FINAL DECISION DOCUMENTATION
August Knob Timber Sale
Revised August Knob Salvage Environmental Assessment (EA# OR118-06-009)

United States Department of the Interior
Bureau of Land Management
Glendale Resource Area, Medford District

INTRODUCTION

An environmental assessment (EA# OR118-06-009), including a Finding of No Significant Impact (FONSI), for the August Knob Salvage Project was made available for a 30-day public review period on July 18, 2006. Two comment letters were received. The Bureau of Land Management's (BLM) responses to the comments in those letters are found in the attached Public Comment to the Revised August Knob Salvage Environmental Assessment (EA# OR118-06-09) and BLM Response. Public comments were considered in reaching a final decision.

This decision conforms with the *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS,1994 and ROD, 1994); the *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995); the *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS, 2004 and ROD, 2004); the *Final Supplemental Environmental Impact Statement and Record of Decision and Standards and Guidelines for Amendment to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (FSEIS, 2000 and ROD, 2001) including any amendments or modifications in effect as of March 21, 2004; the *Final Supplemental Environmental Impact Statement Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan National Forests and Bureau of Land Management Districts Within the Range of the Northern Spotted Owl, and Proposal to Amend Wording About the Aquatic Conservation Strategy* (FSEIS, 2003 and ROD, 2004); and the *Medford District Integrated Weed Management Plan Environmental Assessment* (1998) and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985).

The Glendale Resource Area is aware of the August 1, 2005, U.S. District Court order in Northwest Ecosystem Alliance et al. v. Rey et al. which found portions of the *Final Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (January, 2004) (EIS) inadequate. The Glendale Resource Area is also aware of the January 9, 2006, Court order which:

- set aside the 2004 Record of Decision *To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (March, 2004) (2004 ROD) and

- reinstate the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines* (January, 2001) (2001 ROD), including any amendments or modifications in effect as of March 21, 2004.

The order further directs "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities....unless such activities are in compliance with the provisions of the 2001 ROD (as amended or modified as of March 21, 2004)".

The litigation over the amendment that eliminated the Survey & Manage mitigation measure from the Northwest Forest Plan does not affect the August Knob Timber Sale. This is because all required biological surveys for Survey & Manage species have been completed and meet the 2001 protocol (2001 ROD as amended or modified as of March 21, 2004). Therefore, this project complies with the Northwest Forest Plan prior to that amendment (See 2001 Compliance Review: Survey and Manage Botany Species).

The Glendale Resource Area is also aware of ongoing litigation Pacific Coast Federation of Fishermen's Associations et al. v. National Marine Fisheries Service et al. (W.D. Wash.) related to the 2004 Supplemental Environmental Impact Statement and Record of Decision for the Aquatic Conversation Strategy. The Magistrate Judge issued findings and recommendations to the Court on March 29, 2006. The District Court has not yet adopted them. The Court has not found this amendment to be "illegal," nor did the Magistrate recommend such a finding. The District Court has yet to adopt the findings and recommendations and rule.

REVISIONS TO ENVIRONMENTAL ASSESSMENT

The Revised EA replaces and supersedes the original August Knob Salvage EA (OR118-06-009) previously released on July 18, 2006. Any comments submitted for consideration must be directed to the analysis contained in the Revised August Knob Salvage Environmental Assessment (OR118-06-009) in order to be considered. The following are changes from the original EA:

1. Appendix 2 has been revised to include migratory birds as Not Affected in the *Migratory Birds (Species of Concern)* section on page 71.

2. Appendix 7 has been added on page 90 and includes the wildlife biologist's specialist report regarding the rationale for determining migratory birds as Not Affected in Appendix 2.

3. Remove wording in section 2.2.5.2 that states that "Dust abatement on landings would include rocking and/or applying lignin" as this PDF is generally applied to helicopter landings, in which none are proposed for the August Knob Salvage Timber Sale.

4. Appendix 2 has been revised to include Survey and Manage vascular and nonvascular botany species as Not Present in the *Special Status Species and Survey and Manage (not including T/E): Plant Species/Habitat* section on page 68. The *2001 ROD Compliance Review: Survey and*

Management Botany Species attachment provides the rationale regarding this determination as it documents that surveys were conducted with no sites found.

5. The PDF *2.2.7 Special Status and Survey and Manage Plant Species and their Habitats* has been deleted to reflect the change in Revision 4 above.

These modifications are minor and do not change the scope of the project analyzed, nor do the modifications affect the adequacy of the analysis contained in the EA.

DECISION

Based on site-specific analysis, the supporting project record, the management direction contained in the Record of Decision and Standards and Guidelines of the Northwest Forest Plan (1994), the Medford District Resource Management Plan and Record of Decision (1995) and the Evaluation of the Medford Resource Management Plan Relative to Four Northern Spotted Owl Reports (2005), I have decided to implement the proposed activities as described in Alternative 2. The decision rendered below will encompass salvaging fire killed trees burned in the Blossom Fire of 2005 and removing or leaving hazardous trees (green or dead) along roads that are considered a risk to humans using these roads. These forest management treatments include salvage harvesting of dead and dying trees within two units totaling 12 acres on matrix lands. Scattered fire killed and hazard trees within 75 feet of existing roads and fire killed trees along dozer firelines in the matrix would be harvested. The only activity planned in the late successional reserve (LSR) and riparian reserve (RR) is felling hazard trees which would be left on site. Roadside and dozer fireline felling would occur along five segments totaling approximately 58 acres. For hazard trees that are more than 75 feet from roads, only those portions of those trees that land within 75 feet of the road would be harvested. Only salvage would occur within 75 feet of the dozer fireline. Other forest activities include construction of a cable harvest landing, re-opening and reconstruction of a temporary spur road and decommissioning it after use, re-opening one dozer fireline for salvage access and returning it to the same condition after salvaging, lopping and scattering logging vegetative debris back on site, and road maintenance work that would clean up roadside logging debris after harvest. Planting of conifer trees would occur on the one decommissioned road after use and if necessary in salvaged areas along the roads.

ALTERNATIVES CONSIDERED

The alternatives considered in detail included the No Action Alternative (Alternative 1), which serves as the baseline to compare effects, and the Proposed Action (Alternative 2) which initiated the environmental analysis process. A description of both of these alternatives is found on pages 14-20 of the EA.

REASONS FOR THE DECISION

My rationale for the decision is as follows:

1. The Selected Alternative (Alternative 2) addresses the purpose and need of the project (EA,

pp. 10, 11):

Salvage of fire killed trees would allow the BLM to retrieve some economic value from these trees and partially achieve RMP board foot volume commitments. There is also the need to fell hazard trees that are at risk of falling onto roads used by humans. The lands being harvested are on O & C lands. One of the primary objectives identified in the RMP is implementing the O & C Lands Act which requires the Secretary of the Interior to manage O&C lands for permanent forest production in accord with sustained yield principles (ROD/RMP, p.17).

Produce a sustainable supply of timber and other forest commodities on matrix lands to provide jobs and contribute to community stability (RMP, p. 38) by:

- recovering mortality volume that would otherwise be lost to decay (PRMP/EIS, p. 4-101)
- remove snags and logs to reduce hazards to humans along roads and trails and in or adjacent to recreation sites in LSRs (RMP, p. 33)
- silvicultural systems that are economically feasible (RMP, p. 180)
- mortality above the level needed to meet snag retention and other habitat goals and provide desired levels of coarse woody debris would be harvested (RMP, p.186).

2. Alternative 1 was not selected because this alternative would not meet the purpose and need of the project.

3. The Mitigation Measure was not selected because the effects are similar to Alternative 2 and would not eliminate removing large green trees. While "Approximately five to seven green trees 38" to 43' in diameter would be removed in the landing area" (EA, p. 20) under Alternative 2, the Mitigation Measure would entail removing large green trees that are between the existing landing and Unit #2. As stated on page 38 of the EA "This Mitigation Measure would eliminate the construction of a new cable harvest landing approximately 0.2 acre in size. No green trees would be felled in creating the landing. Also approximately three acres of unit 2 would be deferred. Mitigation 1 was developed from one of the comments from KS Wild regarding opposition to new construction of roads." The soils specialist determined that "Productivity losses from yarding corridors and the temporary landing construction would also be reduced under this mitigation measure, from approximately 1 acre to 0.8 acres," (EA, p. 38) which is considered similar in effects to Alternative 2.

4. New information regarding the NSO from the following four reports was also considered in this decision.
   - *Scientific Evaluation of the Status of the Northern Spotted Owl* (Sustainable Ecosystems Institute, Courtney *et al.* 2004);
   - *Status and Trends in Demography of Northern Spotted Owls, 1985-2003* (Anthony *et al.* 2004);
   - *Northern Spotted Owl Five Year Review: Summary and Evaluation* (USFWS, November 2004); and

- *Northwest Forest Plan – The First Ten Years (1994-2003): Status and trend of northern spotted owl populations and habitat, PNW Station Edit Draft* (Lint, Technical Coordinator, 2005).

To summarize these reports, although the agencies anticipated a decline of NSO populations under land and resource management plans during the past decade, the reports identified greater than expected NSO population declines in Washington and northern portions of Oregon, and more stationary populations in southern Oregon and northern California. The reports did not find a direct correlation between habitat conditions and changes in NSO populations, and they were inconclusive as to the cause of the declines. Lag effects from prior harvest of suitable habitat, competition with Barred Owls, and habitat loss due to wildfire were identified as current threats; West Nile Virus and Sudden Oak Death were identified as potential new threats. Complex interactions are likely among the various factors. This information has not been found to be in conflict with either the Northwest Forest Plan or Medford District RMP (*Evaluation of the Medford Resource Management Plan Relative to Four Northern Spotted Owl Reports*, 2005). The Selected Alternative meets the Medford District RMP goal regarding conservation of species while providing a sustainable supply of timber.

5. The two letters received in response to the 30-day comment period on the EA and FONSI were considered (see attached responses to public comments). Chapter 3 of the EA discloses the impacts from implementing Alternative 2. None of the effects identified, including direct, indirect, and cumulative effects, are considered to be significant and do not exceed those effects described in the *Medford District Resource Management Plan/Final Environmental Impact Statement* (June 1995). Furthermore, consultation pursuant to the Endangered Species Act has been completed with the United States Fish and Wildlife Service (Log #: 1-15-06-F-0162) and a no effect Determination was made for southern Oregon/northern California coho salmon for Endangered Species Act and Essential Fish Habitat for Magnuson-Stevens Act Consultation.

FINDING OF NO SIGNIFICANT IMPACT

Two letters were received during the 30-day review period for the EA and FONSI. The letters did not provide new information, nor did it identify a flaw in assumptions, analysis, or data that would alter the environmental analysis disclosed in the EA or conclusions documented in the FONSI. It is my determination that Alternative 2 will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition for significance in context or intensity as defined in 40 CFR § 1508.27. Therefore an environmental impact statement will not be prepared.

ADMINISTRATIVE REMEDIES

This decision is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this decision. In accordance with the BLM Forest Management Regulations (43 CFR § 5003.2(1)), the decision for the timber sales will not become effective, or be open to formal protest, until the first Notice of Sale appears in a

newspaper of general circulation in the area where the lands affected by the decision are located.

To protest a forest management decision, a person must submit a written and signed protest to the Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526 by the close of business (4:00 p.m.) not more than 15 days after publication of the Notice of Sale. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Faxed or emailed protests will not be considered.

IMPLEMENTATION DATE

If no protest is received by the close of business (4:00 p.m.) within 15 days after publication of the Notice of Sale, the decision will become final. If a timely protest is received, the decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and a final decision will be issued in accordance with 43 CFR § 5003.3

CONTACT PERSON

For additional information contact either Katrina Symons, Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526; telephone 541-471-6653 or Martin Lew, Ecosystem Planner, 541-471-6504.

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Katrina Symons Date
Field Manager, Glendale Resource Area
Medford District, Bureau of Land Management