

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

**Craven Raven  
Commercial Thinning**

**Decision Document**

**SECTION 1 – THE DECISION**

**Decision**

It is my decision to authorize the Craven Raven portion of the Proposed Action Alternative as described in the Blackbird Commercial Thinning Environmental Assessment (EA, Figure 1) in Chapters 1 and 2 (NEPA#: DOI-BLM-OR-R040-2009-0021-EA; pgs. 3-8). The Project Design Features that will be implemented as part of Craven Raven are described on pages 4-11 of the Blackbird Commercial Thinning EA. These project design features have been developed into contract stipulations and will be implemented as part of the timber sale contract.

Craven Raven Commercial Thinning will occur on seven units (approximately 274 acres) of mid-seral, second-growth forest approximately 38-50 years old located in the Rock Creek Watershed in Sections 13, 23 and 25 of T. 25 S., R. 3 W. Willamette Meridian (Figure 2). In addition, approximately two acres will be removed for the development of spur roads and rights-of-ways.

This project is within the General Forest Management Area (GFMA), Connectivity/Diversity Block (CONN) and Riparian Reserve (RR) Land Use Allocations under the 1995 *Roseburg District Record of Decision and Resource Management Plan* (1995 ROD/RMP; Table 1). Craven Raven will provide approximately 3.086 million board feet (3.086 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 Unit numbers in Craven Raven have been re-designated as shown below in Table 1: *Craven Raven Land Use Allocations*. The land use allocations for Craven Raven are GFMA (approximately 122 acres), CONN (approximately 43 acres), and RR (approximately 109 acres; Table 1). In addition, approximately 0.6 acre within CONN and approximately 1.0 acre within RR on BLM administered lands and approximately 0.5 acre on private lands (under a reciprocal rights-of-way agreement) will be removed for the development of spur roads and rights-of-ways.

**Table 1. Craven Raven Land Use Allocations.**

Unit (Figure 2)	EA Unit	Township-Range- Section	Unit Acres	Land Use Allocation (acres)			Roads/Rights-of-Way (acres)			
				GFMA	Riparian Reserve	CONN	GFMA	Riparian Reserve	CONN	Private Land*
1	13E	T25S-R03W-Sec. 13	32	15	17	0	0	0	0	0
2	13D	T25S-R03W-Sec. 13	20	12	8	0	0	0	0	0
3	13C	T25S-R03W-Sec. 13	41	20	21	0	0	0.2	0	0.5
4	23A	T25S-R03W-Sec. 23	44	36	8	0	0	0	0	0
5	23B	T25S-R03W-Sec. 23	23	20	3	0	0	0	0	0
6	23C	T25S-R03W-Sec. 23	36	19	17	0	0	0.6	0	0
7	25A	T25S-R03W-Sec. 25	78	0	35	43	0	0.2	0.6	0
<b>Total</b>			<b>274</b>	<b>122</b>	<b>109</b>	<b>43</b>	<b>0</b>	<b>1</b>	<b>0.6</b>	<b>0.5</b>

\*Private Timber felled will be decked on private lands.

As compared to what was described in the Blackbird EA approximately 65 acres will be excluded (net difference) from the final unit configuration of Craven Raven for the following reasons:

- Approximately 3 acres will be excluded from thinning because yarding over a “blind” ridge in not feasible.
- Approximately 56 acres will be excluded from thinning because it is within the riparian reserve “no harvest buffer” (i.e. 35 to 60 feet).
- Approximately 13 acres will be excluded from thinning because it is within areas that have poor stocking and low volume.
- Approximately 7 acres will be added (net addition) as a result of layout refinements and adjustments in unit boundaries.

Within Craven Raven, there will be 128 acres of ground-based yarding and 146 acres of cable yarding (formerly proposed in the Blackbird EA as 48 acres of ground-based yarding and 225 acres of cable/ground-based yarding [pg. 4]). In addition, there will be approximately 2 acres removed for the development of spur roads and rights-of-ways through ground-based yarding.

2) Roads & Spurs:

The spur roads in Craven Raven have been re-numbered as shown below in Table 2: *Craven Raven Roads & Spurs*. Road construction operations in units within the peregrine falcon buffer (Figure 3) will be required to occur outside the seasonal restriction period (February 1 through August 15). Rocked roads will be constructed or renovated to winter haul standards to allow operations outside wildlife seasonal restriction dates.

New Construction:

There will be approximately 3,507 feet of temporary spur roads constructed (formerly 3,320 feet were proposed in the EA [pgs. 7-8], a 187 foot difference resulted from road lengths generated by GIS (Geographical Information System) and actual road lengths). Approximately 2,982 feet of this will be rocked (i.e., Spur 1, Spur 2, Spur 3, Spur 4, and Spur 6). Rocking these roads will allow operations to occur outside the seasonal restrictions for the peregrine falcon.

Existing roads:

There will be approximately 4,822 feet of existing road (i.e., 25-3-13.4, 25-3-13.7, 25-3-23.0 (portion), Spur 5) and spurs renovated with additional rock. Approximately 1,070 feet of existing road will remain natural surface. In addition, 21,727 feet of existing road will be renovated by brushing and/or blading of the driving surface. Typically, brushing and blading are considered road

maintenance but when performed under a timbersale contract these same activities are categorized as road renovation. The total length of existing road to be renovated will be 26,549 feet of existing road and spur (formerly 28,225 feet were proposed in the EA [pgs. 8-9]).

Decommissioned roads:

There will be approximately 2,230 feet of existing road decommissioned. In addition, approximately 3,507 feet of new construction will be decommissioned. Decommissioning will be accomplished by water-barring, mulching, and/or blocking the roads after use (Table 2). The total length of road to be decommissioned will be 5,737 feet.

Roads Summary

Rocking roads will allow operations to occur during the wet season and will minimize impacts to the peregrine falcon during the critical breeding season. Additionally, there will be 10,838 feet more renovation to allow operations to occur on rocked roads outside the seasonal restrictions for the peregrine falcon.

Approximately 5,737 feet of roads and spurs will be decommissioned in Craven Raven (formerly 10,255 feet were proposed to be “water-barred” or “blocked” in the EA [pg. 8]). There will be less decommissioning (i.e. net 4,518 feet) authorized in this decision than proposed in the EA because:

- The 2,670 feet of the 25-3-23.0 road will not be decommissioned, because the debris flow between units 13D and 13E has stabilized and repairs can be accomplished to reduce sedimentation into streams.
- Spurs CR 10 (110 feet), CR11 (100 feet), and the 25-3-13.6 road (1,005 feet) were not necessary for operations within the Craven Raven timber sale. They were planned to be decommissioned in the EA, but were dropped and will not be decommissioned under this timber sale resulting in 1,215 feet less decommissioning.
- There were 633 more feet in road length estimated to be decommissioning than is available on the ground, so there is 633 less feet available for decommissioning.

Spur 7 and the 25-3-23.1 road will not be rocked because they are not within the peregrine falcon buffer and peregrine falcon restrictions will not apply to these roads.

**Table 2. Craven Raven Roads & Spurs<sup>1</sup>**

Spur/Road #		Temporary Construction (feet)	Renovation (feet)	Surfacing		Decommissioning	
(in the EA)	(in Decision)			Existing	Proposed	(feet)	How Decommissioned
Existing	25-3-13.0	0	560	Rock	Rock	0	none
25-3-13.4	25-3-13.4	0	2,080	Rock	Rock	0	none
25-3-13.7	25-3-13.7	0	900	Rock	Rock	900	Water-bar, block
25-3-23.0	25-3-23.0	0	15,569	Rock	Rock	0	none
25-3-23.1	25-3-23.1	0	1,070	Native	Native	1,070	Water-bar, mulch, block
25-3-23.2	25-3-23.2 A (Portion)	0	1,500	Rock	Rock	0	none
25-3-23.4	25-3-23.4	0	500	Rock	Rock	0	none
25-3-25.4	25-3-25.4	0	4,110	Rock	Rock	0	none
Spur CR5	Spur 1	863	0	None	Rock	863	Water-bar, block
Spur CR5	Spur 2	143	0	None	Rock	143	Water-bar, block
Spur CR7	Spur 3	684	0	None	Rock	684	Water-bar, block
Spur CR8	Spur 4	234	0	None	Rock	234	Water-bar, block
Spur CR9	Spur 5	0	260	Native	Rock	260	Water-bar, block

Spur/Road #		Temporary Construction	Renovation	Surfacing		Decommissioning	
<i>(in the EA)</i>	<i>(in Decision)</i>	(feet)	(feet)	Existing	Proposed	(feet)	How Decommissioned
Spur CR3	Spur 6	1,058	0	None	Rock	1,058	Water-bar, block
Spur CR2	Spur 7	525	0	None	Native	525	Water-bar, mulch, block
<b>TOTAL</b>		<b>3,507</b>	<b>26,549</b>			<b>5,737</b>	

Approximately 6,547 feet of existing roads will be maintained for Craven Raven in addition to the roads and spurs described in the table.

3) Peregrine Falcon:

A new peregrine falcon site has been confirmed in a cliff complex in the vicinity of the Craven Raven units and is immediately adjacent Units #1 and #2 (Figure 3). A one mile protection buffer (based on Cade and Anderson, pg.68) has been established around the cliff complex. This buffer will be used to determine where treatments will modify foraging habitat and has identified which sale units will require disturbance restrictions during the critical breeding season for the peregrine falcon. Units #1 thru #5 and most of Unit #6 fall within the one mile protection buffer and will be subject to a seasonal restriction for the peregrine falcon (Figure 3), for all operations except hauling, from February 1 through August 15, both days inclusive. Unit #7 and a portion of Unit #6 fall outside of the one mile protection buffer and will not be subject to the seasonal restriction for the peregrine falcon.

**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 Blackbird Commercial Thinning EA (pgs. 4-11) 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. The No Action alternative was not selected because it did not meet the following objectives in the Blackbird Commercial Thinning EA (pgs. 1-2):

- 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 GFMA, perform commercial thinning on forest stands less than 80 years of age. Design commercial thinning to assure high levels of volume productivity (1995 ROD/RMP, pg. 151).

- Within the Connectivity/Diversity Block, perform thinning on forest stands less than 120 years of age. Design thinning to usually assure high levels of volume productivity. Retain patches of denser habitat where desired to meet wildlife habitat criteria (1995 ROD/RMP, pg. 153).
- 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).

The implementation of this project will not have significant environmental effects beyond those already identified in the 1994 PRMP/EIS. Craven Raven 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 Craven Raven 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 Craven Raven Commercial Thinning project in consideration of both the December 17, 2009 and October 11, 2006 Orders. Because the Craven Raven project entails no regeneration harvest and entails thinning only in stands 38-50 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 May 25, 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 Blackbird Commercial Thinning EA, which included the Craven Raven project, during a 30-day public comment period (November 24, 2009 – December 24, 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 Craven Raven project: (1) roads, (2) slide on 25-3-23.0 road, (3) Riparian Reserve prescription, and (4) directional felling.

### 1) Roads

Comments were received that questioned the need for the amount of new road/spur construction as proposed in the EA and inquired about the permanence of “temporary” roads.

As stated in the *Updated Information* previously, there will be no new, permanent roads constructed in Craven Raven, but rocking roads identified in Table 2 will allow operations to occur outside the seasonal restrictions for the peregrine falcon.. Craven Raven will have 3,507 feet of temporary spur roads constructed. The EA states (pgs. 7-8) 3,320 feet of temporary road construction was proposed and analyzed. Spurs and roads identified as “temporary construction” in this Decision and an additional 2,230 feet (i.e. Spur5, and the 25-3-13.7 and 25-3-23.1 roads; Table 2) will be decommissioned by water-barring, blocking with trench barriers. Native surface roads will additionally be decommissioned by mulching with logging slash (or with straw if logging slash is not available).

Based on 1995 ROD/RMP guidance (pg. 133), temporary roads (i.e. those not needed for continued resource management) will be “put to bed” using methods such as blocking, ripping, seeding, mulching, fertilizing, and water-barring. The roads and spurs that will be built as temporary construction in Craven Raven Commercial Thinning will be put to bed using such methods (as described in Table 2).

### 2) Slide on 25-3-23.0 Road

Comments were received concerning the disposition of the slide on 25-3-23.0 road.

Upon examination of the slide area in relation to the 25-3-23.0 road, the slide began above the road approximately 300 feet. The slide deposited material into the road prism, thus blocking access beyond that point. The material deposited reaches a depth of up to six feet. This material will be removed and placed in a waste area in an existing rock pit next to the slide area and accessible from the 25-3-23.0 road. The waste material will be seeded and mulched as erosion control.

The damaged culvert that had been covered by the slide material will be replaced and the 25-3-23.0 road beyond the slide area will be renovated for use. Approximately 2,670 feet of the road identified for decommissioning in the EA will not be decommissioned because the slide between units 13D and 13E has stabilized and repairs can be accomplished to reduce sedimentation into streams.

### 3) Riparian Reserve Prescription

Comments were received that criticized the silvicultural prescription for not providing: a mosaic of thinned and unthinned areas of varying residual tree densities, enough variability between the uplands and the Riparian Reserve, and enough snag habitat within the Riparian Reserve.

Within Craven Raven, a variable marking prescription was used and the upland portions of the units (i.e. 122 acres in GFMA, 43 acres in CONN) will be thinned to a basal area of 130 square feet per acre and the Riparian Reserves (i.e. 109 acres) will be variably thinned to 90-130 square feet per acre. Approximately 65 acres of Craven Raven will be excluded from the final unit design (as described previously under “*Unit Configuration*”) and will remain unthinned.

All trees over 30 inches DBH will be marked for retention in both the uplands and Riparian Reserve. In addition, all snags 10 inches DBH or larger and at least 16 feet in height will be marked for retention. Existing snags will be felled only if they pose a safety concern and snags felled for safety reasons will be retained on site as coarse woody debris (EA, pg. 5).

Together these different components of the marking prescription and unit configuration will create a mosaic of forest structural conditions within both the Riparian Reserve and amongst the upland stands in Craven Raven Commercial Thinning.

#### 4) Directional Felling

Comments were received that expressed confusion regarding the directional felling of trees in or near Riparian Reserves.

As stated in the EA (pg. 6), trees within a tree length of the Riparian Reserve will be directionally felled away from or parallel to the Riparian Reserve. What this means is that, trees that are marked for harvest in the upland, GFMA portions of the units (but within one-site-tree of the Riparian Reserve) will be felled away from or parallel to the Riparian Reserve in order to avoid yarding through the Riparian Reserve. Trees that are marked for harvest within the Riparian Reserve will be felled away from streams in order to avoid yarding through stream channels.

In addition, if a reserve tree (i.e. a tree marked for retention) in the Riparian Reserve will need to be felled for safety reasons (e.g. if a tree marked for harvest gets “hung-up” in a reserve tree) then it will be left as coarse woody debris. Trees used as tailholds, intermediate supports, etc... will have measures taken to protect the tree from damage (EA, pg. 5). Examples of protective measures include: cribbing (use of sound green limbs between the cable and the bole of the tree to prevent girdling), tree plates, straps, or plastic culverts (EA, pgs. 5-6).

The remaining comments did not raise substantive issues that would influence my selection of the Action Alternative for the Craven Raven portion of the Blackbird 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 May 25, 2010.

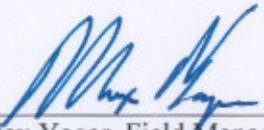
43 CFR § 5003.3 subsection (b) states: “Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision.” This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests 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 May 25, 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

5-13-10

Date

#### References

Cade, Tom J. and James H. Enderson, Guide to Management of Peregrine Falcons at the Eyrie; September 1996; pps 97.

#### Maps:

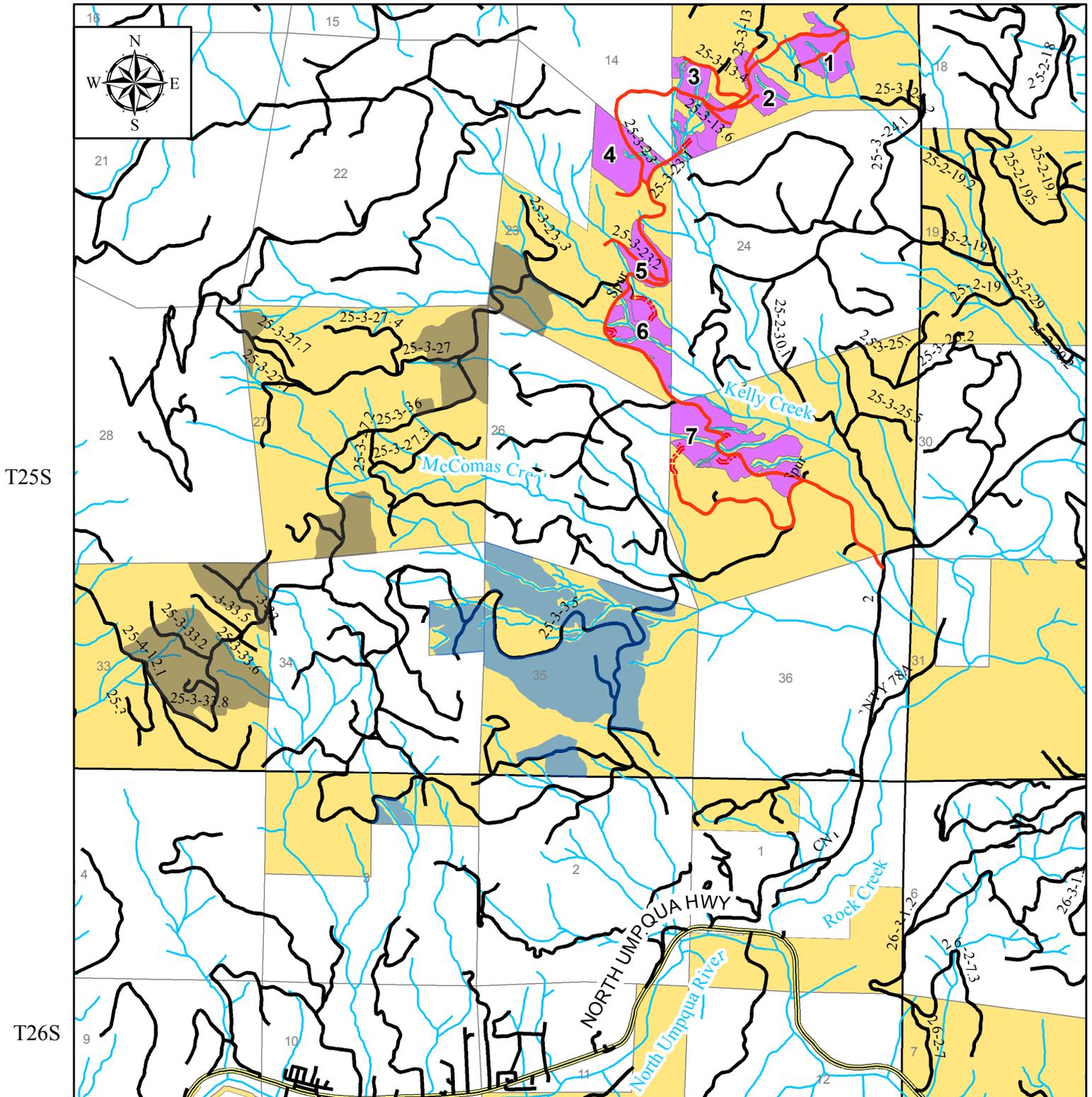
Figure 1 – Blackbird Vicinity Map

Figure 2 – Craven Raven Commercial Thinning

Figure 3 – Craven Raven Commercial Thinning, Taylor Creek Peregrine Falcon Site

# Figure 1. Blackbird Vicinity Map.

R3W



T25S

T26S

0 2,000 4,000 6,000 8,000 10,000 Feet

1 inch = 3,333 feet

1:40,000

### Legend

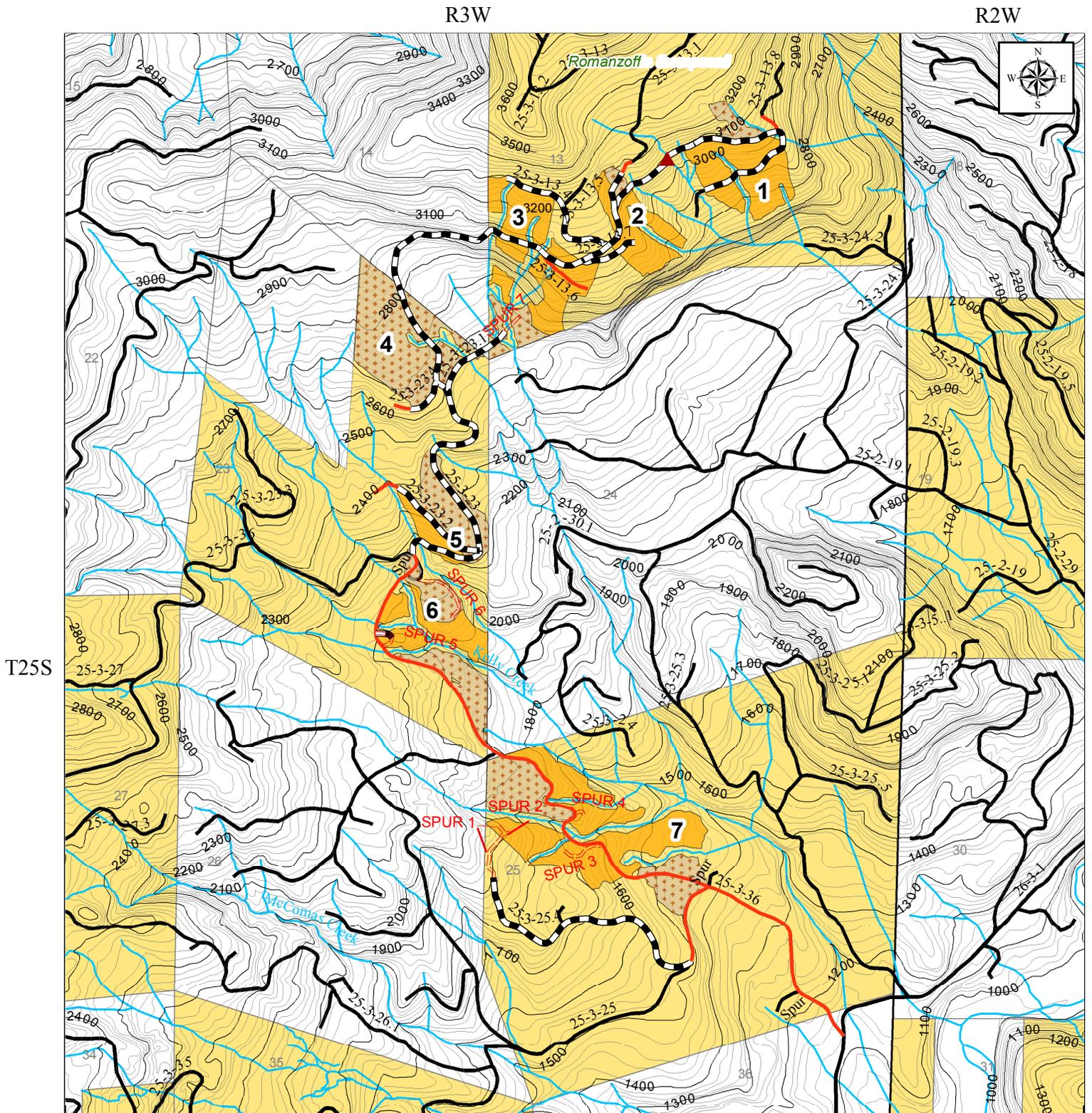
- |   |                       |   |                   |
|---|-----------------------|---|-------------------|
|  | Craven Raven Unit     |  | Township & Range  |
|  | Corvid Units          |  | Section           |
|  | Old Crow Units        |  | Administered Land |
|  | Existing Roa          |  | Other             |
|  | New Road Construction |  | Stream            |
|  | Haul Route            |   |                   |



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.

Map Date: 05-11-2010

# Figure 2. Craven Raven Commercial Thinning.



0 1,000 2,000 3,000 4,000 5,000 6,000 Feet

1 inch = 2,000 feet

1:24,000

### Legend

-  Harvest Unit - Cable Yarding
-  Harvest Unit - Ground-Based
- Administered Land
  -  BLM
  -  Other

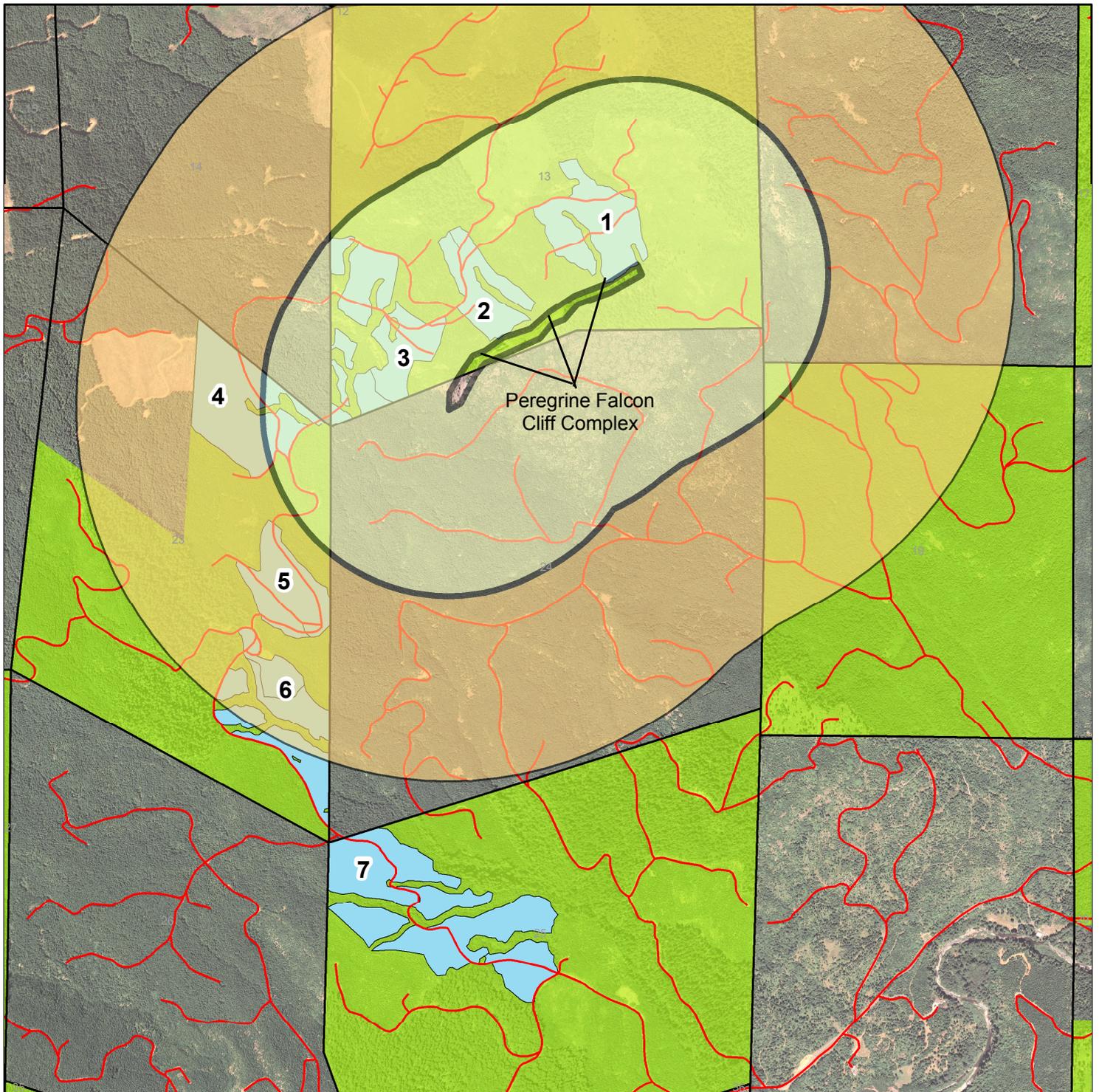
-  Existing Road
-  Road Renovation
-  New Road Construction
-  Haul Route
-  Stream
-  Landslide



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Map Date: 11-2-2009

**Figure 3. Craven Raven Commercial Thinning  
Taylor Creek Peregrine Falcon Site  
T25S-R03W-Sections 13 & 24**



**Legend**

**PEFA Seasonal Restriction Disturbance Buffers  
February 1 thru August 15**

- 0.0 - 0.5 mile - All activities
- 0.5 - 1 mile - Noise restriction
- Roads
- Craven Raven Proposed Units
- BLM Administered Lands

1:24,000



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