

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

ENVIRONMENTAL ASSESSMENT NO. OR090-08-03

Transition Management, Inc.

1) INTRODUCTION

a) Background:

- i) Right-of-way agreements are used in Western Oregon to resolve the access problems in the revested O&C lands caused by the checkerboard ownership pattern of Bureau of Land Management (BLM) and privately-held lands. The agreements have provided the mechanism for both parties to simultaneously secure the long-term access rights they need to reach and manage their intermingled lands. These agreements have also provided a way to avoid duplicate road systems by providing the mechanism for two parties to share roads in common. Much of the existing forest road system in the Eugene District has been constructed under the provisions of right-of-way agreements.
- ii) O&C Right-of-Way Agreement E-952 with Transition Management, Inc., requires that proposals for road improvement and construction be analyzed on a case-by-case basis.

b) Purpose and Need:

- i) The purpose of the action is to provide the owners of private land located in Township 16 South, Range 6 West, Section 30 with legal access to their timber lands across public land managed by the BLM. The need for the action is established by the BLM's responsibility under the O&C Act to respond to a request for a Right-of-Way Grant for legal access to private land over existing BLM roads and short segments of new road to be constructed across public land.
- ii) The adjacent land owner, Transition Management, Inc., has applied for permission to cross BLM-managed lands under Right-of-Way Agreement E-952, in order to perform forest management activities on their lands in T16S, R6W, Section 30. This crossing would include improvement of existing roads and new construction to extend the roads in order to reach their lands.
- iii) The decision to be made based on this EA is whether the BLM shall grant the right-of-way and, if so, under what terms and conditions.

c) Conformance with Land Use Plan:

- i) All alternatives are in conformance with the Eugene District Resource Management Plan (RMP, 1995), as amended. The RMP directs the Eugene BLM to consider new locations for right-of-way projects on a case-by-case basis. Applications may be approved where the applicant can demonstrate that use of an existing route or corridor would not be feasible, the proposed project would otherwise be consistent with the RMP, and would minimize damage to the environment (RMP, pg. 97).

d) Issues to be Analyzed:

- i) Effects on Water Quality – Would water quality be impacted by road construction, road use, or timber harvesting activities?

- ii) Effects on Northern Spotted Owls and Marbled Murrelets – What are the impacts to Threatened and Endangered Species from road construction, road use, or timber harvesting activities?
- iii) Unauthorized Off-Highway Vehicle (OHV) Use – What are the effects of road re-commissioning (improvement) and new construction on the adverse impacts of unauthorized OHV use?

## 2) PROPOSED ACTION AND ALTERNATIVES

### a) Alternative 1 – Access via Fisk Road (Road No. 16-6-31) and Private Road:

- i) The original access proposal by Transition Management was to access their timber from the north via new construction on BLM-managed land, connecting to a private road system in Section 30 and to access their timber from the south by the South Spur (via Fisk Road). The South Spur was constructed as a spur road for the BLM *Get Ready* Timber Sale.
  - (1) The new construction for the north access would require approximately 1,520 feet of new construction on federal land. This proposed road crosses a decommissioned spur road that is used as the North Spur in Alternative 2.
  - (2) The South Spur (Road No. 16-7-36), would involve re-commissioning approximately 740 feet of road and the new construction of approximately 300 feet of road.
  - (3) The new road construction would require the removal of approximately 1.4 acres of second-growth timber.
- ii) The South Spur would be blocked to deter OHV access. This would be accomplished by gating the road and blocking the sides of the gate with boulders and/or root wads to prevent OHVs from bypassing the gates.
- iii) Cross-drains would be installed in accordance with the Eugene District BMPs.
- iv) The construction of the north access does not constitute the most direct route for the removal of forest products from the lands of the road builder.

### b) Alternative 2 – Proposed Action – Access via Fisk Road (Road No. 16-6-31):

- i) The proposed action is to re-commission (improve) two existing roads with some new construction in T16S, R7W, Sections 25 and 36 to provide access to an action on private property. Both roads were constructed as spur roads for the BLM *Get Ready* Timber sale.
  - (1) The North Spur (Road No. 16-7-25.4) would involve re-commissioning approximately 830 feet of road and the new construction of approximately 450 feet of road on Federal Land.
  - (2) The South Spur (Road No. 16-7-36), would involve re-commissioning approximately 740 feet of road and the new construction of approximately 300 feet of road.
  - (3) The new road construction would require the removal of approximately 0.4 acres of second-growth timber.
- ii) The North and South Spurs would be blocked to deter OHV access. This would be accomplished by gating the roads and blocking the sides of the gates with boulders and/or root wads to prevent OHVs from bypassing the gates.
- iii) Cross drains would be installed in accordance with the Eugene District BMPs; specifically, a cross drain relief culvert would be installed on the North Spur at approximately Station 4 + 50 to provide for road drainage.

### c) Alternative 3 – No Action:

- i) Under the No Action Alternative, BLM would deny the application and no road construction or improvement would occur on public land for access to timber owned by Transition Management, Inc., in Section 30. No log haul would occur on BLM-controlled roads.
- ii) Transition Management, Inc. has legal access to their property in Section 30 without acquiring additional access from BLM. If BLM denies the application, it is reasonably foreseeable that Transition Management, Inc. would access their property from existing roads

in Section 30. This access would require downhill logging across steep terrain (greater than 60%), through riparian areas, and across Short Jake Creek, a main tributary to Hayes Creek. New construction (e.g. landings and spur roads) would occur on slopes greater than 60% and would be full bench construction.

### 3) EXISTING CONDITIONS

#### a) Location:

- i) The project area is in the Long Tom Watershed, west of Eugene. The watershed is located in Lane and Benton Counties and lies at the southwestern headwaters of the much larger Upper Willamette River Basin and contains approximately 262,800 acres. The project area is also within the bounds of the BLM *Get Ready* timber sale (completed 2007), a commercial thinning of second-growth timber (predominately Douglas-fir, approximately 40-50 years old).
- ii) The watershed landscape pattern is that of checkerboard ownership with approximately 21,800 acres (8%) managed by the BLM. The BLM forest lands are concentrated in the Coast Range foothills or "Valley Fringe". Forestry and agriculture are the primary land uses. Commercial forests are located primarily in the upper reaches of the watershed (Long Tom Watershed Analysis, October 2000).

#### b) Threatened and Endangered Species

- i) Northern Spotted Owl (Threatened) – Approximately 11,600 acres of dispersal habitat for the northern spotted owl lie in federal ownership within the Long Tom Watershed. Dispersal habitat for owls consists of conifer forests with at least 40% cover that function for roosting and foraging, but lack suitable structure for nesting (usually 40-80 years old). Stands near the project area provide temporary habitat for transient owls searching for a longer term territory and may also provide foraging habitat for owls on nearby territories. The project area is within the home range of a historic nesting site (Hayes Creek), and several stands of suitable nesting habitat (>80 years old) occur near of the project area. However, surveys of these stands are conducted annually and there has been no confirmed occupancy by owls since 1996.
- ii) Marbled Murrelet (Threatened) – Suitable nesting habitat for marbled murrelet consists primarily of old growth and mature coniferous forests. Murrelets also have been found in younger forests (60-80 years) with structural elements similar to old growth, such as remnant old-growth trees or younger trees with platforms created by deformities or dwarf mistletoe infestations (Nelson 1997, Nelson and Wilson 2001). Although the project area is not considered suitable marbled murrelet habitat, several isolated remnant trees occur within Riparian Reserves in the southeast corner of Section 25. These trees have the potential to provide suitable nest sites for marbled murrelets in the future. Potential suitable habitat (unsurveyed) exists to the south of the project area.
- iii) Migratory Birds – A review of Migratory Bird species is included in Appendix A.
- iv) Fish – There are no Threatened or Endangered Species issues as related to fish species in the project area. Coho salmon and other anadromous fish are not present due to barriers to fish passage on the Long Tom River.

#### c) Hydrology

- i) There are no streams or wetlands located within 250 feet of the project area. To the east of BLM-managed land are Short Jake Creek and its tributaries.
- ii) The haul route for the South Spur would be predominately on paved roads with about 1.25 miles on gravel roads with 1 stream crossing; the haul route for the North Spur would use an additional 0.85 miles of gravel road with no additional stream crossings. Approximately 0.1 miles of gravel road on the haul route has the potential for sediment delivery at the stream crossing. There are adequate cross drains on the remainder of the haul route. The stream crossing is a new corrugated metal pipe.

#### d) Soils:

- i) The existing roads are on a bench of deeply weathered clay soils that are normally stable when slopes are less than 50%. These soils are prone to movement with saturation and increasing slope.

e) Recreation:

- i) Unauthorized OHV activity was analyzed in the EA for the *Get Ready* Timber Sale (pp 19-20). Prior to operations on the *Get Ready* Timber Sale, a considerable amount of unauthorized OHV use was occurring in the area of the proposed road improvement, creating deeply rutted areas on and off the roaded area, causing sediment flows vegetation damage. Upon completion of the *Get Ready* timber sale operations, roads in Section 25 (with the exception of Road No. 16-6-31) were decommissioned (blocked and slashed) to discourage unauthorized OHV use in the area. Unauthorized OHV use has since declined in this area.

4) ENVIRONMENTAL CONSEQUENCES

a) Past, Present, and Reasonable Foreseeable Future Actions

- i) The Proposed Action and the other action alternative would have environmental effects; however, neither of the alternatives would have effects beyond those described in the "Eugene District Proposed Resource Management Plan/Environmental Impact Statement" (RMP EIS) and the "Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl" (NSO FSEIS). Effects based upon site specific analysis of the alternatives are shown below.
- ii) The project area is within the bounds of the recently thinned BLM *Get Ready* timber sale. Private lands in the vicinity have been harvested in the recent past, and it is foreseeable that there will be continued harvest activity in the future. Other BLM harvest activities in the vicinity include Rockfish (Commercial Thinning, completed 2007), and Woody Hayes (Regeneration Harvest, completed 1997). Private industry has harvested timberlands in the general vicinity of the project area and it is foreseeable that harvest activity will continue in the future. Upon completion of harvest activities in Section 30, it is foreseeable that the roads in this project will be used for continued private land management activities, including replanting of the harvest area and future harvest activities.

b) Direct and Indirect Effects

i) Alternative 1 – Original Proposal:

(1) Issue 1 – Effects on Water & Soil Quality:

- (a) The proposed action on Federal land would add approximately 1 acre of additional compaction to the watershed because of the construction and re-commissioning of permanent spur roads. Effects to stream temperature and riparian vegetation from the construction and improvement of spurs are very unlikely because these roads would be further than 250 feet from streams. Because of the distance between the streams and the project area, there would be no impact to channel stability and the change to stream flows is likely to be minimal as a result of the action on BLM-managed land.
- (b) New construction within the proposed action would add less than 0.5 acres of compaction within the watershed and would add to the cumulative effects of compaction on flow within the watershed and drainage.
- (c) Increased use of existing gravel roads on the haul route is likely to result in an increase in erosion and sedimentation. Approximately 0.1 miles of gravel road way is subject to direct delivery of sediment to the stream system for the south spur haul.

(2) Issue 2 – Effects on Threatened and Endangered Species:

- (a) Lands proposed for road construction qualify as dispersal habitat for the Spotted owl, but is not considered suitable habitat. Approximately 1.4 acres of dispersal habitat would be removed from BLM-managed lands under this alternative. Dispersal habitat

is not limited in the vicinity of the project area, therefore the action is unlikely to adversely affect the Spotted owl.

(3) Issue 3 – Unauthorized OHV Use:

- (a) While unauthorized OHV use is not currently occurring in the area, the area is very susceptible to a return of this activity due to the history of unauthorized use in the area and the area's close proximity to a residential area. Mitigation measures, including gating the South Spur and blocking sides of the gate with rootwads and/or boulders, will need to be taken to prevent resource damages caused by the return of unauthorized OHV use in the area.

ii) Alternative 2 – Proposed Action:

(1) Issue 1 – Effects on Water & Soil Quality:

- (a) Effects would be similar to Alternative 1, except that less than 0.5 acres of additional compaction would be added to the watershed because of the construction and re-commissioning of permanent spur roads.

(2) Issue 2 – Effects on Threatened and Endangered Species:

- (a) Effects would be similar to Alternative 1, except that approximately 0.4 acres of forest would be removed from BLM-managed land, resulting in less dispersal habitat removed compared to Alternative 1.

(3) Issue 3 – Unauthorized OHV Use:

- (a) The proposed South Spur would have similar effects on unauthorized OHV activity as Alternative 1. The impact of the proposed North Spur on Unauthorized OHV activity would be similar to that of the South Spur.

iii) Alternative 3 – No Action:

- (1) Under the No Action Alternative, BLM would deny the application from Transition Management to construct and improve road across BLM-managed land. If BLM denies the application, it is reasonably foreseeable that Transition Management would access their timber via existing roads and new construction on their privately-owned land in Section 30.

(2) Issue 1 – Effects on Soil and Water Quality:

- (a) BLM-Managed Land: There would be no additional compaction on BLM-managed land within the watershed under the No Action Alternative. The North and South Spurs would remain in a decommissioned state. No impacts to stream temperature, riparian vegetation, or channel stability would occur. No impacts to flows are anticipated
- (b) Private Land: Timber would be logged through riparian areas and across Short Jake Creek in Section 30 with the potential of impacts on stream temperature, riparian vegetation, and channel stability. Construction in Section 30 would occur on slopes greater than 60%.

(3) Issue 2 – Effects on Threatened and Endangered Species:

- (a) No dispersal habitat for any threatened or endangered species would be removed from BLM-managed land. On privately-owned land, there may be additional loss of dispersal habitat compared to the action alternatives.

5) Unaffected Resources:

- a) The following resources are either not present or would not be affected by any of the alternatives: Areas of Critical Environmental Concern, prime or unique farm lands, Native American religious concerns, cultural resources, air quality, solid or hazardous wastes, Wild and Scenic Rivers, Wilderness, minority populations, and low income populations.

- b) On BLM-managed land, the alternatives would not affect threatened or endangered fish species, would not modify critical habitat for threatened or endangered fish species, and would not affect Essential Fish Habitat (EFH) based on the route locations and the upper limits of Upper Willamette Chinook salmon and Winter Steelhead found in this drainage of the Long Tom River basin.

## 6) CONSULTATION AND COORDINATION

### a) List of Preparers:

- i) The following BLM resource specialists have examined the alternatives described in this assessment, have provided written input used for developing effects analysis, and have reviewed this document:

Steve Steiner	Hydrology
Gary Cairns	Engineering
Frances Philipek	Cultural Resources
Dan Crannell	Wildlife
Leo Poole	Fisheries
Molly Widmer	Botany
Karin Baitis	Soils
Christi Oliver	Recreation

### b) Consultation:

#### i) Threatened and Endangered Species:

- (1) This Proposed Action "May Affect, but is Not likely to Adversely Affect" the Northern spotted owl due to the removal of dispersal habitat for the Northern spotted owl in an area where such habitat is not limited. This proposed action is addressed in the North Coast Province Right-of Way Biological Opinion, dated June 18, 2004.
- (2) There are no Threatened and Endangered Species issues as related to fish species and this action. These routes would not have an effect on Essential Fish Habitat (EFH) based on the route locations and the upper limits of Upper Willamette Chinook salmon and Winter Steelhead found in this drainage of the Long Tom River basin.
- (3) The area was botanically surveyed for the BLM *Get Ready* Timber Sale and there are no known sensitive botanical resources in this area.

#### ii) Cultural Resources:

- (1) Cultural resource inventories have occurred over portions of this project area as a result of past timber management projects. No sites were found as a result of these previous inventories and no sites are recorded within 1/2 mile of the proposed spur roads. These route locations are in an area of low sensitivity for cultural resource occurrence. Cultural resource sites in the Coast Range, both historic and prehistoric, occur rarely. The probability of site occurrence is low because the majority of BLM managed Coast Range land is located on steep upland mountainous terrain that lack concentrated resources humans would use. No additional inventory, either pre- or post- disturbance is required for this project. If cultural material is encountered during project implementation, ground disturbing activities will cease until an evaluation can be completed and, if appropriate, mitigative measures applied.

## 7) PUBLIC PARTICIPATION

- a) A public notice advertising the availability of this environmental assessment will appear in the Eugene Register-Guard on Wednesday, May 7, 2008. Additionally, the EA will be sent to 16 groups or businesses, 9 state or local government agencies, and 14 individuals. A 30-day public comment period for the EA closes on June 6, 2008.

## 8) REFERENCES

- USDA, Forest Service and USDI Bureau of Land Management. February 1994. Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl. Portland, Oregon.
- USDA, Forest Service and USDI Bureau of Land Management. April 1994. Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl.
- USDI, Bureau of Land Management. November 1994. Eugene District Proposed Resource Management Plan/Environmental Impact Statement. Eugene District Office, Eugene, Oregon.
- USDI, Bureau of Land Management. June 1994. Eugene District Record of Decision and Resource Management Plan. Eugene District Office, Eugene, Oregon.
- USDI, Bureau of Land Management. September 2003. Environmental Assessment for *Get Ready* Timber Sale, OR090-RA-03-16. Eugene District Office, Eugene, Oregon.
- Nelson, S.K. 1997. Marbled Murrelet (*Brachyramphus marmoratus*). In *The Birds of North America*, No. 276. (A. Poole and F. Gills, eds). The Academy of Natural Sciences, Philadelphia, PA, and the American Ornithologist's Union, Washington, D.C.
- Nelson, S.K. and A.K. Wilson. 2001. Marbled Murrelet habitat characteristics of state lands in western Oregon. Unpublished final report, OR Coop. Fish and Wildlife Research Unit, Oregon State University, Department of Fisheries and Wildlife, Corvallis, OR. 108 pp.



# Migratory Bird Treaty Act Review Form

Transition Management EA #OR090-08-03

## Bird Species of Conservation Concern (Siuslaw Resource Area, Eugene District, BLM)

Species	Within Range?	Habitat Present?	Effect to habitat by proposed action?	How would habitat be affected?	How prevalent is this habitat in the watershed?	What would be the impacts of proposed action?	Comments
American bittern	Yes	No	NA	NA	NA	NA	
Black-throated gray warbler	Yes	Yes	Yes	Removal Degradation (negative) Increased edge effect (positive)	Ubiquitous	Nesting and foraging habitat would be removed or degraded and possible disturbance to nesting birds.	Proposed action would initially remove or degrade habitat, but resulting edge effect and subsequent growth of brush would provide additional habitat in near future
Horned Lark ( <i>strigata</i> )	No	NA	NA	NA	NA	NA	
Lewis's woodpecker	No	NA	NA	NA	NA	NA	
Northern goshawk	Yes	Yes	Yes	Removal Degradation of habitat	Ubiquitous	Nesting and foraging habitat would be removed or degraded and possible disturbance to nesting birds.	Adequate habitat would remain in the vicinity post-harvest
Northern harrier	Yes	No	NA	NA	NA	NA	
Olive-sided flycatcher	Yes	Yes	Yes	Removal Degradation of habitat	Ubiquitous	Nesting and foraging habitat would be removed or degraded and possible disturbance to nesting birds	Adequate habitat would remain in the vicinity post-harvest
Peregrine falcon	Yes	No	NA	NA	NA	NA	
Rufous hummingbird	Yes	Yes	Yes	Removal Degradation of habitat	Ubiquitous	Nesting and foraging habitat would be removed or degraded and possible disturbance to nesting birds	Adequate habitat would remain in the vicinity post-harvest
Short-eared owl	Yes*	No	NA	NA	NA	NA	*Extreme edge of range
Vesper Sparrow	No	NA	NA	NA	NA	NA	

## Game Birds Below Desired Condition (Siuslaw Resource Area, Eugene District BLM)

Species	Within Range?	Habitat Present?	Effect to habitat by proposed action?	How would habitat be affected?	How prevalent is this habitat in the watershed?	What would be the impacts of proposed action?	Comments
Mourning dove	Yes	Yes	Yes	Removal of roosting/nesting habitat	Ubiquitous	Habitat modification and disturbance to nesting or roosting birds	Adequate habitat would remain in the vicinity post-harvest
Harlequin duck	Yes	No	NA	NA	NA	NA	
Ring-necked duck	Yes	No	NA	NA	NA	NA	
Wood duck	Yes	No	NA	NA	NA	NA	
Cackling Canada goose	No	NA	NA	NA	NA	NA	
Dusky Canada goose	No	NA	NA	NA	NA	NA	
Mallard duck	Yes	No	NA	NA	NA	NA	
Band-tailed pigeon	Yes	Yes	Yes	Removal of foraging/nesting habitat	Ubiquitous	Habitat modification and disturbance to nesting birds	Adequate habitat would remain in the vicinity post-harvest
Northern pintail duck	Yes	No	NA	NA	NA	NA	







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Finding of No Significant Impact

On the basis of the information contained in Environmental Assessment No. OR090-08-03, and all other information available to me, it is my determination that implementation of the proposed action or alternatives will not have significant environmental impacts not already addressed in the Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (April 1994) and the Eugene District Record of Decision and Resource Management Plan (June 1995) as amended, with which this EA is in conformance, and does not, in and of itself, constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

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William Hatton, Field Manager  
Siuslaw Resource Area

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Date: