

Lower Cow Creek 2007 Commercial Thinning and Density Management Environmental Assessment

Doe-Eyed Commercial Thinning
Decision Record

Bureau of Land Management
South River Field Office, Roseburg District Office
EA # OR105-07-11

Background:

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.

The Lower Cow Creek 2007 Commercial Thinning and Density Management Environmental Assessment (EA) analyzed for approximately 722 total acres of commercial thinning of forest stands within the Matrix land use allocations and density management within Late Successional Reserves and Riparian Reserves. The analysis was conducted consistent with and conforms to management direction from the 1995 Roseburg District *Record of Decision and Resource Management Plan*, as amended prior to December 30, 2008. The Doe-Eyed Commercial Thinning project was analyzed as part of Alternative Two, the proposed action, described in the EA (pp. 3-10).

Decision:

It is my decision to authorize the Doe Eyed Commercial Thinning project, completing implementation of Alternative Two described in the Lower Cow Creek 2007 Commercial Thinning and Density Management EA (pp. 3-10). Commercial thinning will be applied to three forest stands encompassing 78 acres, within the General Forest Management Area and Riparian Reserve land use allocations designated by the 1995 ROD/RMP. Thinning will be accomplished exclusively with cable yarding equipment capable of maintaining a minimum of one-end suspension. Units are located in Section 13, T. 30 S, R. 7 W., Willamette Meridian, and designated as follows:

Sale Unit	EA Unit Designation
Unit 1	30-7-13A
Unit 2	30-7-13B
Unit 3	30-7-13C

The project will yield an estimated 783 thousand board feet of timber. Approximately 452 thousand board feet derived from the General Forest Management Area is creditable to the District's annual allowable sale quantity. The remaining 331 thousand board feet derived from density management in the Riparian Reserves is not chargeable to the annual allowable sale quantity.

Access will be provided by existing roads, construction of one temporary road (No. 30-7-13.5) 0.40 miles in length, and renovation of approximately 0.10 miles of Road No. 30-7-13.1 identified in the contract as Spur #1. Construction of the spur road will require cutting of approximately one additional acre of right-of-way on BLM and adjoining private lands. The temporary spur road and renovated road segment will be seeded, mulched, blocked and decommissioned after use.

Implementation of this decision is subject to the following seasonal restrictions (EA, p.8-9):

- Felling and yarding of timber except for clearing rights-of-way is generally prohibited from April 15th to July 15th (barkslip period).
- Yarding and hauling of timber on unsurfaced roads is restricted to the period between May 15th and the onset of regular autumn rains, usually around mid-to-late October. This restriction is specific to Unit 3.
- Thinning and density management operations within 65 yards of any unsurveyed suitable habitat, known nest sites, or known activity centers for northern spotted owls is prohibited from March 1st to July 15th, unless current year surveys indicate that owls are not present, are present but not attempting to nest, or nesting attempts have failed.
- The northwest portion of Unit 1, between roads 30-7-23.0 and 30-7-13.1, and all of Unit 2 are within 100 yards of suitable marbled murrelet nesting habitat. Daily operational restrictions will be implemented so that thinning is not likely to adversely affect murrelets. Operations will only be allowed during the period of time extending from two hours after sunrise until two hours before sunset, between April 1st and August 5th.

All logging and road construction equipment, excluding log trucks and crew transport, will be pressure washed or steam cleaned prior to mobilization in and out of the project area to minimize the risk of introducing soil from outside the project area that may be contaminated with noxious weed seed or other propagative materials. Any equipment removed during the life of the contract must be cleaned before being returned to the project area.

As illustrated in Appendix E (Port-Orford-cedar Risk Assessment) of the Lower Cow Creek 2007 Commercial Thinning and Density Management EA, healthy and infected Port-Orford-cedar is present in the Doe-Eyed Commercial Thinning units and along the access routes. The risk assessment determined that no additional management practices are necessary.

Additional Information:

- The units were evaluated for the presence of suitable habitat for Oregon shoulderband snails (*Helminthoglypta hertleini*) and Chace sideband snails (*Monadenia chaceana*). Suitable habitat is not present in any of the units and no surveys were necessary.
- No cultural resources were identified.
- Botanical surveys detected one occurrence of a Bureau Sensitive bryophyte (*Tetraplodon mnioides*) on a jeep road at the bottom of Unit 1. The area will be protected from disturbance to allow the moss to complete its life cycle.
- A new spotted owl site was located in 2007, northwest of Unit 1. Occupancy of the site was confirmed again in 2008. An estimated two to three acres along the northwest edge of Unit 1 overlap the outer periphery of the nest patch, defined as a circle 300-meters in radius centered on a nest site.

Rationale for the Decision:

The Lower Cow Creek 2007 Commercial Thinning and Density Management EA analyzed two alternatives in detail, Alternative One, the alternative of No Action (EA, p. 3), and Alternative Two, The Proposed Action (EA, pp. 3-10). Alternative Two will achieve the objectives of providing timber, and improving stand quality and vigor within the General Forest Management Area (EA, p. 2), whereas Alternative One will not.

The project is considered likely to adversely affect spotted owls because it will thin within a nest patch potentially resulting in harm to owls. Thinning will occur outside of the 65-yard disruption threshold and will not be subject to seasonal restrictions for disturbance. No suitable habitat will be removed, so no seasonal restrictions for modification to suitable habitat are required.

Protocol surveys of suitable spotted owl habitat between Units 2 and 3, east of Unit 2, and south of Unit 1 have been conducted for two consecutive years with no detection. Operations are exempt from seasonal for disturbance through February of 2011.

None of the commercial thinning units are adjacent to stream reaches occupied by Oregon Coast coho salmon, or designated as critical habitat and Essential Fish Habitat for coho salmon. The nearest occurrence is in Cow Creek more than three miles downstream of the project area. As discussed in the EA (pp. 37-40), no adverse effects are expected to fish, or to stream reaches designated as critical habitat and Essential Fish Habitat for Oregon Coast coho salmon.

South River Field Office staff reviewed the Lower Cow Creek 2007 Commercial Thinning and Density Management EA in light of new information on northern spotted owls, barred owls, water quality, peak flows and fire risk described in the 2008 Final Environmental Impact Statement for the Revision of the Resource Management Plans on the Western Oregon Bureau of Land Management. It was determined that the information did not invalidate the conclusions of the analysis (Determination of NEPA Adequacy; DOI-BLM-OR-R050-2009-0013-DNA).

Public Involvement & Response to Comment:

The BLM received comments from seven organizations during development of the EA and during the public comment period (February 5th to March 6th, 2008). Comments did not provide new information or identify relevant issues the BLM should have considered in the analysis. One comment relevant to the Doe Eyed Commercial Thinning project warrants discussion here.

“The maps that came with the FEIS for *Management of Port-Orford-Cedar in Southwest Oregon* (USDA and USDI 2004a) show a POC uninfected sub-watershed in Beatty Creek, also an important ACEC, RNA and important botanical area with rare plants. Haul roads accessing the Doe Creek portion of the project could traverse the upper portion of Beatty Creek. Therefore, it is very important to implement sensible mitigations to prevent spread of *P. lateralis*, such as equipment washing; restricting road work to the dry season; restricting hauling on unsurfaced roads to the dry season; scheduling operations in uninfected areas prior to work in infested areas; and blocking unsurfaced roads upon completion of the project.”

As indicated on the Vicinity/Haul Route map attached to this decision, timber haul will use the Doe Creek road system and will not traverse any portion of the Beatty Creek drainage.

Project design features described in the comment are employed in all timber sale contracts. These include:

- Equipment washing, as described on the preceding page of this decision, is required as a measure to prevent introduction of noxious weeds by removing soil potentially contaminated with weed seed and other propagules. This is also an effective measure in reducing the risk of spreading soil that may be contaminated with *P. lateralis*.
- Restriction of road construction to the dry season is a Best Management Practice identified in the ROD/RMP and required by the Clean Water Act, as amended by the Water Quality Act of 1987.
- Restriction of hauling on unsurfaced roads to the dry season is a standard practice to address sediment and effects to fish and aquatic habitat.
- Scheduling work in uninfested areas prior to work in infested areas to control spread of weeds is also applicable to controlling the spread of Port-Orford-cedar root disease, although the point is moot, as the disease is already present.
- Unsurfaced roads used in conjunction with the Doe-Eyed Commercial Thinning project will be blocked upon completion of operations, as discussed on page 1 of this decision.

Monitoring:

Monitoring of the effects of the proposed action will be done in accordance with provisions contained in the 1995 ROD/RMP, Appendix I (pp. 84-86, 190, 193, and 195-199) focusing on effects of commercial thinning and density management on: Riparian Reserves, Matrix, Water and Soils, Fish Habitat, and Special Status Species Habitat.

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, Ralph L. Thomas, within 15 days of the publication of the notice of decision/timber sale advertisement on August 4, 2009, 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.

The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the party or parties. Upon denial of protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 43 CFR § 5003.3 subsection (f).

If no protest is received by close of business (4:30 P.M., PDT) 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 South River Field Office will issue a protest decision.

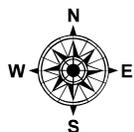
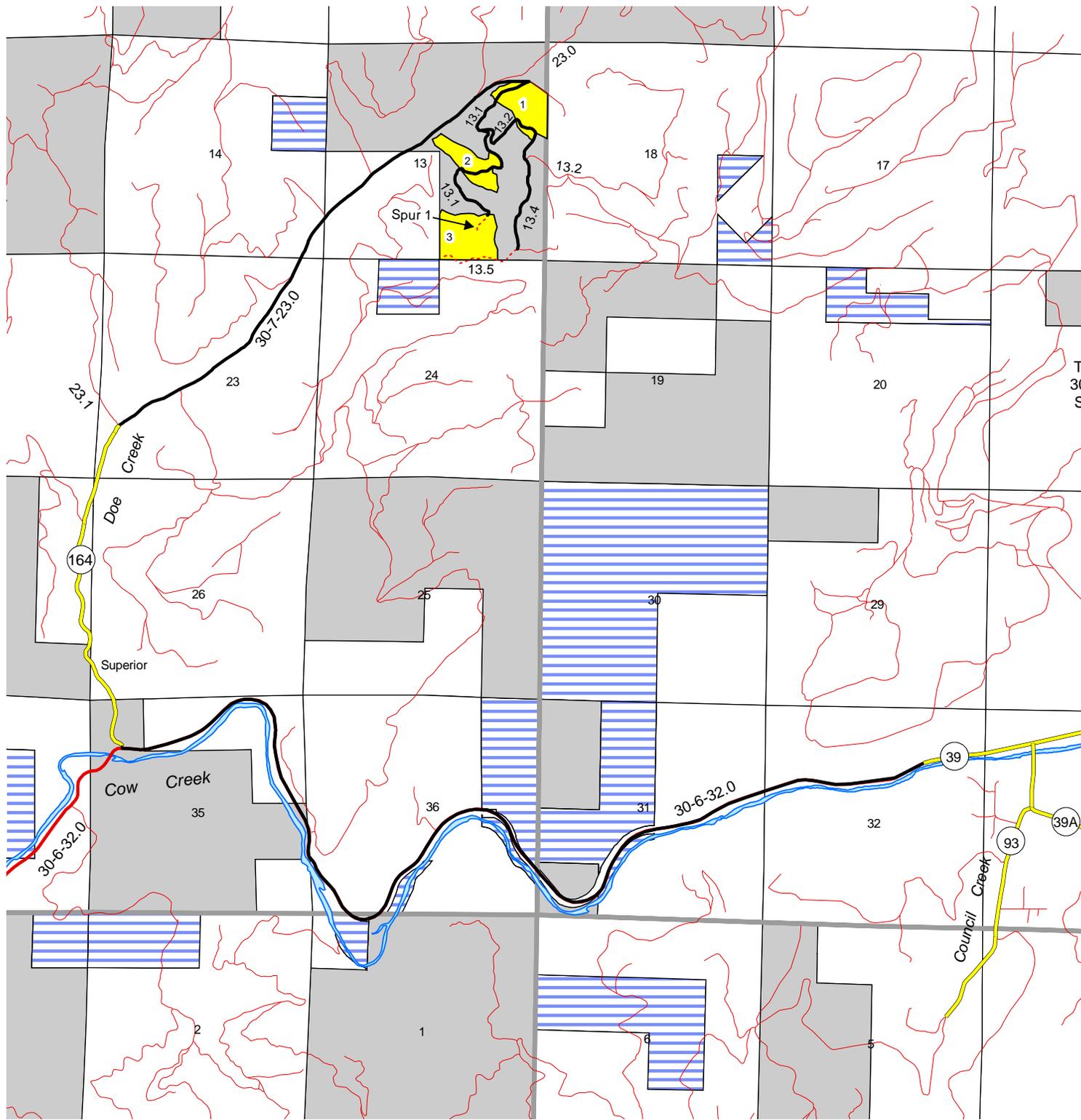
For further information, contact:


Ralph Thomas
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South River Field Office
(541) 464-3203

8/3/09
Date

Doe - Eyed

Commercial Thinning



R 7 W

R 6 W

T30S, R7W

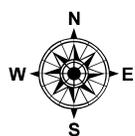
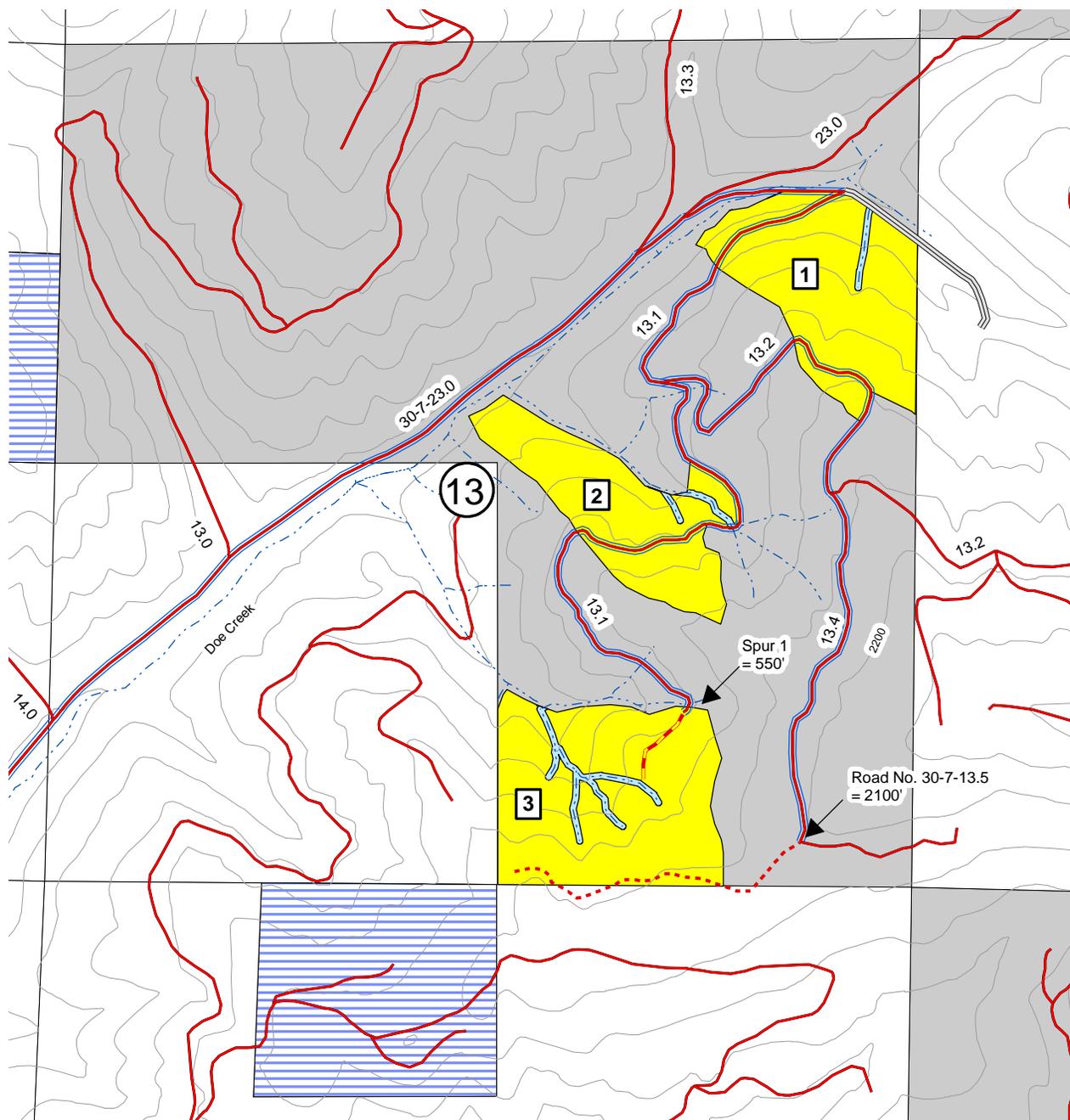
Willamette Meridian, Douglas Co., OR



- County Road
- Haul Route
- Existing Road
- Construct or Renovate
- Thinning Area
- BLM (PD) Land
- BLM (O&C) Land
- Non-BLM Land

DOE EYED

COMMERCIAL THINNING



T30S, R7W

Willamette Meridian, Douglas Co., OR

- Existing Roads
- Haul Route
- Undrivable Road
- Road to be Constructed and Decommissioned
- Road to be Renovated and Decommissioned
- Streams
- Thinning Area
- No Harvest Area
- BLM (O&C) Land
- BLM (PD) Land
- Non-BLM Land