

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

**Upper Siuslaw Landscape Plan
Environmental Assessment**

DOI-BLM-OR-E050-2007-0002-EA

DECISION

It is my decision to select Alternative E as described in the Upper Siuslaw Landscape Plan EA as the proposed action. The EA and FONSI analyzed the selected alternative and found no significant impacts. Implementation of this decision will result in forest management activities including thinning on Matrix, Late-Successional Reserve and Riparian Reserve land use allocations through commercial harvest and density management, creation of down wood where needed, botanical restoration treatments, road construction, renovation and decommissioning. All design features identified in the EA will be implemented.

The selected alternative is consistent with the 1995 Eugene District ROD/RMP and in conformance with the 2008 ROD/RMP.

Alternatives

Alternative A is the No Action alternative. Alternatives B and E proposed to thin stands from 30 to 79 years of age. Alternatives C and D proposed to thin stands from 30 to 59 years of age.

- Alternative B is a traditional forestry approach using one prescription for all land use allocations. A moderate thinning prescription to a Relative Density in the mid-30s to maintain between 45 to 60 percent residual canopy closures was proposed.
- Alternative C proposed to thin the matrix and late-successional reserve (LSR) land use allocations with slightly different prescriptions. The matrix acres were to be thinned identically as in Alternative B, but the late-successional reserve acres were to be thinned to a more open prescription, leaving fewer trees in the stand than in the matrix while keeping canopy closure above 40 percent. 200 acres in the late-successional reserves were to receive a heavy thinning prescription, proportionally selecting trees for retention to promote spatial variability, bringing the canopy closure below 40 percent.
- Alternative D proposed a thinning prescription in the matrix identical to that in Alternative B and heavy thinning on all 4,700 acres of late-successional reserve lands, bringing canopy closure below 40 percent in the treated stands.
- Alternative E proposed a thinning prescription in the matrix identical to that in Alternative B, but treated fewer acres. Dispersal habitat within owl home ranges in the "Area of Concern" matrix lands would be maintained at current levels and stands that are not functioning as habitat within spotted owl home ranges would be thinned to have the least impact on dispersing owls in the area. The thinning prescriptions in the late-successional reserve lands would be similar to matrix lands. 325 acres of LSR lands would receive a heavy thinning treatment with residual canopy closures lower than 40 percent in the treated stands.

Rationale for selection

The purpose of the action is to provide a sustainable supply of timber while maintaining forest health and productivity through commercial thinning and density management and to contribute to attainment of Aquatic Conservation Strategy (ACS) objectives in riparian reserves. Treatments to improve growing

conditions for *Eucephalus vialis* are included. All of the action alternatives meet the purpose for taking action, to some degree.

The selected alternative would most effectively meet the purpose of the action. It would provide the most amount of timber with the least adverse impacts to listed species and provide operational flexibility with regards to logging systems and accessibility. This alternative would provide coarse woody debris in late successional reserves where wood is lacking to improve wildlife habitat and provide culvert replacement opportunities that benefit coho salmon. *Eucephalus vialis* treatments include prescribed fire and non-commercial thinning to improve growing conditions, a combination of these treatments provides flexibility based on specific site conditions.

Consultation and Coordination

Public scoping and review: A scoping letter was mailed out on March 20, 2007 to 69 groups, businesses, local governments and individuals inviting recipients to identify issues and concerns about timber harvest in the Upper Siuslaw Area. On December 10, 2008 a copy of the EA was mailed out to 72 recipients inviting public comment, three comments were received. A copy of the Decision Record and Finding of No Significant Impact and a copy of the EA will be mailed to the commenters.

U.S. Fish and Wildlife Service (USFWS)

Pursuant to the Endangered Species Act, consultation will be completed with the U.S. Fish and Wildlife Service for all projects to be completed under the proposed action that may affect listed species or critical habitat prior to an individual project decision. Projects to be completed in the FY 2009 and 2010 have been included in the programmatic Habitat Modification and Disturbance Biological Opinion 2009- 2010 issued by the USFWS.

National Marine Fisheries Service (NMFS)

Pursuant to the Endangered Species Act, consultation will be completed with the NMFS for all projects to be completed under the proposed action that may affect listed species or critical habitat prior to an individual project decision.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) requires Federal agencies consult with the Secretary of Commerce regarding any action or proposed action authorized, funded or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH) under the Act. The projects under the proposed action that may adversely affect EFH will be taken through consultation with NMFS prior to an individual project decision.

Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians were notified of this project during the scoping process, requesting information regarding tribal issues or concerns relative to the project. No response was received.

IMPLEMENTATION

Timber sales will be implemented with individual timber sale decision notices published in the Eugene Register-Guard. Prior to publishing the decision, we will conduct a "Documentation of Land Use Plan Conformance and NEPA Adequacy" (DNA) to determine whether additional NEPA analysis is necessary. Where site-specific conditions differ, or circumstances change, from those described in the EA, or if a DNA is inappropriate for other reasons, we may need to conduct additional NEPA analysis prior to reaching a decision to implement an action. However, such instances are expected to be the exception. For each timber sale, a sale-specific decision notice will be prepared (see "Administrative Review Opportunities" below). The public will generally receive notice of pending decisions through the District Quarterly Planning Update preceding the planned sale. Specific harvest unit locations will be described at that time. Timber sale decision documents will include descriptions of sale-specific design features, including sale boundaries, specific thinning prescriptions, yarding methods, temporary spur construction, road renovation, road decommissioning, and applicable Best Management Practices.

Wildlife and botanical clearances will be conducted prior to implementation of timber sales, in accordance with the RMP, as amended. Special status species sites discovered as a result of clearances or pre-disturbance surveys will be managed consistent with the Special Status Species policy.

ADMINISTRATIVE REVIEW OPPORTUNITIES

This forest management decision may be protested under 43 CFR 5003 – Administrative Remedies. In accordance with 43 CFR 5003.2, the decision for this project will not be subject to protest until the notice of forest management decision is first published in the Eugene Register-Guard on July 8, 2009. Protests of the decision must be filed with this office within 15 days after first publication of the notice of decision. As interpreted by BLM, the regulations do not authorize acceptance of protests in any form other than a signed, paper document that is delivered to the physical address of the BLM office. Therefore, e-mail or facsimile protests will not be accepted. If no protest is received by the close of business (4:30 p.m.) on July 23, 2009, this decision will become final. If a timely protest is received, this decision will be reconsidered in light of the protest and other pertinent information available in accordance with 43 CFR 5003.3.

Future decisions on specific actions conducted under this restoration plan will have additional administrative review opportunities. The decision to implement individual timber sales will be subject to protest under 43 CFR 5003 when the notice of sale is first published in the Eugene Register-Guard. The published notice of sale will constitute the decision document for the purpose of protest of a timber sale (43 CFR 5003.2b). These future protest opportunities for timber sales will be limited to issues that could not have been raised in a protest of the broader forest management decision made in this decision.

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

July 7, 2009
Date

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

**FINDING OF NO SIGNIFICANT IMPACT
Upper Siuslaw Landscape Plan**

**Environmental Assessment
DOI-BLM-OR-E050-2007-0002-EA**

BACKGROUND

The Bureau of Land Management (BLM) prepared an Environmental Assessment (EA) (DOI-BLM-OR-E050-2007-0002-EA) which analyzed the effects of thinning forests between the ages of 30 to 79 years of age. The planning area is located within the Siuslaw River watershed and is comprised of approximately 32,800 acres of BLM lands. Five alternatives analyzed the effects of thinning on approximately 6,400 acres of lands within the Matrix Land Use Allocation (LUA) and approximately 5,700 acres in the Late-Successional Reserve LUA. Approximately 4,300 acres of these lands are in Riparian Reserves. The EA and preliminary FONSI were made available for a 30-day public review on December 10, 2008. Three comments were received. The EA identified Alternative E as the preferred alternative.

ADDITIONAL INFORMATION

The proposed action has not changed substantially from the original proposed action except for one change: the hardwood conversions proposed within the Late-Successional Reserve Land Use Allocation have been dropped. This change was made based on a comment from Oregon Wild that the EA did not adequately analyze the effects of hardwood conversion. Because the hardwood conversions were being proposed for very specific locations and the effects would likely be highly site-specific, future hardwood conversions may be addressed through a more specific and narrowly-focused analysis. The removal of hardwood conversions from the proposed action does not change the effects analysis because hardwood conversions were proposed in limited and very specific locations constituting a very small total acreage. As a result of dropping the previously proposed hardwood conversions, stream protection buffers would be a minimum of 75 feet slope distance on all streams.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the EA (DOI-BLM-OR-E050-2007-0002-EA), and all other information available to me, it is my determination that the implementation of the proposed action is consistent with the objectives, land use allocations and management direction of the 1995 ROD/RMP. This EA is in conformance with the Eugene District's 2008 Record of Decision and Resource Management Plan (2008 ROD/RMP). The analysis supporting this decision tiers to the 2008 Final Environmental Impact Statement for the Revision of the Resource Management Plan of the Western Oregon Bureau of Land Management (2008 Final EIS).

Revision of a resource management plan necessarily involves a transition from the application of the old resource management plan to the application of the new resource management plan. A transition from the old resource management plan to the new resource management plan avoids disruption of the management of BLM-administered lands and allows the BLM to utilize work already begun on the planning and analysis of projects.

The 2008 ROD allowed for such projects to be implemented consistent with the management direction of either the 1995 resource management plan, as amended (1995 RMP), or the 2008 RMP, at the discretion of the decision maker.

This project is in compliance with the 1995 RMP, and meets the requirements designated in the 2008 ROD for such transition projects:

1. A decision was not signed prior to the effective date of the 2008 ROD.
2. Preparation of National Environmental Policy Act documentation began prior to the effective date of the 2008 ROD. A scoping letter describing the project and inviting comment about concerns and issues was mailed to 69 recipients on March 20, 2007.
3. A decision on the project will be signed within two years of the effective date of the 2008 ROD.
4. There would be no destruction or adverse modification of critical habitat designated for species listed as endangered or threatened under the Endangered Species Act.

Since the planning and design for this project was initiated prior to the 2008 ROD, it contains certain project design features that are not consistent with the management direction contained in the 2008 RMP, including:

Approximately 325 acres are proposed for heavy thinning treatment on late-successional reserve and riparian reserve lands, resulting in less than 40 percent canopy closure. Approximately 190 of these acres are designated as timber management areas (TMA) and approximately 90 of these acres are designated as riparian management areas (RMA) under the 2008 RMP. The 2008 RMP directs that commercial thinning be applied to maintain stand densities at levels above that needed to occupy the site, but below densities that will result in loss of stand vigor and health on TMA lands. The 2008 RMP also directs that thinning be applied in RMAs but that a minimum of 50 percent canopy closure would be retained.

The 2008 ROD anticipated these inconsistencies and projected they would not alter the analysis of effects in the associated final environmental impact statement. This type of inconsistency would result in less change to the current condition of the affected environment described in the 2008 EIS than if the project was consistent with the management direction in the 2008 RMP.

The implementation of this project will not have significant environmental effects beyond those already identified in the 2008 Final EIS/Proposed RMP. The proposed action does not constitute a major federal action having significant effects on the human environment; therefore, an environmental impact statement will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

Context

The Proposed Action would occur in the Matrix, Late-Successional Reserve (LSR) and Riparian Reserve (RR) land use allocations (LUA) as designated by the 1995 Eugene District Resource Management Plan (RMP). The RMP anticipated that commercial harvest would occur in the Matrix and LSR LUAs, and that silvicultural practices such as density management would occur in Riparian Reserves to help achieve the objectives of the Aquatic Conservation Strategy. The proposed action is in compliance with the 1995 Eugene District RMP. The project is also in conformance with the 2008 ROD/RMP since the new RMP directs us to apply commercial thinning in Timber Management Areas, apply silvicultural treatments in Late Successional Management Areas and Riparian Management Areas.

Under the Proposed Action, thinning would occur within a 32,800 acre planning area where approximately 3,800 acres of Matrix lands (including 1,300 acres in riparian reserves) will be thinned and approximately 5,425 acres of Late-Successional Reserves (including 1,700 acres in riparian reserves) will be thinned. Forests in the planning area consist primarily of conifer plantations, two-thirds of which are less than 80 years old, the majority of which regenerated naturally from remnant "seed trees". Many of the stands were pre-commercially thinned and are now densely stocked with an urgent need for thinning to improve growing conditions and habitat for wildlife. Approximately one-third of the planning area contains forests that are older than 80 years of age. The Proposed Action includes heavy thinning on approximately 65 acres. Although heavy thinning may reduce dispersal habitat for owls in the short term, long-term benefits would include a diverse and multi-canopied habitat with structural complexity well suited for spotted owls. Culvert replacement may also result in short term sedimentation to streams but would in the long term provide passage to fish and improve access to spawning habitat. Decommissioning of roads will contribute to lower

road densities within the watershed. Aster treatments contribute to the long term survival of the species while prescribed burning and non-commercial thinning may have local short term detrimental effects.

Intensity

I have considered the potential intensity of the impacts that would result from the proposed action relative to each of the ten areas suggested for consideration by the Center for Environmental Quality (CEQ). With regards to each:

- 1. Impacts that may be both beneficial and adverse.** Both beneficial and adverse impacts have been considered in the EA. For example, the environmental consequences section for the Aquatic Conservation Strategy includes a discussion about short-term (adverse) impacts and long-term (beneficial) impacts for objectives 3 and 5 (EA page 29).
- 2. The degree to which the proposed action affects public health and safety.** No aspect of the Proposed Action would have an effect on public health and safety.
- 3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There are no known historic or cultural resource sites that would be affected by the Proposed Action. Past pre-project cultural resource surveys conducted in conjunction with surface-disturbing actions in the Coast Range physiographic province have not resulted in the discovery of significant cultural properties. The Oregon BLM and the Oregon Historic Preservation Office developed a protocol agreement recognizing the paucity of discoverable historic properties in the Coast Range. Under this protocol, pre-project cultural resource surveys are not needed in the Coast Range. There are no parks, prime farmlands, or wild and scenic rivers in the planning area. As field surveys for individual timber harvests are completed, wetlands may be found within harvest units. These will be protected according to provisions in the Aquatic Conservation Strategy described in the Eugene District RMP. Two Areas of Critical Environmental Concern (ACEC) are located within the planning area, but no actions are planned to occur within the ACECs. None of the actions contemplated under the Proposed Action would affect the unique resources in the ACEC.
- 4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects of thinning under the proposed action are similar to numerous previous thinning projects that have been implemented on the resource area. No unique or appreciable scientific controversy has been identified. Public comment received suggested concern about hardwood conversions which was removed from the proposed action, and also suggested consideration of the consequences of thinning on carbon sequestration. The comment suggested consideration of carbon sequestration, but did not establish that the effects of thinning on carbon sequestration are highly controversial. The effect of timber harvest, including thinning, on carbon sequestration was analyzed in the 2008 Final EIS, which concluded that implementation of actions under the RMP would result in an increase in carbon storage.
- 5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The analysis has not shown that there would be any unique or unknown risks to the human environment. Commercial thinning or density management treatments have been pursued and accomplished for many years in the vegetation types typical of the planning area.
- 6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** This project neither establishes a precedent nor represents a decision in principle about future actions. The Proposed Action is consistent with actions appropriate for the matrix, late-successional reserve and riparian reserve land use allocations, as designated by the Eugene RMP. Commercial thinning in Matrix and density management reduction in late-successional reserve and riparian reserves are expected activities in these LUAs. Stream crossing culverts have been replaced in past and will continue to be replaced as needed. Restoration of *Eucephalus vialis* will occur on 67 acres of RMP-designated botanical reserve area (1995 RMP page 54).
- 7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the 2008 Final EIS.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.** There are no features within the planning area that are listed or eligible for listing in the National Register of Historic Places. Public comment and tribal consultation did not reveal any significant scientific, cultural, or historic resources in the planning area (EA page 43).
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.**

Two threatened wildlife species are known to inhabit the planning area, northern spotted owls and marbled murrelets. Consultations for both species are to be completed for specific projects under the Habitat Modification and Disturbance Biological Opinion issued by the USFWS. Critical habitat or suitable habitat for marbled murrelets will not be treated under the proposed action. The action *may affect, not likely to affect* the marbled murrelet. Thinning will occur within spotted owl critical and suitable habitat, moderate to light thinning while retaining 40 percent canopy closure will result in *may affect, not likely to affect* the spotted owl. Small acres (approximately 65 acres) of heavy thinning in critical habitat and approximately 1.4 miles of road building in suitable habitat are considered actions that *may affect, likely to adversely affect* spotted owls. However the small amounts of acres and miles of these actions are not considered to produce impacts that may be significant. While heavily thinned acres would reduce dispersal habitat for about 10 to 15 years, the quality of habitat available for spotted owls in the long term would be high quality with structural complexity favored by spotted owls. Road building in suitable habitat would consist of removing a few trees for building the road bed which may reduce canopy closure for a short period of time. Canopy closure would recover after approximately five years. Newly constructed natural surface roads and newly constructed roads in late-successional stands will be decommissioned on matrix lands while all newly constructed and non-inventoried roads including renovated/improved roads within late-successional stands will be decommissioned on late-successional reserve lands to allow recovery of understory plant and arboreal species. The proposed action will not cause adverse modification of habitat.

Coho salmon are a threatened species for which consultation will be completed with the National Marine Fisheries Service before project implementation. Culvert replacements will cause a transient increase in sediment. Adverse effects to fish would be short-term and would occur during and shortly after replacement. The ESA effects determination for culvert replacements in proximity to coho salmon would likely to adversely affect coho salmon due to this short term impact. However the impacts would not be significant because culvert replacements occur during the dry time of year when coho salmon are not spawning in the stream channel. Adverse impacts would be limited to resident fish and juveniles however direct mortality of fish would not occur as a result of the proposed action since increases in turbidity and fine sediment would not be elevated to lethal levels. The short duration of the effects and limited increase in turbidity would not be detrimental to coho salmon. Stream flows would be at their lowest at the dry time of year so that sediment would not be transported a long distance downstream. Culvert replacements have long term benefits such as improving and increasing spawning and rearing habitat available for coho salmon and other aquatic species.

10. **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.** The Proposed Action does not threaten to violate any Federal, State, local law or requirement imposed for the protection of the environment. The Proposed Action is consistent with the 1995 Eugene RMP and the 2008 RMP, which provide direction for the protection of the environment on public lands.

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

July 7, 2009
Date