

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

DECISION RECORD

DOI-BLM-OR-E060-2011-0002-EA
North Line Timber Sale Decision Record

DECISION

Based on the analysis documented in the EA (DOI-BLM-OR-E060-2011-0002-EA) and the FONSI, it is my decision to implement Alternative 2 as described in the EA, including all applicable project design features (PDFs).

PLAN CONFORMANCE

This proposed action is in conformance with the Eugene District's 1995 Resource Management Plan (RMP) as amended.

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 would 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 project involving hazardous fuel treatments where prescribed fire is applied. Any portion of a hazardous fuel treatment project involving commercial logging would 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.

RATIONALE FOR SELECTION

I have selected Alternative 2 because it best fits the purpose and need for action as presented in the EA.

Thinning would be designed to increase tree size through time, develop wind firm trees, extend the culmination of mean annual increment and capture anticipated mortality. The stands would be thinned from below. Trees selected for harvest would be the suppressed, intermediate, and some of the co-dominant conifer trees. This prescription would result in a stand with variable spacing, between 15 and 35 feet between remaining conifers and hardwoods. Hardwoods and Pacific yew would be retained, except where necessary to accommodate logging systems and for safety. Thinning would be accomplished with a combination of cable and ground-based yarding systems.

Silvicultural treatments would occur in the outer edges of the Riparian Reserve and would be treated the same as Matrix. Depending on stream channel stability, effective shade zone, and current stand conditions, the no-harvest buffers adjacent to the streams would vary between 75 and 400 feet. Seeps and springs would have no-harvest buffers ranging between 25 to 50 feet. Treatments would provide and help to create a sustainable supply of timber in the Matrix while managing stocking and species composition in the Riparian Reserves.

I did not select Alternatives 1 or 3 because they did not fully meet the Purpose and Need as outlined in the EA (pg. 1).

CONSULTATION AND COORDINATION

ESA consultation considers effects to general habitat due to habitat modification, and effects to site occupation and reproduction due to habitat modification and nesting behavior due to noise disturbance/disruption. Collectively these considerations result in an overall effects determination of project actions. Consultation was conducted under the two following batched Province BAs:

- 1) Biological Assessment of NLAA Projects with the Potential to Modify the Habitat and/or Disrupt Northern Spotted Owls Willamette Planning Province -FY 2011-2012, and;
- 2) Biological Assessment of LAA Projects with the Potential to Modify the Habitat and/or Disrupt Northern Spotted Owls Willamette Planning Province -FY 2011-2012.

It was determined that Alternative 2 would result in a “may affect, but not likely to adversely affect” determination for the North Line timber sale units.

IMPLEMENTATION

Implementation for this Decision Record is anticipated to begin in February 2013.

CORRECTIONS TO THE EA

PDF No. 1, as written in the EA (pg. 41), states: “Retain all incense-cedar, grand fir, yew, oaks and other hardwoods, except where necessary to accommodate safety and logging systems. If such trees are cut, they would be retained on site as down woody debris.” This PDF should not include grand fir, as the silvicultural prescription does remove some of the grand fir. This correction is included as part of this decision.

RESPONSE TO PUBLIC COMMENTS

A comment was received on this project, concerning the EA’s carbon analysis, which was incorporated by reference (EA, pp. 5-6). The commenter cited a report published by Oregon State University titled, “Impacts of Thinning on Carbon Stores in the PNW: A Plot Level Analysis.” The specific portion of the study that was referenced states that “After thinning, forest carbon pools remain lower through a 50-year period...” (pg. vii). The BLM’s analysis showed that after thinning, over the next 30 years, continued forest growth would result in an increase in live tree stand volume of an average of 40 cubic feet per acre. This would equate to an increase in storage of approximately 500 metric tonnes of carbon per year. Our analysis concluded that forest growth 30 years after harvest would result in a net carbon storage compared to current conditions.

We believe the conclusions in our analysis are correct. The difference in findings between the two analyses could be attributed to the differences in stand conditions and overall stand ages. The OSU study had plots across a range of “common landscape types” with plots in the Eastern Cascade, Western Cascade and Blue Mountain regions. BLM analysis is based on project and stand specific data and collected at higher sample intensities (approximately 100 plots over 600 acres) as compared to the 32 data plots collected for the OSU study within Linn and Douglas counties. Also the OSU study shows that the modeled outcomes of carbon are on stands greater than 70 years old. The BLM projects stands are younger than 70 years of age with most acres averaging approximately 50-55 years old. These younger stands respond and grow faster than older stands.

ADMINISTRATIVE REMEDIES

The decision to implement this project 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 sale is first published in the Eugene Register-Guard. This published notice of sale will constitute the decision document for the purpose of protests of this project (43 CFR 5003.2b). Protests of this decision must be filed with this office within fifteen (15) days after first publication of the notice of sale. As interpreted by BLM, the regulations do not authorize the acceptance of protests in any form other than a signed, written hard copy that is delivered to the physical address of the BLM Eugene District Office.

Signature of the Responsible Official:

/s/ Francisca Paulete (for)
William O'Sullivan
Upper Willamette Resource Area Manager
Eugene District Office

12/31/2012
Date: