 15-6-17.1 during periods of wet weather. Do not allow rocking of Spurs H, L, J and K₇ which are located in Riparian Reserves.

BOTANY

Threatened and Endangered Species

No federally-listed Threatened or Endangered plant species were located during surveys.

Special Status Species

No Special Status Plants plant species were located and no mitigations are proposed.

Survey and Manage Species

Surveys and Manage does not apply to this timber sale.

Noxious Weeds and Invasive Non-native species

- Wash all logging or road building equipment prior to entering BLM lands to reduce the introduction of new weed seed in newly opened areas.
- Seed decommissioned roads with native species if available.
- Do not scatter slash across Road No. 15-6-7 due to the presence of false brome.

FUELS

- Scatter roadside and landing piles across roads to be closed after harvest. Scatter slash in a manner that does not create a deep continuous fuel bed.
- Cover and burn remaining roadside piles and landing piles
- Pile, cover, and burn logging debris less than 6" diameter within 25 feet of Road Nos. 15-6-18, 15-6-7, 15-6-7.2, and 14-6-34. Restrict excavator use to rock road surface.
- Burn piles in the late fall when favorable smoke dispersion conditions are common.

