Preparation Date: August 11, 2009

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

Cox Pit
Density Management

Decision Document

SECTION 1 – THE DECISION

Decision

It is my decision to authorize the Cox Pit portion of the Proposed Action Alternative as described in the Northeast Elk Creek Density Management Environmental Assessment (EA) in Chapters 1 and 2 (EA #OR-104-08-05; pgs. 3-13). The Project Design Features that will be implemented as part of Cox Pit are described on pages 4-13 of the Northeast Elk Creek Density Management EA. These project design features have been developed into contract stipulations and will be implemented as part of the timber sale contract.

Cox Pit Density Management will occur on five units (approximately 204 acres) of mid-seral, second-growth forest approximately 40 – 66 years old located in the Elk Creek/Umpqua River Watershed in Sections 20 and 21 of T. 22 S., R. 4 W., Willamette Meridian (see Figure 1). Of the 204 acres of treatment, approximately 5 acres will be removed for the development of spur roads and rights-of-ways.

This project is within the Connectivity/Diversity Block and Riparian Reserve Land Use Allocations and will provide approximately 3.182 million board feet (3.182 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) Land Use Allocation:
   The EA (pg. 4) described the Land Use Allocations that the proposed Cox Pit project fell within in the 1995 ROD/RMP: Connectivity/Diversity Block (130 acres) and Riparian Reserve (117 acres) for a total of 247 acres. The Cox Pit Density Management was reduced in size from the proposed Cox Pit project for reasons described below under "*Unit Configuration*" and now is a total of 204 acres; 157 acres within Connectivity/Diversity Block and 47 acres within Riparian Reserve.

2) Unit Configuration:
   Approximately 43 acres will be excluded from Cox Pit since the release of the EA including:

   - Approximately 12 acres will be excluded from density management because they are either currently considered suitable for northern spotted owls based on evaluation by Swiftwater Resource Area biologists or they are not readily accessible due to the exclusion of areas of suitable habitat.
   - Approximately 16 acres will be excluded from density management because they are either within the "no-harvest" buffer of additional streams located during unit layout or they are not readily accessible due to these additional stream buffers.
   - Approximately 8 acres were not reachable with cable or ground-based yarding due to

topography and will be excluded from the final unit configuration.

- Approximately 7 acres will be dropped as a result of refinements and adjustments in map accuracy from GPS locations of unit boundaries.

Within Cox Pit, there will be 56 acres of ground-based yarding (formerly 57 acres as proposed in the EA [pg. 6]) and 143 acres of cable yarding (formerly 190 acres as proposed in the EA [pg. 6]). In addition, there will be 5 acres removed for the development of spur roads and rights-of-ways (formerly 6 acres as proposed in the EA [pg. 6]) through ground-based yarding.

3) Roads & Spurs:
The spur roads in Cox Pit have been re-numbered as shown below in Table 1: *Cox Pit Roads & Spurs*. There will be approximately 1.48 miles of temporary spur roads constructed (formerly zero miles were proposed in the EA [pg. 8]). There will be no new construction of permanent spur roads in Cox Pit (formerly 1.73 miles of permanent spur road construction were proposed in the EA [pg. 8]).

The 1.48 miles of temporary spur road construction will be in place of the 1.73 miles of permanent road construction proposed in the EA. Temporary spur roads could be rocked at the purchaser's expense but filter cloth would be used to help keep the road rock and soil subgrade separate. The road rock would then be removed after use also at purchaser's expense. In addition, approximately 1.25 miles of existing road will be renovated (formerly 0.62 miles were proposed in the EA [pg. 8]). The additional road renovation mileage is on the 22-4-21.0 road where brushing and blading of the driving surface will be done that is beyond what is considered routine maintenance.

Table 1. Cox Pit Roads & Spurs[1]

Spur/Road #		Temporary Road	Renovation	Surfacing		Decommissioning
(in the EA)	*(in Decision)*	(miles)	(miles)	Existing	Proposed	
Spur CP1	Spur 1	0.48	0	none	Native	Water-bar, mulch, block
Spur CP2 & CP4	22-4-21.2	0.50	0.22	Native; None[2]	Native	Water-bar, mulch, block
Spur CP3	*Will not be built*	0	0	*Will not be built*		
Spur CP5	Spur 2	0.07	0	none	Native	Water-bar, mulch, block
Spur CP6	Spur 3	0.03	0	none	Native	Water-bar, mulch, block
Spur CP7 & CP8	Spur 4	0.40	0	none	Native	Water-bar, mulch, block
22-4-21.0	22-4-21.0	0	0.82	Native	Native	Water-bar, mulch, block
Existing Road	22-4-21.3	0	0.21	Native	Native	Water-bar, mulch, block
TOTAL		**1.48**	**1.25**			

[1]Approximately 3.81 miles of existing roads would be maintained for Cox Pit in addition to the roads and spurs described in the table.
[2] The existing surfacing of the 22-4-21.2 road is "Native" where it exists and there is no existing surfacing where there will be new construction extending the road.

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 Northeast Elk Creek Density Management EA (pgs. 4-13) 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.

This decision recognizes that impacts could occur to some of these resources; however, the impacts to resource values will not exceed those identified in the 1994 *Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement* (1994 PRMP/EIS). This decision provides timber commodities resulting from silvicultural treatments whose effects to the environment are within those anticipated and already analyzed in the 1994 PRMP/EIS.

Chapter 2 of the EA describes two alternatives: a "No Action" alternative and a "Proposed Action" alternative. The No Action alternative was not selected because it did not meet the objectives from pages 1-2 of the EA to:

- comply with Section I of the O&C Act;
- contribute timber volume towards a sustainable supply of timber;
- manage Connectivity/Diversity Block lands to usually assure a high level of volume productivity and perform commercial thinning on stands less than 120 years of age;
- retain patches of denser habitat where desired to meet wildlife habitat criteria; and
- perform density management within the Riparian Reserve to help forest stands develop late-successional characteristics and attain forest conditions that contribute to the Aquatic Conservation Strategy.

On July 16, 2009 the U.S. Department of the Interior, withdrew the Records of Decision (2008 ROD) for the Western Oregon Plan Revision and directed the BLM to implement actions in conformance with the resource management plans for western Oregon that were in place prior to December 30, 2008.

Project planning and preparation of National Environmental Policy Act documentation for this project began June 20, 2008 (prior to the effective date of the 2008 ROD) and the EA was released for public comment December 2, 2008. Therefore, the Northeast Elk Creek Density Management project was designed to comply with the land use allocations, management direction, and objectives of the 1995 Resource Management Plan (1995 RMP).

This decision is in conformance with the Roseburg District's 1995 Record of Decision and Resource Management Plan (1995 ROD/RMP), as amended. The analysis supporting this decision tiers to the 1994 *Final - Roseburg District Proposed Resources Management Plan / Environmental Impact Statement* (1994 PRMP/EIS).

In Northeast Elk Creek Density Management (EA, pg. 5), stream buffers were applied based on site-specific and riparian conditions. Those ephemeral and intermittent streams that are spatially interrupted would not have a "no-harvest" buffer since they have very few well-defined channel characteristics but they would have trees immediately adjacent to the bank retained (EA, pg. 5). These spatially interrupted streams lack the ability to propagate impacts downstream because any temperature or sediment effects, if they occur, would be "filtered" out by the subterranean flow (EA, pg. 5). Subterranean flow tends to be cooled by the subsurface environment such that it has a lower temperature when it re-appears downstream (Story *et al*., 2003)[a].

The implementation of this project will not have significant environmental effects beyond those already identified in the 1995 ROD/RMP. Cox Pit Density Management does not constitute a major federal

[a] Story, A., R.D. Moore, and J.S. MacDonald. 2003. Stream temperatures in two shaded reaches below cutblocks and logging roads: Downstream cooling linked to subsurface hydrology. Canadian Journal of Forest Resources. 33(8): 1383-1396.

action having significant effects on the human environment; therefore, an environmental impact statement will not be prepared.

Furthermore, the Swiftwater Field Office has reviewed Northeast Elk Density Management project in light of new information, such as that presented in the 2008 *Final EIS for the Revision of the Resource Management Plans of the Western Oregon Bureau of Land Management*, and found that the existing analysis presented in the EA is still valid (Determination of NEPA Adequacy; DOI-BLM-OR-R040-2009-0007-DNA).

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 Northeast Elk Creek Density Management EA, which included the Cox Pit project, during a 30-day public comment period (December 2, 2008 – January 2, 2009). Comments were received as a result of the public comment period.

Upon reviewing the comments, the following topics warrant additional clarification specific to the Cox Pit project: (1) roads, (2) stream buffers, (3) natural vs. planted stands, (4) variable density thinning, and (5) northern spotted owl habitat.

1) <u>Roads</u>

   Comments were received that questioned the need for the amount of new, permanent roads as proposed in the EA and inquired about the location of new roads relative to: Land Use Allocations, spotted owl nest patches, and spotted owl suitable habitat.

   As stated in the updated information previously, there will be no new, permanent roads constructed in Cox Pit. Instead of 1.73 miles of new, permanent road as proposed in the EA (pg. 8); approximately 1.48 miles of new, temporary roads will be constructed. The new spur roads and the 5 acres removed for the development of spur roads and rights-of-ways: are within the Connectivity/Diversity Block and Riparian Reserve Land Use Allocations, are not within a known spotted owl nest patch, and do not include the removal of suitable spotted owl habitat.

2) <u>Stream Buffers</u>

   Comments were received that the proposed streams buffers (i.e. "trees immediately adjacent to the bank") for "spatially interrupted" streams as indentified in the EA (pg. 5) were inadequate.

   As discussed previously in *The Decision Rationale* above, these spatially interrupted streams lack the ability to propagate impacts downstream because any temperature or sediment effects, if they occur, would be "filtered" out by the subterranean flow (EA, pg. 5). Subterranean flow tends to be cooled by the subsurface environment such that it has a lower temperature when it re-appears downstream (Story *et al*., 2003).

3) <u>Natural vs. Planted Stands</u>

   Comments were received that inquired about the origin of the stands to be treated (i.e. were they native forests or managed plantations) and about the average post-treatment stand diameters.

   All of the stands that were proposed in the Northeast Elk Creek Density Management had previous timber harvest activities (i.e. clearcut harvest). Most of these stands (22 out of 31) have records of being planted or seeded. The remaining stands (9 out of 31) were naturally regenerated following clearcut harvest. In addition, most of the stands (23 out of 31) have records of being previously managed with other treatments including: pre-commercial thinning, fertilization, and/or commercial thinning.

The current quadratic mean diameter of stand in Cox Pit is 11.4-15.9 inches as described in the EA (pg. 14). Following density management, the quadratic mean diameter of the stands in Cox Pit is modeled to increase to 11.6-18.8 inches under the prescription.

4) Variable Density Thinning

Comments were received that criticized the silvicultural prescription for not providing a mosaic of thinned and unthinned areas of varying tree residual tree densities.

Within Cox Pit, a variable marking prescription was used and will be thinned to a basal area of 90 square feet per acre. In the Riparian Reserve Land Use Allocation, minor conifer and hardwood species will also be retained where possible to maintain stand diversity and canopy openings would be created or enlarged (EA, pg. 4). In addition, approximately 43 acres of Cox Pit was excluded from the final unit configuration and will remain unthinned (as discussed previously under "*Unit Configuration*" above). Together these different components of the marking prescription and unit configuration will create a mosaic of forest structural conditions within and amongst the stands in Cox Pit.

5) Northern Spotted Owl Habitat

Comments were received that suitable nesting, roosting, foraging habitat for the northern spotted owl should not be removed, particularly in designated critical habitat for the northern spotted owl.

As discussed previously (see "*Unit Configuration*" above), approximately 12 acres will be excluded from the final unit configuration because they are either currently considered suitable for northern spotted owls based on evaluation by Swiftwater Resource Area biologists or they are not readily accessible due to the exclusion of areas of suitable habitat. The 6 acres of suitable habitat within Cox Pit identified in the EA (Table 7, pg. 18) will therefore not be treated and suitable spotted owl habitat within designated critical habitat will also not be treated.

The remaining comments did not raise substantive issues that would influence my selection of the Action Alternative for the Cox Pit portion of the Northeast Elk Creek Density Management 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 publication date of the notice of decision/timber sale advertisement in *The News-Review*, Roseburg, Oregon.

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 Standard Time) within 15 days after publication of the decision notice, 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, Acting-Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97471, (541) 464-3388.

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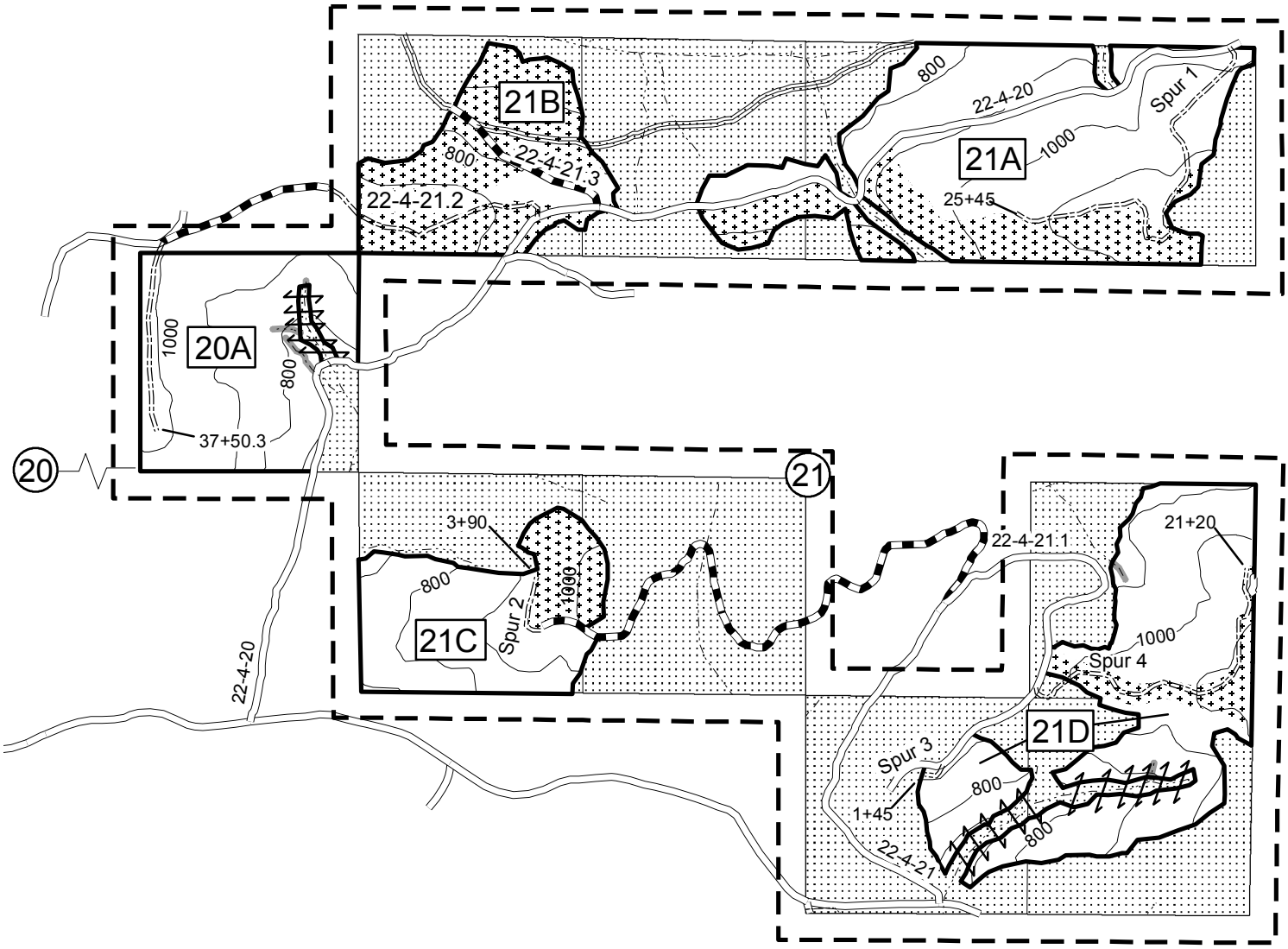
Max Yager, Acting-Field Manager Date
Swiftwater Field Office

Figure 1. Cox Pit Density Management

District	Township	Range	Section	Meridian
ROSEBURG	*22S*	*4W*	20 21	*WILLAMETTE*



LEGEND

- Harvest Area - Cable Yarding
- Harvest Area - Ground Based
- Reserve Area
- Full Suspension Yarding Area

0 500 1,000 1,500 2,000 2,500 Feet

1:12,000

- Existing Road
- Roads to be Constructed
- Roads to be Renovated
- Undrivable Road
- Boundary of Cutting Area
- Boundary of Contract Area
- Stream
- Single Tree Retention Buffer