

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

**Mr. Bennet
Density Management**

Decision Document

SECTION 1 – THE DECISION

Decision

It is my decision to authorize the Mr. Bennet 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 Mr. Bennet 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.

Mr. Bennet Density Management will occur on three units (approximately 341 acres) of mid-seral, second-growth forest approximately 38 – 48 years old located in the Elk Creek/Umpqua River Watershed in Sections 23 and 27 of T. 22 S., R. 4 W., and Section 3 of T. 23 S., R. 4 W., Willamette Meridian (see Figures 1-3). Of the 341 acres in the harvest area, approximately 7 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 5.923 million board feet (5.923 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 Mr. Bennet project fell within in the 1995 *Record of Decision and Resource Management Plan* (1995 ROD/RMP) for the Roseburg District: Connectivity/Diversity Block (270 acres) and Riparian Reserve (165 acres) for a total of 435 acres. The Mr. Bennet Density Management was reduced in size from the proposed Mr. Bennet project for reasons described below under “*Unit Configuration*” and now is a total of 341 acres; 244 acres within Connectivity/Diversity Block and 97 acres within Riparian Reserve.

2) Unit Configuration:

Approximately 94 acres will be excluded (net difference) from Mr. Bennet since the release of the EA including:

- Approximately 64 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 14 acres will be excluded from density management at this time due to poor (low) stocking levels.

- Approximately 14 acres will be excluded from the unit because they are existing roads.
- Approximately 9 acres (Unit 23B; EA pgs. 6, 71) will be deferred from harvest at this time because they are not yet ready for silvicultural treatment. These acres may be included with another forest stand in a future density management project.
- Approximately 2 acres will be excluded from the final unit configuration of Unit 27A (west of Spur 4) due to slope stability concerns.
- Approximately 8 acres will be added (net difference) due to adjustments in the GIS data-layers for property lines.
- Approximately 1 acre will be added of similar stand type (i.e. 49 years old) to improve operability in Unit 23A.

Within Mr. Bennet, there will be 100 acres of ground-based yarding (formerly 141 acres as proposed in the EA [pg. 6]) and 234 acres of cable yarding (formerly 294 acres as proposed in the EA [pg. 6]) within the unit. In addition, there will be 7 acres removed for the development of spur roads and rights-of-ways (formerly 12 acres as proposed in the EA [pg. 6]) through ground-based yarding.

3) Roads & Spurs:

The spur roads in Mr. Bennet have been re-numbered as shown below in Table 1: *Mr. Bennet Roads & Spurs*. There will be approximately 2.06 miles of temporary spur roads constructed (formerly 1.94 miles were proposed in the EA [pgs. 9-10]). There will be no new construction of permanent spur roads in Mr. Bennet (formerly 1.52 miles of permanent spur road construction were proposed in the EA [pgs. 9-10]). The temporary spur road construction beyond what was proposed in the EA will be in place of the 1.52 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 filter cloth and road rock would then be removed from the temporary spur road after use, also at the purchaser’s expense. Existing rock roads (i.e. the 22-4-22.3, 22-4-23.0, and 22-4-26.0 roads) could have additional rock placed in order to bring the road up to winter haul standards at the purchaser’s expense.

Approximately 2.30 miles of existing road will be renovated (formerly 3.60 miles were proposed in the EA [pgs. 9-10]).

In addition, approximately 2.59 miles of roads and spurs will be decommissioned by water-barring, mulching with logging slash where available (or with straw if logging slash is not available), and blocking with trench barriers.

Table 1. Mr. Bennet Roads & Spurs¹

Spur/Road #		Temporary Construction (miles)	Renovation (miles)	Surfacing		Decommissioning	
(in the EA)	(in Decision)			Existing	Proposed	(miles)	How Decommissioned
Spur MB1	Spur 1	0.46	0	None	Native	0.46	Water-bar, mulch, block
Spur MB2	Spur 2	0.07	0	None	Native	0.07	Water-bar, mulch, block
Spur MB3	22-4-23.3	0	0.11	Rock	Rock	0	None
Spur MB4	<i>Will not be built</i>	0	0	-	-	0	<i>Will not be built</i>
Spur MB5	<i>Will not be built</i>	0	0	-	-	0	<i>Will not be built</i>
Spur MB6	22-4-33.2	0.53	0.27	Native	Native	0.80	Water-bar, mulch, block
Spur MB7	Spur 4	0.11	0	None	Native	0.11	Water-bar, mulch, block
Spur MB8	Spur 5	0.09	0	None	Native	0.09	Water-bar, mulch, block

Spur/Road #		Temporary Construction	Renovation	Surfacing		Decommissioning	
(in the EA)	(in Decision)	(miles)	(miles)	Existing	Proposed	(miles)	How Decommissioned
Spur MB9	Spur 3	0.06	0	None	Native	0.06	Water-bar, mulch, block
	Spur 8	0.06	0	None	Native	0.06	Water-bar, mulch, block
Spur MB10	Spur 7	0.15	0	None	Native	0.15	Water-bar, mulch, block
Spur MB11	Spur 6	0.07	0	None	Native	0.07	Water-bar, mulch, block
Spur MB14	23-4-3.6	0.46	0.26	Native	Native	0.72	Water-bar, mulch, block
Spur MB15							
Spur MB16	<i>Will not be built</i>	0	0	-	-	0	<i>Will not be built</i>
22-4-23.0	22-4-23.0	0	0.41	Rock	Rock	0	None
22-4-25.0	<i>Will not be used</i>	0	0	-	-	0	<i>Will not be used</i>
22-4-26.0	22-4-26.0	0	1.25	Rock	Rock	0	None
TOTAL		2.06	2.30			2.59	

¹Approximately 7.5 miles of existing roads would be maintained for Mr. Bennet in addition to the roads and spurs described in the table.

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 Reserves 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 ROD/RMP, as amended. The analysis supporting this decision tiers to the 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.

As stated in the Finding of No Significant Impact (FONSI) for the Northeast Elk Creek Density Management EA (pg. 4) which included Mr. Bennet, this project will not have a significant impact on the human environment within the meaning of Section 102(2) (c) of the National Environmental Policy Act of 1969, and an environmental impact statement is not required. I have determined that the effects of the silvicultural treatment will be within those anticipated and already analyzed in the 1994 PRMP/EIS and will be in conformance with the 1995 ROD/RMP for the Roseburg District, approved by the Oregon/Washington State Director on June 2, 1995. Mr. Bennet Density Management does not constitute a major federal action having significant effects on the human environment; therefore, an environmental impact statement will not be prepared.

Furthermore, the Swiftwater Field Office has reviewed the Northeast Elk Creek 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

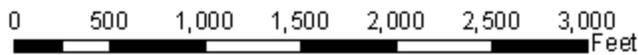
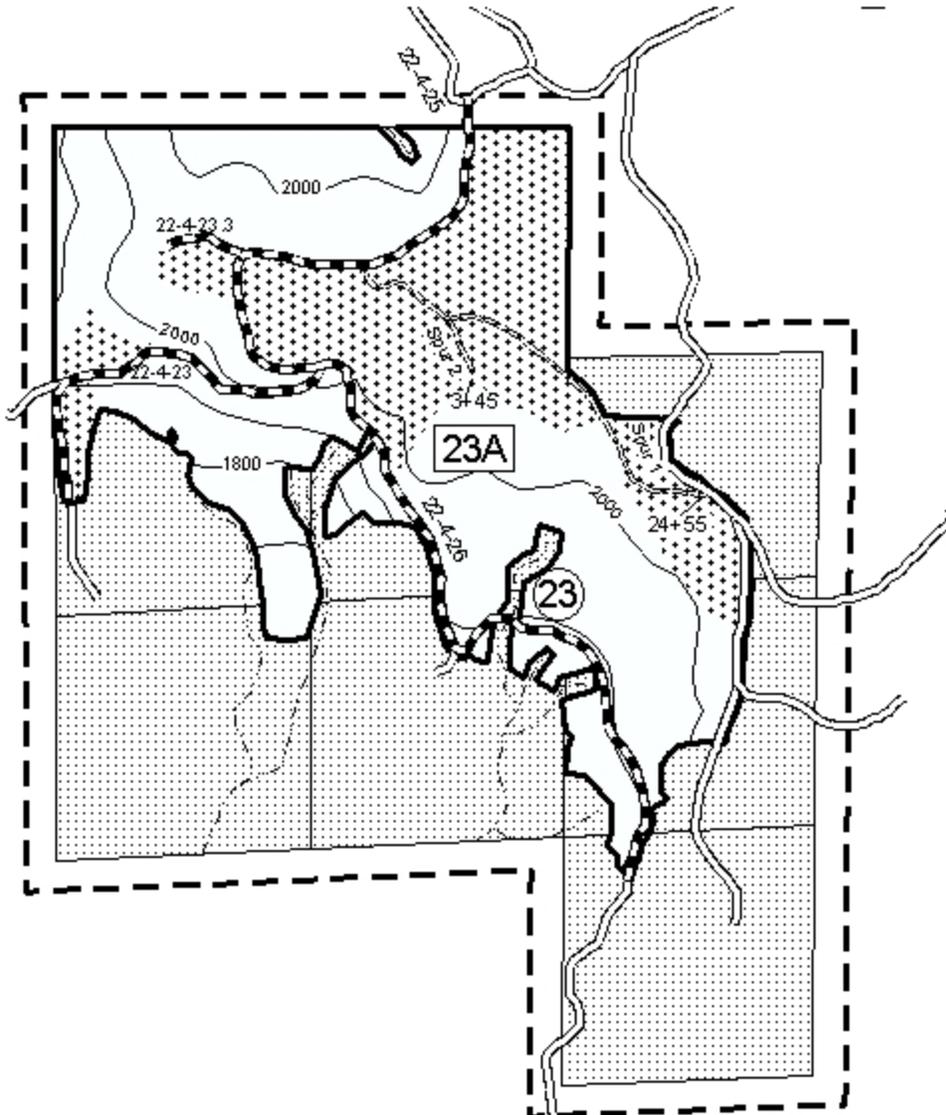
The BLM solicited comments from affected tribal governments, adjacent landowners, affected State and local government agencies, and the general public on the Northeast Elk Creek Density Management EA, which included the Mr. Bennet project, during a 30-day public comment period (December 2, 2008 – January 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 Mr. Bennet project: (1) roads, (2) stream buffers, (3) natural vs. planted stands, (4) variable density thinning, and (5) northern spotted owl habitat.

^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.

Figure 1. Mr. Bennet Density Management: Unit 23A

District	Township	Range	Section	Meridian
ROSEBURG	22S	4W	23	WILLAMETTE



1:12,000

LEGEND



Harvest Area - Cable Yarding



Harvest Area - Ground Based



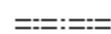
Reserve Area



Stream



Existing Road



Roads to be Constructed



Roads to be Renovated



Boundary of Cutting Area



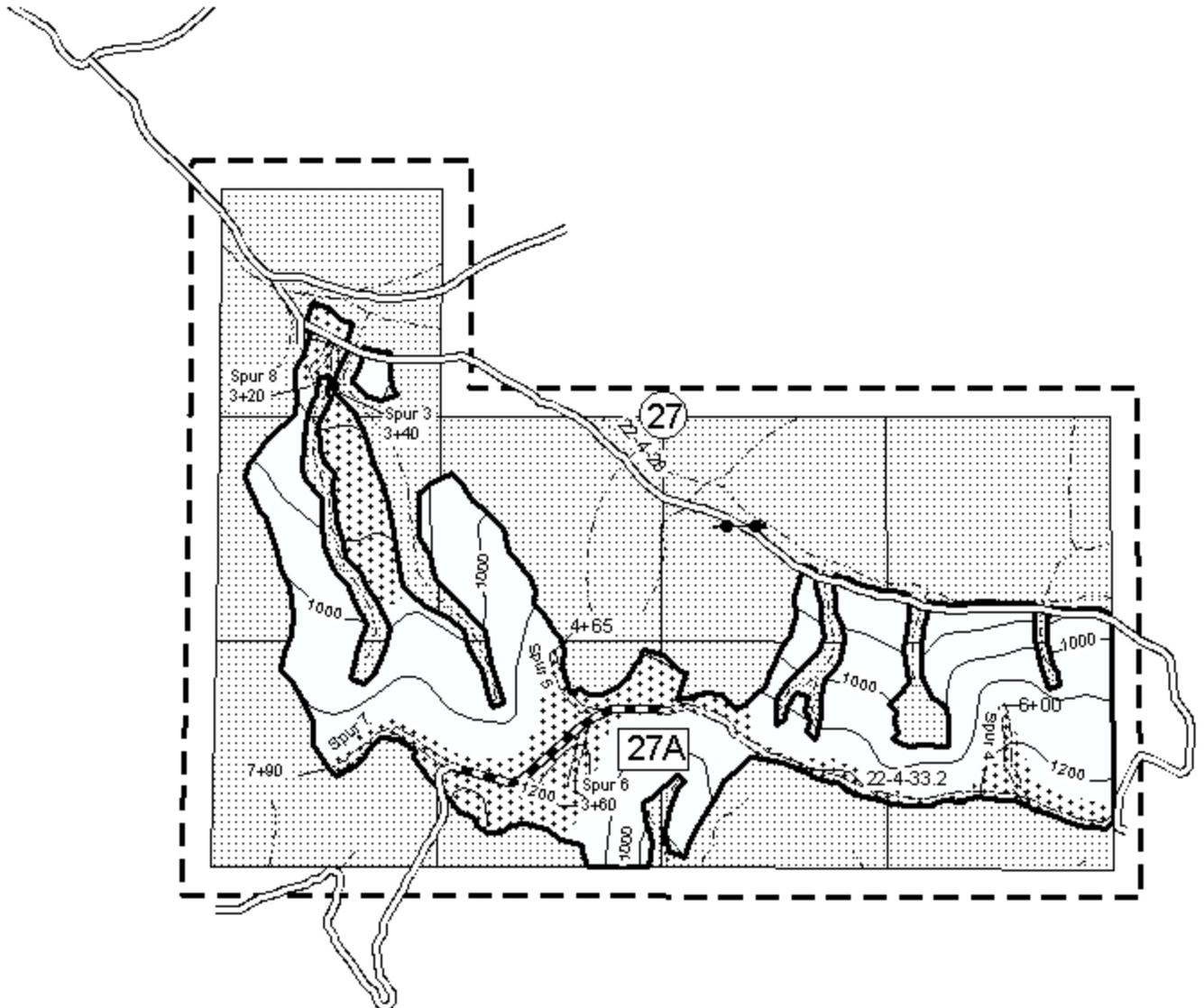
Boundary of Contract Area



Gate

Figure 2. Mr. Bennet Density Management: Unit 27A

District	Township	Range	Section	Meridian
ROSEBURG	22S	4W	27	WILLAMETTE



0 500 1,000 1,500 2,000 2,500 3,000 Feet

1:12,000

LEGEND



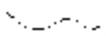
Harvest Area - Cable Yarding



Harvest Area - Ground Based



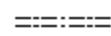
Reserve Area



Stream



Existing Road



Roads to be Constructed



Roads to be Renovated



Boundary of Cutting Area



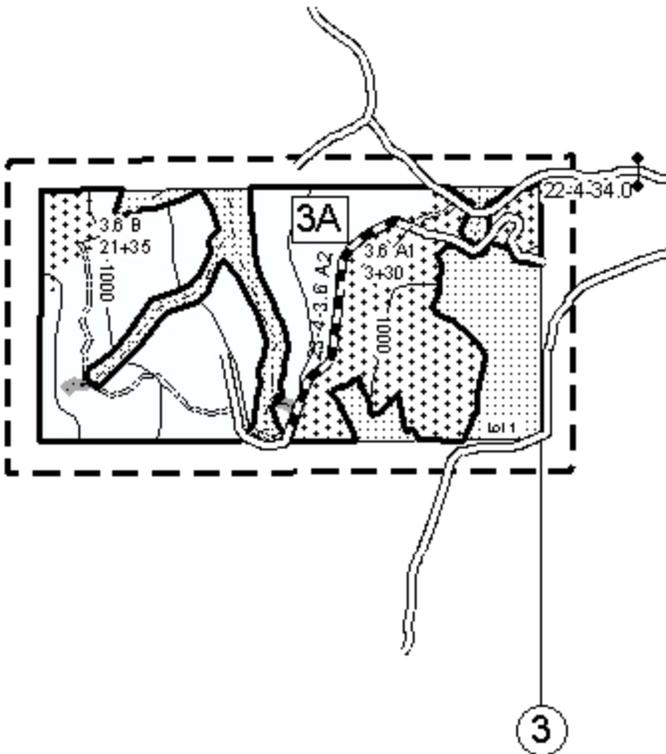
Boundary of Contract Area



Gate

Figure 3. Mr. Bennet Density Management: Unit 3A

District	Township	Range	Section	Meridian
ROSEBURG	23S	4W	3	WILLAMETTE



1:12,000

LEGEND

- | | | | |
|--|------------------------------|--|---------------------------|
|  | Harvest Area - Cable Yarding |  | Existing Road |
|  | Harvest Area - Ground Based |  | Roads to be Constructed |
|  | Reserve Area |  | Roads to be Renovated |
|  | Stream |  | Boundary of Cutting Area |
|  | Single Tree Retention Buffer |  | Boundary of Contract Area |
| | |  | Gate |

1) Roads

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 Mr. Bennet. Overall, Mr. Bennet will have 2.06 miles of temporary road construction, while in the EA (pgs. 9-10) a total of 3.46 miles of temporary and permanent road construction were proposed and analyzed. The temporary spur roads and 7 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) Stream Buffers

Comments were received that the proposed streams buffers (i.e. “trees immediately adjacent to the bank”) for “spatially interrupted” streams as identified 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) Natural vs. Planted Stands

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 the stands in Mr. Bennet is 11.8-17.0 inches as described in the EA (pg. 14). Following density management, the quadratic mean diameter of the stands in Mr. Bennet is modeled to increase to 12.2-17.5 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 residual tree densities.

Within Mr. Bennet, a variable marking prescription was used and the units 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 89 acres of Mr. Bennet will be 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 Mr. Bennet.

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 indicated in the EA (Table 7, pgs. 17-18), suitable habitat for spotted owls is not present within the Mr. Bennet Density Management units. Therefore, suitable spotted owl habitat within designated critical habitat will not be treated through implementation of the Mr. Bennet Density Management.

The remaining comments did not raise substantive issues that would influence my selection of the Action Alternative for the Mr. Bennet 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, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97471, (541) 464-3388.


Max Yager, Field Manager
Swiftwater Field Office

10/14/2009
Date