Preparation Date: July 23, 2010

U.S. Department of the Interior
Bureau of Land Management
Roseburg BLM District, Oregon

Calahan Mudaxle Commercial Thinning

Decision Document

SECTION 1 – THE DECISION

Decision

It is my decision to authorize the Calahan Mudaxle portion of the Proposed Action Alternative as described in the Mud Den Commercial Thinning Environmental Assessment (EA) in Chapters 1 and 2 (NEPA#: DOI-BLM-OR-R040-2010-003-EA; pgs. 5-15). The Project Design Features that will be implemented as part of Calahan Mudaxle are described on pages 6-15 of the Mud Den Commercial Thinning EA. These project design features have been developed into contract stipulations and will be implemented as part of the timber sale contract. Sub-alternatives A, B, and C, analyzed in the EA, will not be implemented as part of this decision.

Calahan Mudaxle Commercial Thinning will occur on one unit (approximately 201 acres) of mid-seral, second-growth forest approximately 50 years old located in the Upper Umpqua River Watershed in Section 29 of T. 26 S., R. 7 W. Willamette Meridian (Figure 1). In addition, approximately 4 acres will be removed for the development of spur roads and rights-of-ways.

This project is within the Connectivity/Diversity Block (C/D) and Riparian Reserve Land Use Allocations under the 1995 *Roseburg District Record of Decision and Resource Management Plan* (1995 ROD/RMP; Table 1). Calahan Mudaxle will provide approximately 4.028 million board feet (4.028 MMBF) of timber available for auction.

Updated Information

The updated information, described below, has been considered, but does not alter the conclusions of the analysis.

1) Unit Configuration:
The land use allocations for Calahan Mudaxle are C/D (149 acres) and Riparian Reserve (52 acres; Table 1). In addition, approximately 4 acres within C/D (3.6 acres) and Riparian Reserve (0.1 acre, Spur 5) on BLM administered lands will be removed for the development of spur roads and rights-of-ways. Harvest operations within the one-quarter mile northern goshawk buffer will occur outside of the seasonal restriction period from March 1 through August 30 (Figure 2).

Table 1. Calahan Mudaxle Land Use Allocations.

Unit	EA Unit	Township-Range-Section	Unit Acres	Land Use Allocation (acres)		Roads/Rights-of-Way (acres)		
				C/D	Riparian Reserve	C/D	Riparian Reserve	Private Land
1	29A & 29B	T26S-R07W-Sec. 29	201	149	52	4	0.1	0

Within Calahan Mudaxle, there will be 72 acres of ground-based yarding and 129 acres that will be

cable-yarded (formerly 205 acres were proposed as either ground-based and/or cable-yarding in the EA, pg. 7). In addition, there will be approximately 4 acres removed for the development of spur roads and rights-of-ways through ground-based yarding.

Approximately 4 acres will be excluded (net difference) from the final unit configuration of Calahan Mudaxle as compared to what was described in the EA (205 acres) because they are existing roads.

2) Roads & Spurs:
The spur roads in Calahan Mudaxle have been re-numbered as shown below in Table 2: *Calahan Mudaxle Roads & Spurs*. There will be approximately 1,389 feet of temporary spur roads constructed (formerly 300 feet were proposed in the EA, pg. 11). There will be approximately 1,089 feet (net difference) more temporary road construction than in the EA because a portion of the renovation identified in the EA for Spur 1 was determined to need more work and is now identified as new construction in this Decision. There will be approximately 3,345 feet of permanent roads constructed in Calahan Mudaxle (formerly 3,925 feet were proposed in the EA, pg. 11).

Road construction within the one-quarter mile northern goshawk buffer will occur outside of the seasonal restriction period from March 1 through August 30 (Figure 2). Rocked roads will be constructed or renovated to winter haul standards to allow operations outside of wildlife seasonal restrictions.

Approximately 6,475 feet of existing road will be renovated (formerly 14,955 feet were proposed in the EA, pg. 11). Renovation will include brushing, blading of the driving surface, and potentially the placement of additional road rock. Typically, brushing and blading are considered as road maintenance but when performed under a timbersale contract these same activities are categorized as road renovation.

Table 2. Calahan Mudaxle Roads & Spurs[1]

Spur/Road #		**Temporary Construction**	**Permanent Construction**	**Renovation**	**Surfacing**		**Decommissioning**	
(in the EA)	*(in Decision)*	(feet)	(feet)	(feet)	Existing	Proposed	(feet)	How Decommissioned
Spur CM1	Spur 1	1,258	0	705	Native and none	Native[2] and Rock	1,963	Water-bar, mulch, block
Spur CM2	Spur 2	131	0	0	none	Rock	131	Water-bar, mulch, block
Spur CM3	Spur 3	0	576	0	none	Rock	0	none
Spur CM4	Spur 4	0	169	0	none	Rock	0	none
Spur CM5	Spur 5[3]	0	502	0	none	Rock	0	none
Spur CM6	Spur 6	0	524	0	none	Rock	0	none
26-7-7.0	26-7-7.0	0	0	0	Rock	Rock	0	none
26-7-29.0	26-7-29.0	0	0	5,770	Native	Rock	0	none
26-7-29.0 realignment	26-7-29.0	0	1,574	0	none	Rock	0	none
TOTAL		**1,389**	**3,345**	**6,475**			**2,094**	

[1]Approximately 29,779 feet of existing roads would be maintained for Calahan Mudaxle in addition to the roads and spurs described in the table.
[2] Outside of Riparian Reserve allow the purchaser to rock the spur at their expense; water-bar, mulch the beginning with logging slash, and block when harvest complete.
[3]Approximately 0.1 acre of Spur 5 will be constructed in Riparian Reserve.

In addition, approximately 2,094 feet of roads and spurs will be decommissioned in Calahan Mudaxle (formerly 2,100 feet were proposed in the EA, pg. 11). There will be less decommissioning (i.e. net

difference of six feet) authorized in this decision than proposed in the EA because there will be six feet less road construction and renovation for Spurs 1 and 2 than identified in the EA, pg. 11.

Compliance and Monitoring

Compliance with this decision will be ensured by frequent on-the-ground inspections by the Contracting Officer's Representative. Monitoring will be conducted as per the direction given in Appendix I of the 1995 ROD/RMP.

SECTION 2 – THE DECISION RATIONALE

The Project Design Features described in the Mud Den Commercial Thinning EA (pgs. 6-15) will minimize soil compaction, limit erosion, protect slope stability, protect wildlife habitat, protect fish habitat, protect air and water quality, as well as protect other identified resource values. I have reviewed the resource information contained in the EA and the updated information presented in this decision.

Chapter 2 of the EA describes two alternatives: a "No Action" alternative and a "Proposed Action" alternative and three sub-alternatives of the Proposed Action Alternative. The No Action alternative was not selected because it did not meet the following objectives in the Mud Den Commercial Thinning EA (pgs. 2-3):

- Comply with Section 1 of the O&C Act (43 USC § 1181a) which stipulates that O & C Lands be managed "… for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities…"
- Select logging systems based on the suitability and economic efficiency of each system for the successful implementation of the silvicultural prescription, for the protection of soil and water quality, and for meeting other land use objectives (1995 ROD/RMP, pg. 61). Also, provide a harvest plan flexible enough to facilitate harvesting within a three year timber sale contract.
- Seek a balance between reducing the risk of wildfire and a fuel profile that supports land allocation objectives (1995 ROD/RMP, pg. 78).
- Within C/D, perform thinning on forest stands less than 120 years of age. Design thinning to usually assure high levels of volume productivity (1995 ROD/RMP, pg. 151).
- Within the Riparian Reserves, apply silvicultural treatments to restore large conifers in Riparian Reserves (1995 ROD/RMP, pg. 21) and perform density management to help forest stands develop late-successional characteristics and attain forest conditions that contribute to the Aquatic Conservation Strategy (1995 ROD/RMP, pgs. 153-154).

Sub-alternative A focused on alternative yarding methods for units that were not included in the Calahan Mudaxle project area (e.g. helicopter yarding of Devils Den Unit 21C and Mudslinger Units 29A and 33A [EA, pg. 15]). Sub-alternative A did not offer pertinent choices relative to this Calahan Mudaxle Decision and is not part of the action to be implemented under this decision.

Portions of Sub-alternative B that were pertinent to Calahan Mudaxle include renovation of 6,335 feet of the existing, rutted 26-7-29.0 road for use during thinning operations and then the subsequent removal of the road as described in the EA (pg. 16). The portion of Sub-alternative B involving the 26-7-32.0 road in Mud Slinger is not pertinent to this Calahan Mudaxle Decision and is not part of the action to be implemented under this decision. Portions of Sub-alternative B pertinent to Calahan Mudaxle were not selected for implementation in order to improve the amount of time available each year to conduct thinning operations. The renovated and realigned portions of the 26-7-29.0 road will be rocked

permanent roads (as described previously, Table 2 and pg. 2) to allow operations to occur outside of the seasonal restrictions (March 1 to August 30) for the northern goshawk and minimize the amount of sediment from reaching streams. Rocking the renovated and realigned portions of the 26-7-29.0 road will allow operations during the wet-season and provide a harvest plan flexible enough to facilitate harvesting within a three year timber sale contract period by allowing operations to occur during approximately six months of the year (e.g. September 1 until March 1) instead of approximately six weeks (e.g. September 1 until on-set of the wet-season, typically in mid-October).

Portions of Sub-alternative C that were pertinent to Calahan Mudaxle include renovation of 6,335 feet of the existing, rutted 26-7-29.0 road for use during thinning operations and then the subsequent re-establishment of nine trench barriers (improved for safety), as described in the EA (pg. 16). The portion of Sub-alternative C involving the 26-7-32.0 road in Mud Slinger is not pertinent to this Calahan Mudaxle Decision and is not part of the action to be implemented under this decision. Portions of Sub-alternative C pertinent to Calahan Mudaxle were not selected because:

- Renovating the 26-7-29.0 road without rocking it would limit the period of harvest operations to approximately six weeks per year (as explained in the rationale for why Sub-alternative B was not selected for implementation);
- By re-establishing multiple trench barriers the BLM would incur additional costs to promote off-highway vehicle (OHV) use on the same road, whereas typically trench barriers are established to close a road; and
- Re-establishing the nine trench barriers on the 26-7-29.0 road, after harvest, would allow OHV use of the road and increase the potential for erosion and sedimentation (EA, pgs. 38-39).

Therefore, the portions of Sub-alternative C that were pertinent to Calahan Mudaxle were not selected to be implemented under this decision due to the aforementioned reasons. In addition, following thinning the 26-7-29.0 road will remain open and will provide opportunities for responsible OHV recreation on the existing road.

The implementation of this project will not have significant environmental effects beyond those already identified in the 1994 PRMP/EIS. Calahan Mudaxle Commercial Thinning does not constitute a major federal action having significant effects on the human environment; therefore, an environmental impact statement will not be prepared. This decision is in conformance with the Roseburg District's 1995 ROD/RMP, as amended. The analysis supporting this decision tiers to the 1994 PRMP/EIS.

Survey & Manage

The Calahan Mudaxle Commercial Thinning project is consistent with Court Orders relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated into the Roseburg District's 1995 ROD/RMP.

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.) (Judge Coughenour), 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 referred to as "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 will not apply to:

(a) Thinning projects in stands younger than 80 years old (emphasis added);
(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 will 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. Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings and did not enjoin the BLM from proceeding with projects. Nevertheless, I have reviewed the Calahan Mudaxle Commercial Thinning project in consideration of both the December 17, 2009 and October 11, 2006 Orders. Because the Calahan Mudaxle project entails no regeneration harvest and entails thinning only in stands 50 years old, I have made the determination that this project meets exemption "a" of the Pechman Exemptions (October 11, 2006 Order) and therefore may still proceed to be offered for sale even if the District Court sets aside or otherwise enjoins use of the 2007 *Survey and Manage Record of Decision* since the Pechman Exemptions would remain valid in such case. The first notice for sale will appear in *The News-Review*, Roseburg, Oregon on July 27, 2010.

SECTION 3 – PUBLIC INVOLVEMENT

The BLM solicited comments from affected tribal governments, adjacent landowners, affected State and local government agencies, and the general public on the Mud Den Commercial Thinning EA, which included the Calahan Mudaxle project, during a 30-day public comment period (June 8, – July 8, 2010). Comments were received as a result of the public comment period.

Upon reviewing the comments, the following topics warrant additional clarification specific to the Calahan Mudaxle project: 1) Roads, 2) Carbon Storage, and 3) OHV Opportunities and Sub-alternative C.

1) <u>Roads</u>

Comments were received that questioned the need for the amount of new road/spur construction as proposed in the EA, the need to realign the 26-7-29.0 road, road construction in Riparian Reserves, and inquired about the permanence of "temporary" roads.

As stated in the *Updated Information* previously, there will be 1,389 feet of temporary roads and 3,345 feet of permanent roads constructed in Calahan Mudaxle, while 300 feet of temporary roads and 3,925 feet of permanent roads were proposed in the EA (pg. 11). Approximately 509 feet (net difference) more new road construction (1,089 feet more temporary and 580 feet less permanent road construction) is identified in this Decision than proposed in the EA (pg. 11) because a portion of the renovation on Spur 1 will require more work than considered to be renovation and is included as new construction. Spurs and roads indentified as "temporary" construction in this Decision (i.e. Spur 1 and Spur 2) will be decommissioned by water-barring, mulching with logging slash(or with straw if logging slash is not available), and by blocking with a trench barrier. Rocking roads identified in Table 2 will allow operations to occur outside of the seasonal restrictions for the northern goshawk.

The 26-7-29.0 road needs to be realigned from its current position to a stable sidehill position to reduce the road grade and provide cable yarding equipment a better location for obtaining the necessary deflection. Realigning the road and reducing the grade will also leave the road more resistant to erosion and reduce the potential for sediment to reach streams.

There will be approximately 0.1 acre of roads constructed (Spur 5) within Riparian Reserves located on a stable ridge well away from the intermittent stream. This will meet the ACS objectives by minimizing road and landing locations within Riparian Reserves (ROD/RMP, pg. 25). Rocking the road will leave the road more resistant to erosion and reduce the potential for sediment to reach streams.

Based on 1995 ROD/RMP guidance (pg. 133), temporary roads (i.e. those not needed for continued resource management) will be left in an "erosion-resistant" condition to minimize drainage problems and sedimentation delivery to streams by using methods, such as blocking, ripping, seeding, mulching, fertilizing, and water-barring. Spurs 1 and 2 were analyzed for rocking at purchaser's expense but will be rocked as part of the Calahan Mudaxle contract. This is within the scope of what was analyzed in the EA. These roads will be decommissioned by blocking with a trench barrier, pulling culverts, water-barring, and mulching the road surface with logging slash (or with straw if logging slash is not available) after harvest operations are completed.

2) <u>Carbon Storage</u>

Comments were received regarding the Carbon Storage analysis presented in the EA that questioned: (1) the cause and effect relationship between greenhouse gases and climate change, and (2) the individual components that were used to estimate carbon release, sequestration, and net balance over time.

As cited in the EA (pg. 51), Forster, *et al.* 2007 (pgs. 129-234), reviewed scientific information on greenhouse gas emissions and climate change and concluded that human-caused increases in greenhouse gas emissions are extremely likely to have exerted a substantial warming effect on global climate. In addition, the EA further cites a U.S. Geological Survey memorandum (USDI USGS, 2008) to the U.S. Fish and Wildlife Service that summarized the latest science on greenhouse gas emissions and concluded that it is currently beyond the scope of existing science to identify a specific source of greenhouse gas emissions or sequestration and designate it as the cause of specific climate impacts at a specific location. Given this uncertainty, the analysis in the EA focused on calculating greenhouse gas emissions and carbon storage, in the context of carbon release and sequestration.

The methodology used in the calculations to estimate the net carbon balance was described in the Mud Den EA (pgs. 82-87) under *Appendix E: Carbon Storage/Release Analytical Methodology*. As part of the assumptions for the Carbon Storage analysis, it was recognized there is considerable variety available in the scientific literature regarding the quantitative measures and additional factors that may be used in calculating carbon storage that can influence the outcome of this analysis (EA, pg. 82). However, the methodology described in Appendix E provides a consistent means to compare the relative effects of the alternatives considered in the Mud Den Commercial Thinning EA and not necessarily the absolute amount of carbon that would be stored or released under the alternatives. The sources of carbon release and/or sequestration that were considered and presented for the Mud Den Carbon Storage analysis are explicitly detailed in Appendix E.

3) OHV Opportunities and Sub-alternative C

Comments were received that encouraged the BLM to select Sub-alternative C, thereby maintaining the current OHV opportunities on the 26-7-29.0 road while other comments encouraged the BLM *not* to select Sub-alternative C.

As described more fully on pg. 4, Sub-alternative C was not selected for implementation because it would limit the period of harvest operations to approximately six weeks and the BLM would incur additional costs by managing the trench barriers as OHV recreation. In addition, following thinning the 26-7-29.0 road will remain open and will provide opportunities for responsible OHV recreation on the existing road.

The remaining comments did not raise substantive issues that would influence my selection of the Proposed Action Alternative for the Calahan Mudaxle portion of the Mud Den Commercial Thinning EA, as updated above.

SECTION 4 – PROTEST PROCEDURES

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer (Max Yager) within 15 days of the first publication date of the notice of decision notice/timber sale advertisement in *The News-Review*, Roseburg, Oregon on July 27, 2010.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Roseburg District office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business (4:30 P.M.; Pacific Time Zone-Daylight Savings Time) within 15 days after first publication of the decision notice on July 27, 2010, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Swiftwater Field Office will issue a protest decision.

For further information, contact Max Yager, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97471, (541) 440-4930.

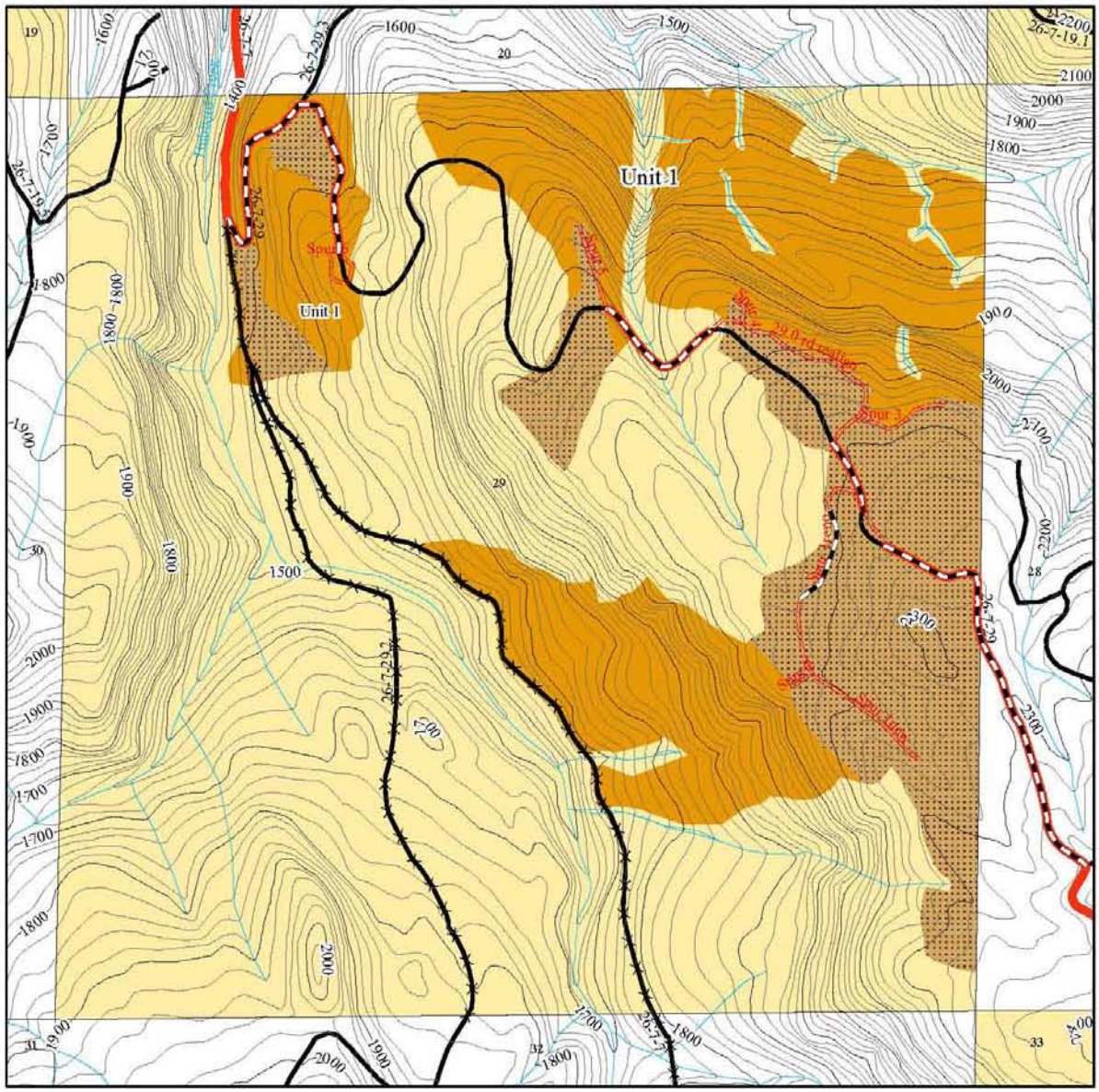
Max Yager, Field Manager
Swiftwater Field Office

7-23-10
Date

Figure 1. Calahan Mudaxle Commercial Thinning

R7W

T26S



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Legend

- Harvest Unit - Cable Yarding
- Harvest Unit - Ground-Based
- Roads
- New Road Construction
- Road Renovation
- Haul Routes
- Decommissioned Road
- Streams
- Township, Range
- Sections
- BLM Administered Land

NATIONAL SYSTEM OF PUBLIC LANDS

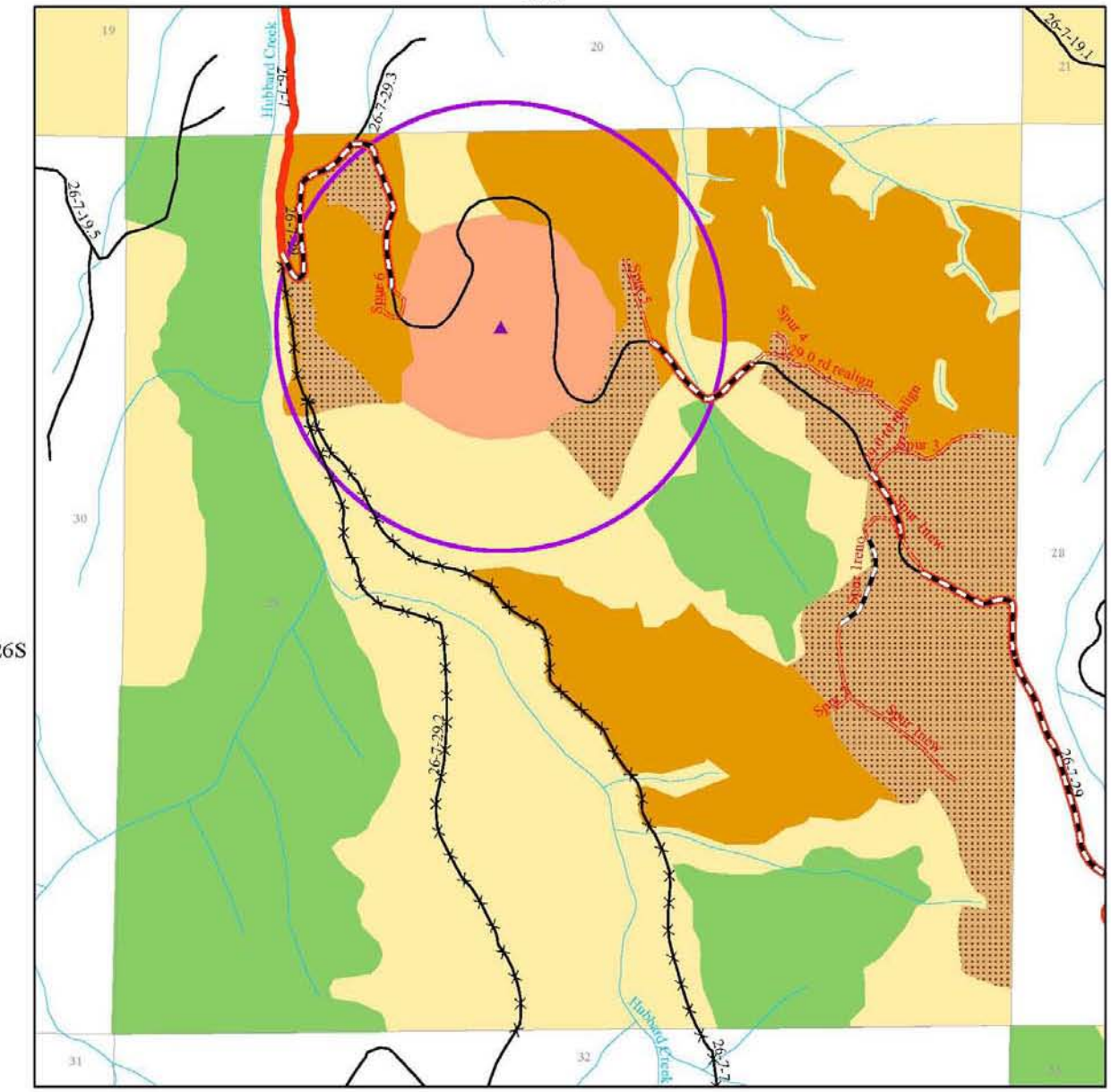
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

Figure 2. Calahan Mudaxle Commercial Thinning

Northern Goshawk

R7W

T26S



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Legend

- Harvest Unit - Cable Yarding
- Harvest Unit - Ground-Based
- Roads
- New Road Construction
- Road Renovation
- Haul Routes
- Decommissioned Road
- Streams
- Nest Trees
- Northern Goshawk 30 Acre Buffer
- 0.25 Mile Disturbance Buffer
- Suitable Habitat (80+ Years Old)
- BLM Administered Lands
- Township, Range
- Sections