

# Thunderbolt Hazardous Fuels Treatment Decision Record

## Thunderbolt Thinning and Hazardous Fuels Treatment Environmental Assessment

DOI-BLM-OR-R040-2010-011-EA

Bureau of Land Management  
Swiftwater Field Office, Roseburg District

### **Background**

The Thunderbolt Thinning and Hazardous Fuels Treatment Environmental Assessment (EA) proposed thinning of approximately 1,583 acres of forest stands in the Little River and Middle North Umpqua River watersheds. In addition, the EA proposed a hazardous fuels treatment project, which occurs along the Thunder Mountain ridgeline; an area known for both lightning and human caused fires. The project area is within the Wildland Urban Interface (WUI), as described in the Douglas County North Umpqua Community Wildfire Protection Plan. The hazardous fuels portion of this project involves fuels treatment on 321 acres, 102 acres of which are located outside of thinning units. The Thunderbolt Hazardous Fuels Treatment Decision only pertains to fuels treatments located outside of harvest units in Sections 25, 26, 27, 29, 31, and 33 of T. 26 S., R. 2 W., Willamette Meridian. Treatment of activity fuels (fuels created during the timber harvest process) within harvest units will be addressed in separate decisions.

This fuels treatment project will improve safe ingress and egress to the area for firefighting personnel and the public, and reduce the likelihood of a wildfire event resulting from roadside ignition caused by human activity.

The Thunderbolt Hazardous Fuels Treatment project includes lands within the Adaptive Management Area (AMA), General Forest Management Area (GFMA), and Connectivity/Diversity Blocks (C/D) land use allocations.

The analyses were conducted and the project designed to conform to management direction from the 1995 Roseburg District *Record of Decision and Resource Management Plan* (ROD/RMP) as amended prior to December 30, 2008.

### **Decision**

It is my decision to authorize the Thunderbolt Hazardous Fuels Treatment project, continuing implementation of Alternative Three (EA; pp. 15-33), as was chosen in the Big Thunder Timber Sale Decision. The EA analyzed for two types of hazardous fuels treatments outside of proposed harvest units, the construction of a shaded fuel break on 86 acres and roadside fuels treatment on 7 acres (Figure 1). Updated information for this project is described below (p. 2).

The shaded fuel break will occur on BLM lands, 200 feet on either side of the Thunder Mountain ridgeline. No merchantable timber will be removed from these areas. Understory vegetation, generally consisting of shrubs and immature trees (less than seven inches diameter at breast height (DBH)), will be cut. Remaining trees will be pruned up to 15 feet from the ground, or half the height of the tree. Multi-stemmed hardwoods (greater than seven inches DBH) will be reduced to one or two dominant stems and pruned up to 15 feet from the ground. All cut vegetation will either be hand piled, covered, and burned or chipped. Existing downed wood between three and seven inches diameter will also be gathered into hand piles for burning. Up to two small piles per acre will be retained as habitat and will not be burned. Should any proposed harvest unit not

be harvested, the ridgeline fuel break will still be treated as described. For more details on the shaded fuel break prescription, see Chapter 2 of the EA.

The roadside fuels treatment will occur within 50 feet on either side of high priority roads throughout the project area. The roadside fuels treatment prescription is the same as the shaded fuel break prescription, described above.

### **Updated Information**

The updated information described below has been considered and determined to not alter the conclusions of the analyses in the EA.

Of the 92 acres of shaded fuel break originally proposed for treatment outside of the proposed harvest units, the shaded fuel break treatment will occur on approximately 86 acres. In addition, approximately 7 acres of the proposed 10 acres of roadside fuels treatment outside of proposed harvest units will occur on BLM administered lands. A total of roughly nine acres will be excluded from this decision for the following reasons:

- Proposed hazard fuel treatment adjustments due to protection of special status botanical and wildlife species, protection of cultural sites, and suitable northern spotted owl habitat within activity centers.
- Further field review identified areas that did not meet hazardous fuels treatment criteria.

### **Compliance**

Based on historical and current survey data, there is one known northern spotted owl activity center within 0.25 miles of a portion of the shaded fuel break (T26S-R02W-S25), and one known northern spotted owl activity center within 0.25 miles of a portion of the roadside fuels treatment (T26-R02W-S27). Due to disruption restrictions, pile burning would not be applied within one-quarter (0.25) mile of these activity centers, from March 1 to July 15, both dates inclusive, and modification of suitable habitat would not occur within one-quarter (0.25) mile of these activity centers, from March 1 to September 30, both dates inclusive (EA, pp. 6, 26-28).

Project Design Features (PDFs) will be implemented to avoid disturbance to micro-habitats associated with special status mollusk species in stands greater than 80 years old, including avoiding construction of hand piles and burning on rock outcrops, near coarse woody debris, and around large hardwoods (i.e. bigleaf maple) (EA, p. 26).

During the EA process, botanical surveys found six populations of the Bureau Sensitive species Thompson's mistmaiden (*Romanzoffia thompsonii*) in rocky meadows within the hazardous fuels treatment areas. There will be no treatment of hazardous fuels where Thompson's mistmaiden populations have been identified (EA, p. 91-92).

Compliance with this decision and the PDFs described above will be ensured by frequent on-the-ground inspections by the Contract Administrator. All Industrial Fire Precaution Level (IFPL) regulations will be followed.

### **Decision Rationale**

Chapter Two of the EA describes four alternatives: a "No Action" alternative and three Action Alternatives. The No Action alternative and Action Alternative One were not selected because they did not meet the stated need "to provide a potential location to safely fight a wildfire" and the stated purpose "to reduce the threat of

wildfire” (EA, pg. 7). Action Alternative Two and Alternative Three are identical for treatment of hazardous fuels outside of harvest units. The continued implementation of Action Alternative Three was selected.

The PDFs described in the EA (pp. 30-31) protect areas of vulnerability, as specifically identified by botany, soils and wildlife specialists. I have reviewed the resource information contained in the EA and the updated information presented in this decision.

Based on the analysis of potential impacts contained in the EA, a Finding of No Significant Impacts (FONSI) has been prepared for the project with a determination that the project will not have a significant impact on the human environment; therefore, an Environmental Impact Statement will not be prepared.

### **Additional Information**

#### ***Survey and Manage***

In ruling on Conservation Northwest et al. v. Mark E. Rey et al. on December 12, 2009, Judge Coughenour in the U.S. District Court for Western Washington set aside the 2007 Record of Decision eliminating the Survey and Manage mitigation measures, but deferred issuing a remedy until further proceedings. Judge Coughenour did not issue a remedy or injunction at that time.

The plaintiffs and Federal Agencies entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. The Defendant-Intervenor subsequently appealed the 2011 Settlement Agreement. On April 25, 2013, the Ninth Circuit Court of Appeals invalidated the 2011 Survey and Manage Settlement Agreement and remanded the case back to the District Court. On February 18, 2014, the District Court vacated the 2007 RODs which returned the BLM to the status quo in existence prior to the 2007 RODs, which includes the use of the Pechman exemptions.

The Pechman Order dated 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;
- 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 of 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."

I have reviewed the Thunderbolt Hazardous Fuels Treatment project in consideration of Judge Pechman's October 11, 2006, order. I have made the determination that this project meets Exemption "d" for the following reasons:

- The hazardous fuels treatment project does not involve commercial logging outside of the thinning units;
- Prescribed fire will be applied to the hazardous fuels treatment area;

- If prescribed fire is not applied, ground disturbance will not occur if hazardous fuels are chipped instead of burned;
- PDFs will be implemented to avoid ground disturbance near SEIS special attention and Bureau Sensitive species (see *Compliance* section).
- Surveys have been completed according to protocols, using the 2001 Survey and Manage species lists, where hazardous fuels treatment will occur in stands over 80 year old.

### **Public Involvement and Response to Comments**

The BLM solicited comments from affected tribal governments, adjacent landowners, affected State and local government agencies, and the general public on the EA, which included the Thunderbolt Hazardous Fuels Treatment project, during a 30-day public comment period from November 12, 2013 to December 12, 2013. Three sets of comments were received as a result of the public comment period.

Upon reviewing the comments, a topic expressing concern about the long-term maintenance of the shaded fuel break warranted additional clarification. The BLM recognizes the need to maintain the function of the shaded fuel break. The fuel break will be monitored post-harvest and re-treatment of understory vegetation will be completed as needed and as budgets allow. Similar projects that have been implemented recently on the Roseburg District are still effective four years post-treatment. Similar results are expected for the Thunderbolt project.

The remaining comments did not raise substantive issues that would influence my selection of Alternative Three for implementation of the Thunderbolt Hazardous Fuels Treatment project as included in the EA and updated above.

### **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 decision posted on the Roseburg BLM website (<http://www.blm.gov/or/districts/roseburg/plans/index.php>) on August 4, 2014.

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 August 19, 2014 (4:30 P.M.; PDT), 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.

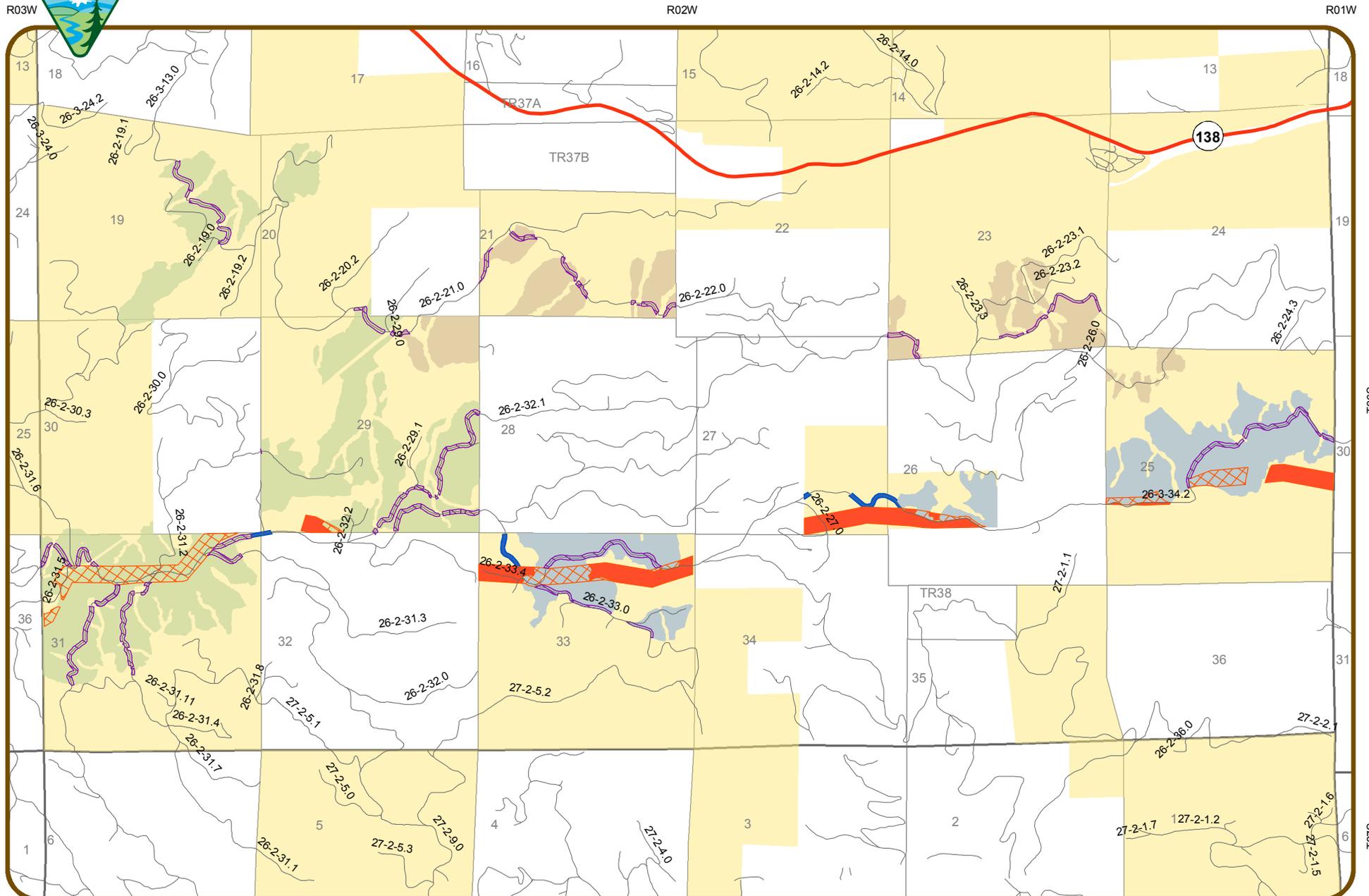
For further information, contact Max Yager, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR 97471, (541) 440-4930.

Jake Winn  
Jake Winn, Acting Field Manager  
Swiftwater Field Office

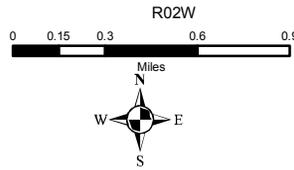
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Date



Figure 1. Hazardous Fuels Treatment Areas



- Legend**
- █ Roadside Fuels Treatment, outside units
  - █ Shaded Fuel Break, outside units
  - Roadside Fuels Treatment, within units
  - Shaded Fuel Break, within units
  - Big Thunder Harvest Units
  - Rolling Thunder Harvest Units
  - Thundering Herd Harvest Units
  - Highway 138
  - Roads
  - BLM Ownership



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Date: 7/28/2014