

## Determination of NEPA Adequacy (DNA)

For the

### Bald Lick Timber Sale Project

U.S. Department of the Interior  
 Bureau of Land Management  
 Medford District, Ashland Resource Area

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#### A. Location of the Proposed Action:

The Bald Lick Timber Sale Project is located in the Little Applegate Watershed, the Public Land Survey System (PLSS) description is: T. 39 S., R 1 W., in sections 17, 19, 20, 21, 28, and 29, Willamette Meridian, Jackson County, OR. The following table specifies which units are in each section;

**Table 1. Bald Lick Timber Sale Units by Section**

Units	Section	Units	Section
88A	17	95A	28,
88B		95B	
88C		95C	
88D		95D	
92A	19	95E	29
92B		109	
92C		105A	
92D		105B	
94	20	106A	29
97A	20,21,	106B	
97B		106C	
97C		107	
97D			

#### B. Describe the Proposed Action:

The Bureau of Land Management (BLM) plans to implement the Bald Lick Timber Sale Project. This project involves the commercial timber harvest from 346 acres in the Little Applegate Drainage. The Bald Lick project, as currently designed, is substantially reduced in size compared to the 2005 Bald Lick timber sale design. Additionally, we have elected to retain all existing northern spotted owl (NSO) habitat for this project, due to the uncertainty regarding the Northern Spotted Owl Recovery Plan.

The Bald Lick Decision Record and FONSI was signed in 2005; a Notice of Sale was published in Medford's Mail Tribune Newspaper on September 1, 2005. Many protests were received on the Bald Lick Timber Sale, as originally designed. The Bald Lick Timber Sale was offered for sale on September 29, 2005. Prospective purchasers chose not to bid on the timber sale. The Timber Sale Notice was subsequently rescinded nullifying all protests. Letters were sent to protesters informing them that the timber sale had been rescinded and included the field

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manager's intent to work collaboratively with the residents in the Bald Lick area on future timber sale plans.

Since that time, there has been ongoing dialogue with residents in the Bald Lick area to make progress towards the design of a timber sale project that would be socially acceptable while meeting BLMs objectives identified in the Bald Lick EA. Through a combination of working with the neighborhood on ecological and social issues, responding to the need to develop a timber sale that would *Not Likely Adversely Affect* (NLAA) the northern spotted owl, and the need to eliminate economically challenged timber sale units, the BLM has reduced the acreage (and trees harvested per acre) of the Bald Lick Timber Sale from the original design.

The changes result in reduced effects on resources than was reported in the *Bald Lick Landscape Project Environmental Assessment* (USDI 2005), except for the beneficial effects of road decommissioning that would not be implemented at this time. The changes are as follows:

- The modified sale does not construct any new roads, resulting in a 4-mile reduction in road construction from the original sale.
- The silvicultural prescriptions are virtually the same except that the minimum basal area per acre was modified in dispersal and nesting, roosting, and foraging (NRF) habitat to maintain current levels of dispersal and NRF habitat. This resulted in a determination that the Bald Lick timber sale is "*Not Likely to Adversely Affect*" the northern spotted owl.
- The modified timber sale treats a subset (around 346 acres) of the larger project (about 2,200 acres) originally analyzed under Alternative 4 in 2005.
- No road decommissioning will take place at this time, but is still planned as funding becomes available.

The marking guidelines for this modified Bald Lick timber sale are based on the original prescriptions described in the *Bald Lick Landscape Project EA* (p. 2-10 to 2-26, and Appendix B, Silviculture); however, the prescriptions were modified to decrease the number of trees harvested in order to maintain higher forest canopy closure in order to maintain the current levels of Nesting, Roosting, Foraging, and dispersal habitat for the northern spotted owl. The following table (Table 2) displays timber sale units by logging system, habitat maintenance prescription, and vegetation type. The table also includes a crosswalk from the current timber sale unit number to the EA unit number for easier reference to the EA.

**Table 2. Bald Lick Timber Sale NLAA Units**

Acres	TS Unit #	EA Unit #	Logging System	Prescription is to Maintain:	Vegetation Type
9	88A	B27	Tractor	DISPERSAL	PINE SITE
19	88B	B27	Cable	DISPERSAL	PINE SITE, DRY DOUGLAS FIR
83	88C	B27	Cable	BOTH	DRY DOUGLAS FIR
10	88D	B27	Cable	NO HABITAT	PINE REGENERATION
6	92A	B33	Tractor	NRF	PINE SITE
7	92B	B33	Tractor	NRF	PINE SITE
59	92C	B33	Cable	Both	PINE SITE, DRY DOUGLAS FIR
10	92D	B33	Tractor	NRF	DOUGLAS FIR
6	94	B35	Cable	NRF	PINE SITE
6	95A	B36	Tractor	DISPERSAL	PINE SITE
3	95B	B36	Cable	DISPERSAL	PINE SITE
3	95C	B36	Tractor	DISPERSAL	PINE SITE
9	95D	B36	Cable	DISPERSAL	PINE SITE
18	95E	B36	Cable	DISPERSAL	PINE SITE
29	97A	B36	Cable	BOTH	DRY DOUGLAS FIR, PINE SITE
8	97B	B36	Cable	NRF	DRY DOUGLAS FIR
5	97C	B36	Cable	NRF	PINE SITE
5	97D	B80	Cable	NRF	PINE SITE
18	105A	B86	Cable	DISPERSAL	PINE SITE
16	105B	B86	Cable	NRF	PINE SITE
1	106A	B86	Cable	NO HABITAT	DRY DOUGLAS FIR
1	106B	B86	Tractor	NO HABITAT	DRY DOUGLAS FIR
6	106C	B86	Cable	NRF	DRY DOUGLAS FIR
4	107	B87	Cable	NRF	DRY DOUGLAS FIR
5	109	B89	Cable	DISPERSAL	PINE SITE
346	Total	NRF =Nesting, Roosting, and Foraging			

The proposed action will incorporate all appropriate project design features included in the Environmental Assessment for the *Bald Lick Project*.

### C. Land Use Plan (LUP) Conformance

The Bald Lick Timber Sale Project is designed to conform to the 1995 *Medford District Record of Decision and Resource Management Plan* (RMP). The 1995 Medford District Resource Management Plan incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994). (EA p. 1-7).

The Medford District 1995 Resource Management Plan directs the BLM to use a combination of silvicultural systems, as described in the RMP (Appendix E p. 180-186, 192-194), in order to maintain and promote vigorously growing conifer forests composed of fire resilient tree species, to reduce tree mortality, to maintain individual or groups of trees with old-growth characteristics, and to maintain and promote large tree structure. (ROD/RMP p. 62, 72-73). The Bald Lick Timber Sale is designed to thin forest stands while leaving large tree structure by maintaining

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individual and groups of trees with old-growth characteristics (EA p. 2-14), retaining snags (EA p. 2-30), and down woody material . Additionally, silvicultural prescriptions were adjusted to maintain forest canopy closure and structure needed to maintain existing northern spotted owl dispersal and nesting, roosting, and foraging habitat at current levels.

The Bald Lick timber sale is located partially within a Tier 1 Key Watershed (RMP p. 23 and RMP Map 3). Key Watersheds, a component of the Aquatic Conservation Strategy, are designated for the conservation of at-risk anadromous salmonids, bull trout, and resident fish species. Management Actions/Direction of the Medford District RMP requires that watershed analysis is conducted prior to management activities; the Little Applegate Watershed Analysis was conducted in 1995. Management Actions/Direction also requires that there be no net increase in the amount of roads in key watersheds. There are no new roads proposed for the Bald Lick timber sale project, as designed.

This proposal is also in compliance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

### **D. Identify applicable NEPA documents and other related documents that cover the proposed action.**

The following documents cover the proposed action:

The July 2005 Environmental Assessment for the *Bald Lick Landscape Project* (on file Medford District BLM, Medford OR and BLMs Website).

USDI Bureau of Land Management. August 29, 2005. Decision Record and Finding of No Additional Significant Impact for the *Bald Lick Landscape Project*.

The Decision Record, signed 6/5/98, for the *Integrated Weed Management Plan* with the associated FONSI and Medford District Integrated Weed Management Plan.

The U.S. Fish and Wildlife Service (USFWS) Letter of Concurrence (# 13420-2009-I-0093).

The National Marine Fisheries Service' *Letter of Concurrence* (2005).

## **E. NEPA Adequacy Criteria**

### **1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action within the same analysis area of the previously analyzed project?**

Yes. The acres of commercial timber harvest in the revised Bald Lick Timber Sale were included in the analysis for Alternative 4 in the *Bald Lick Landscape Project EA* and were also included in the August 29, 2005 *Decision Record for Bald Lick Landscape Project* (See attached map and refer to the *2005 Bald Lick EA on BLMs Website*).

### **2. Is the range of alternatives analyzed in the existing NEPA documents appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?**

Four alternatives were considered and analyzed in detail, in the 2005 Bald Lick EA, a no-action alternative and three action alternatives. The EA analyzed a No-Action Alternative to serve as a baseline to which the action alternatives could be compared. The Proposed Action (Alternative 2), involved commercial timber harvest on an estimated 5,113 acres, an estimated 11.2 miles of new road construction, and 16.4 miles of road decommissioning. Alternative 3 was developed and analyzed to respond to the social and ecological concerns relevant to new road development. Alternative 3 analyzed similar timber harvest proposal as Alternative 2; however, Alternative 3 reduced the miles of new road construction to 7.1 miles thereby increasing the acres of helicopter yarding. Alternative 4 analyzed about 2,282 acres of timber harvest outside of northern spotted owl Critical Habitat Unit OR-75 (designated CHU at the time of the Bald Lick EA analysis). A detailed description of BLM's Proposed Action and the alternatives is contained in the Bald Lick Environmental Assessment Chapter 2, Alternatives.

The Bald Lick timber sale as designed is a subset of Alternative 4, and responds to the social and ecological concerns relevant to new road development by eliminating any new road construction. The currently designed Bald Lick Timber Sale does not include helicopter yarding to address economic issue of utilizing high cost yarding systems during times when the values of timber have fallen substantially due to recession. The issue of economic feasibility was addressed in the Bald Lick EA (EA p. 1-11, 4-116 to 4-118). The EA analyzed mitigation options for improving the economic efficiency of alternatives, including dropping high cost, low return harvest units. The range of alternatives analyzed in the above Environmental Assessment document is appropriate with respect to the current proposed action, and current resource and social issues of concern.

### **3. Is the existing analysis valid in light of any new information or circumstances? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

The suite of activities included in the Bald Lick Timber Sale, as currently designed, is subset of the activities analyzed in the Bald Lick EA. No new information exists.

**4. Are the direct, indirect, and cumulative effects of the current proposed action similar to those identified in the existing NEPA documents?**

The suite of activities included in the Bald Lick Timber Sale, as currently designed, is subset of the activities analyzed in the Bald Lick EA. No new information exists. The anticipated effects of this project have been reviewed against the effects documented in the above referenced EA; the existing analysis was found to be valid for this proposed action.

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

A notice to sell the Bald Lick Timber Sale was published in Medford's *Mail Tribune* on September 1, 2005. This published timber sale notice constituted the decision document for purposes of protest in accordance with 43 CFR §5003.2. A 15-day protest period, ending on September 16, 2005, brought in many comments and protests. The submitted protests were nullified when the timber sale notice for the Bald Lick Timber Sale was rescinded due to no bids. A letter was sent to protesters to notify them of the rescission and to reiterate BLM's intent to explore ways to work collaboratively with residents when considering the reconfiguration of timber sale contracts in the Bald Lick area.

The collaboration process, which became known as the Applegate Neighborhood Network White Hat project, began several months later and has been ongoing for approximately three years. The collaborative effort resulted in a Memorandum of Understanding and set of guiding principles to re-design the timber sale with community support. While many points of agreement were reached, the management of northern spotted owl habitat remained unresolved. When it became apparent that the Northern Spotted Owl (NSO) Recovery Plan may be withdrawn due to pending litigation, agreement was easily reached concerning the protection of the NSO habitat. The final timber sale re-design maintains existing nesting, roosting and foraging NSO habitat. In addition, the current economic climate prohibits the viable use of helicopters for yarding timber, so the sale is predominantly cable with less than 12 percent of the acres being harvested by ground (tractor yarding) methods. While one short temporary spur road is needed, the lack of permanent road construction and the elimination of helicopter yarding further the community desires for this timber sale. Indications are that the community will support this version of the Bald Lick Timber Sale.

A new opportunity to protest the redesigned Bald Lick timber Sale will be available to the public when the Medford BLM issues a new timber sale notice(s) in accordance with 43 CFR §5003.3.

**F. BLM Staff Consulted**

<b>Specialist</b>	<b>Title</b>	<b>Responsibility</b>
John Samuelson	Forest Manager/Engineer	Project Lead, Engineering and Roads
Frank Hoeppe	Forester	Harvest/Logging Systems
George Arnold	Wildlife Biologist	ESA Consultation, Northern Spotted Owl
Kristi Mastrofini	Environmental Coordinator	NEPA Compliance

Note: Please refer to the EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**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.

Kimberly Hockett - Acting \_\_\_\_\_ 10/16/09  
John Gerritsma Date  
Ashland Resource Area Field Manager

Note: The signed Conclusion on this worksheet is part of an interim step in BLM's internal process used to determine the adequacy of the existing NEPA documents for this project and is not an appealable decision. However, a Notice of Sale for the Bald Lick Timber Sale will be published in the Medford's Mail Tribune newspaper. Publication of the first Notice of Sale establishes the effective date of the decision for those portions of the Bald Lick project to be implemented through a timber sale. The protest of the timber sale must be made within 15 days of the publication of the Notice of Sale.