Finding of No Significant Impact
for the
Evans Creek Forest Management Project

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Introduction

The Medford District Bureau of Land Management, Butte Falls Resource Area (BLM) analyzed forest management activities, road work, fuels treatments, dispersed campsite and OHV trail rehabilitation, water source restoration, and special forest product and scattered salvage harvest on approximately 3,000 acres of matrix lands and 315 acres of riparian reserves in the *Evans Creek Forest Management Project Environmental Assessment* (EA). Projects are located in the Evans Creek, Upper Cow Creek, and Trail Creek fifth field watersheds. Timber would also be hauled out through the Jumpoff Joe Creek and Gold Hill/Rogue River fifth field watersheds. The majority of the projects are focused in the Evans Creek fifth field watershed.

The EA analyzed the potential impacts of the following forest management activities: regeneration harvest, selection harvest, commercial thinning, density management, dry forest management, small diameter thinning, hardwood management, riparian thinning, and slash disposal (hand piling and burning, lopping and scattering, underburning, and biomass utilization). Timber yarding systems included in the analysis were tractor, skyline/cable, and helicopter. Road projects considered in the EA were road renovation, road decommissioning, temporary spur road construction, and permanent road construction. In addition, the BLM analyzed rehabilitating 17 dispersed campsites and off-highway vehicle trails along 14 miles of West Fork Evans Creek; restoring 21 water sources; falling, bucking, and scaling sample trees, and harvesting special forest products and small quantities of scattered salvage timber throughout the Evans Creek watershed.

Based on the context and intensity of the impacts analyzed in the EA (p. 32-192), I have determined Alternative 3, the Selected Alternative, with the associated project design features from the Evans Creek Forest Management Project, is not a major Federal action that would significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area.

The Evans Creek Forest Management Project will not have significant effects beyond those described in the broader analyses conducted and disclosed in the environmental impact statements (EISs) for the 1995 Medford District Resource Management Plan (RMP) and the Northwest Forest Plan, or the effects have been determined to be insignificant. Environmental effects do not meet the definition of significance in context or intensity as defined in 40 CFR § 1508.27. Therefore, an environmental impact statement is not necessary and will not be prepared.

In making this finding, I considered the following criteria, as required in 40 CFR § 1508.27 by the Council on Environmental Quality (CEQ) for evaluating the significance of the impacts of the activities proposed in the Evans Creek Forest Management Project.

Context

The Evans Creek Forest Management Project is a site-specific action that will occur on 3,282 acres (2%) within the 153,309-acre project area. The BLM manages 60,508 acres (39%) within the project area and management activities will occur on 5 percent of those lands. BLM lands in the project area have the

following land use allocations: matrix, riparian reserve, and late-successional reserve (known northern spotted owl activity centers). Activities analyzed in the Selected Alternative are located on matrix and riparian reserve lands. No activities will occur in late-successional reserves.

Under the Selected Alternative, dry forest management will occur on 2,167 acres, small diameter thinning on 792 acres, and hardwood management on 323 acres. Slash created from the timber harvest will be treated by lopping and scattering, hand piling and burning, underburning, or biomass removal. The Selected Alternative also contains up to 130 miles of road renovation, 16 miles of road decommissioning, 5.5 miles of temporary spur road construction and decommissioning, and 0.2 mile of permanent road construction. In addition, the BLM will implement the dispersed campsite and OHV trail rehabilitation; water source restoration; sample tree fall, buck, and scale; and special forest product and scattered salvage harvest projects analyzed in Alternative 3.

The Selected Alternative will include implementation of the project design features listed in the EA (p. 21-29, Appendix G, and Appendix K) and applicable best management practices in Appendix D of the 1995 Medford District RMP. By implementing these protective measures, the BLM will avoid or reduce adverse impacts from management activities.

The Evans Creek project is consistent with the Medford District ROD/RMP and the effects anticipated from implementation of that plan.

Intensity

I have considered the intensity of the impacts anticipated from the Evans Creek Forest Management Project relative to the severity of the impacts, as described in the 10 considerations for evaluating intensity in CEQ regulations [40 CFR § 1508.27(b)].

Chapter 3 of the EA (p. 40-192) details the effects of the project. None of the effects identified, including direct, indirect, and cumulative effects, are considered to be significant and all anticipated effects are of the type and within the magnitude of effects analyzed and described in the EIS for the Medford District RMP.

1. Impacts that may be both beneficial and adverse.

Based on the analysis documented in the EA, no significant adverse or beneficial effects will result from implementing the Selected Alternative (Alternative 3) in the Evans Creek Forest Management Project EA. All effects are of the type and within the magnitude of effects described in the EIS for the RMP.

The EA documented the site-specific analysis of effects to the environment. Required project design features (EA p. 21-29, Appendix G, and Appendix K), an integral part of the Evans Creek Forest Management project, will ensure the potential for adverse effects on resources is avoided or minimized to the extent possible.

a) Dry forest management would reduce stand density, retain old trees (>150 years), favor drought-tolerant species, provide structural complexity, increase average stand diameter, and maintain at least 40% canopy cover. These characteristics would increase landscape resiliency to environmental disturbances (e.g., fire, insects, disease, and climate change) while maintaining highly suitable northern spotted owl habitat. Impacts to forest condition were described in the EA on pages 48-51.

b) Soil erosion from tractor yarding, permanent road construction, temporary spur road construction, road decommissioning, dispersed campsite and off-highway vehicle trail rehabilitation, water source restoration, and special forest product harvest will be avoided or minimized through implementation of project design features (EA, p. 21-29, Appendix G, and Appendix K). There may be a slight increase in soil erosion during the first year after soil-disturbing activities until previously vegetated surfaces exposed during project implementation stabilize and revegetate. Impacts to soil were described in the EA on pages 63-78.

c) The Evans Creek Forest Management Project will protect riparian reserves by implementing a 35-foot no-cut buffer on non-fish-bearing streams and a 60-foot no-cut buffer on fish-bearing streams during small diameter thinning in riparian reserves. A 175-foot riparian reserve buffer will be maintained during dry forest management and hardwood management activities. For activities within the riparian reserve (small diameter thinning, dispersed campsite and OHV trail rehabilitation, and water source restoration), specific riparian reserve project design features will be implemented (EA, p. 24-28). This will protect stream temperatures and stream sediment levels and prevent hazardous materials from entering streams. Impacts to riparian reserves were described in the EA on pages 89-102 and 109-114.

d) Fuel levels will increase immediately following forest management activities and prior to slash disposal; however, most fuels treatments will begin within 30 days of completion of harvest activities. After slash disposal treatments, fuel levels will be reduced (EA, p. 157 and 159). Impacts to fuels are disclosed in the EA on pages 156-160.

e) The Evans Creek Forest Management Project will result in the transfer of approximately 93 metric tonnes of live tree carbon to other pools such as lumber, on-site dead woody debris, biomass, and pulp wood. The total carbon dioxide emitted as a result of this project is considered negligible in the context of total U.S. emissions. Dry forest management with 40-60 percent canopy closure remaining will result in 0.0000002 to 0.0000008 percent and small diameter thinning/hardwood management will result in 0.0000009 percent of current U.S. emissions. The Evans Creek project will result in net carbon storage of 29,897 metric tonnes for a 20-year period. The carbon storage analysis is included in the EA on pages 163-180.

f) The Evans Creek project will provide economic benefits through the harvest of timber by providing jobs and contributing to community stability. The project will result in an estimated return to the Federal Treasury of about $834,375 under current market conditions. Direct employment from timber harvest and processing will result in approximately 145 full-time equivalent jobs. The impacts to economics are discussed in the EA on pages 186-187.

g) The Evans Creek Forest Management project will minimize or avoid the potential for the introduction or spread of existing noxious weed populations by implementing noxious weed project design features (EA, p. 21-29). Project design features and other mitigation measures will reduce the risk of spread or introduction of noxious weeds. The impacts to noxious weeds are discussed in the EA in Appendix B, pages 62-64.

h) Impacts to Endangered Species Act (ESA) listed threatened and endangered wildlife and plant species are discussed in CEQ consideration number 9.

2. The degree to which the selected alternative will affect public health or safety.

The Evans Creek Forest Management project will not significantly or adversely impact health or safety because

- treatment activities will meet Occupational Safety and Health Association regulations for worker and public safety,

- fire hazard and risk will be reduced within the watershed (EA, p. 159), and
- prescribed burning operations will comply with the Oregon Smoke Management Plan.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.

The Evans Creek Forest Management Project Area does not contain and will not impact wild and scenic rivers, park lands, or ecologically critical areas. Prime farmlands are found within the project boundary on private lands, mostly along the southern part of Evans Creek; however, no projects are located within or would affect prime farmland. Where required, the BLM completed surveys and inventories to identify areas with unique characteristics. This allowed the BLM to design the project in such a way to avoid impacts to these features as follows:

- Cultural surveys for the Project Area were completed and the project archaeologist assessed the project as "No Effect Determination, No Resources."
- No projects will occur within wetlands; therefore, wetlands will not be destroyed, lost, or degraded in accordance with Executive Order 11990, Protection of Wetlands.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects of the Selected Alternative for the Evans Creek Forest Management project are similar in nature to many other projects that have been implemented across the Medford District BLM. The anticipated effects of the projects, documented in the EA, are disclosed in Chapter 3 of the EA (p. 32-192). There is a continuing full range of debate, findings, and opinions about the potential effects of land management activities as evidenced by public comments received regarding this project. Opposition to the project is not the same as controversy. The Ninth Circuit held that a project is highly controversial if there is a "substantial dispute [about] the size, nature, or effect of the major Federal action rather than the existence of opposition to a use." *Blue Mountains Biodiversity Project* v. *Blackwood*. 161 F.3d 1208, 1212 (9th Cir. 1998) (quoting *Sierra Club* v. *U.S. Forest Service*, 843 F.2d 1190, 1193 [9th Cir. 1988]).

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The analysis did not indicate the effects of the Selected Alternative will involve any unique or unknown risks. The anticipated effects of implementing the Evans Creek Forest Management project are similar in nature to the effects estimated and observed for other projects implemented on lands in the Medford District BLM and are well supported with referenced literature throughout the EA.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about future considerations.

The decision to implement Alternative 3 of the Evans Creek Forest Management project will not set any precedents for future actions with significant effects nor does it represent a decision in principle about future considerations. The Evans Creek Forest Management project will implement actions that meet management direction in the Medford District RMP (EA, p. 3, 6, and 7). Any future action will have its own set of conditions and will be evaluated through the NEPA process.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The analysis did not identify any significant cumulative impacts outside of those addressed and anticipated in the EISs for the 1995 Medford District RMP and the Northwest Forest Plan. The project's interdisciplinary team performed analyses for various resources at multiple scales and included past, current, and foreseeable future actions on both private and Federal lands. The effects of Alternative 3 for each resource are disclosed in the EA in Chapter 3 (EA, p. 32-192).

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 of destruction of significant scientific, cultural or historical resources.

The project archaeologist surveyed the Project Area for cultural and historic resources and none were identified. Implementation of Alternative 3, including project design featuress, will not affect objects listed on the National Register of Historic Places, nor will it cause destruction of significant scientific, cultural, or historic resources. If cultural resources are located during project implementation, the project will be stopped and the BLM archaeologist will determine appropriate mitigation.

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.

T&E Plant Species
The Evans Creek Project Area is partially within the range of one T&E plant species, the federally threatened *Fritillaria gentneri*. One site located within the Project Area is outside all proposed projects. The project botanist concluded the project would have a *no effect* ESA determination on T&E plant species; therefore, consultation was not required (EA, p. 195).

T&E Fish Species
The Evans Creek Project Area contains one T&E fish species, the federally threatened Southern Oregon/Northern California coho salmon. The project fish biologist determined the actions proposed in this project would have a *no effect* ESA determination on coho salmon, coho critical habitat, or essential fish habitat; therefore, consultation was not required (EA, p. 195).

T&E Wildlife Species
The Evans Creek Project Area contains one T&E wildlife species, the federally threatened northern spotted owl. The project wildlife biologist submitted a biological assessment to the US Fish and Wildlife Service for the five timber sales that could be implemented from this project and the small diameter thinning project. The biological assessment included a request for formal consultation on the three timber sales that *may affect, and are likely to adversely affect* the northern spotted owl and concurrence on the two timber sales and the small diameter project that *may affect, but are not likely to adversely affect* the northern spotted owl. The BLM received a biological opinion from US Fish and Wildlife Service on May 31, 2011. The remainder of the proposed projects would have a *no effect* determination (EA, p. 194).

10. Whether the action threatens a violation of Federal, State, or Local law or requirements imposed for the protection of the environment.

The Selected Alternative will not violate Federal, State, or Local environmental protection laws. Project design features, an integral part of this project, ensure project activities are consistent with the 1995 ROD/RMP, as well as comply with legal requirements applicable to this project (EA, p. 11).

Finding

I have determined Alternative 3, the Selected Alternative, does not constitute a major Federal action having a significant effect on the human environment; therefore, an environmental impact statement is not necessary and will not be prepared. This conclusion is based on my consideration of the Council on Environmental Quality's criteria for significance (40 CFR §1508.27) with regard to the context and intensity of the effects described in the EA, and on my understanding of the project, review of the project analysis, and review of public comments. As previously noted, the analysis of effects has been completed within the context of the Medford District RMP and the Northwest Forest Plan. This conclusion is consistent with those plans and the anticipated effects are within the scope, type, and magnitude of effects anticipated and analyzed in those plans. The analysis of project effects has also occurred in the context of multiple spatial and temporal scales as appropriate for different types of impacts and the effects were determined to be insignificant.

7/27/11

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Date