

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

**Red Butte  
Commercial Thinning**

**Decision Document**

**SECTION 1 – THE DECISION**

**Decision**

It is my decision to authorize the Red Butte Commercial Thinning as a portion of the original proposed Root Canal sale included in the Proposed Action Alternative that is described in Chapters 1 and 2 of the Little River MMX Thinning Environmental Assessment (EA) (NEPA #: DOI-BLM-OR-R040-2010-010-EA; pgs. 1-24) and below (q.v. pgs. 2-4).

The large size of Root Canal (546 acres, EA pg. 1) was determined to affect the operability and economic viability of a single sale due to seasonal operating restrictions and the need for two haul routes. Decision was made to split the proposed Root Canal into two separate timber sales: Root Canal Commercial Thinning (264 acres) and Red Butte Commercial Thinning (282 acres). Root Canal Commercial Thinning was addressed in a separate decision dated March 21, 2012.

Red Butte Commercial Thinning will occur on seven units (approximately 182 acres) of second-growth forest approximately 35-56 years old located in the Little River Fifth-field Watershed in Sections 17, 20, 21, 28, 29 and 30 of T. 27 S., R. 2 W. Willamette Meridian (Figure 1). In addition, approximately two acres will be removed for the development of spur roads and rights-of-ways. Red Butte Commercial Thinning will provide approximately 2.248 million board feet (2.248 MMBF) of timber available for auction.

The Project Design Features that will be implemented as part of Red Butte Commercial Thinning are described on pages 9-23 of the Little River MMX Thinning EA. These project design features have been developed into contract stipulations and will be implemented as part of the timber sale contract.

**Conformance**

The Roseburg District initiated planning and design for this project on December 01, 2009 to conform and be consistent with the Roseburg District's 1995 Resource Management Plan (1995 RMP). Following the March 31, 2011 decision by the United States District Court for the District of Columbia in Douglas Timber Operators et al. v. Salazar, which vacated and remanded the administrative withdrawal of the Roseburg District's 2008 Record of Decision/Resource Management Plan (2008 ROD/RMP), we evaluated this project for consistency with both the 1995 RMP and the 2008 ROD/RMP. Based upon this review, the proposed alternative contains some design features not mentioned specifically in the 2008 ROD and RMP. The 2008 ROD and RMP did not preclude use of these design features, and the use of these design features is clearly consistent with the goals and objectives in the 2008 ROD and RMP. Accordingly, this project is consistent with the Roseburg District's 1995 RMP and the 2008 ROD/RMP.

Little River MMX includes lands within the Adaptive Management Area (AMA), General Forest Management Area (GFMA), and Riparian Reserve (RR) land use allocations under the 1995 ROD/RMP. This project is within the Timber Management Area (TMA) and Riparian Management Area (RMA) land use allocations under the 2008 ROD/RMP.

In the Little River Fifth-field Watershed, the total Riparian Reserve width for perennial, fish-bearing streams would be 360 feet (two site potential tree heights on both sides of the stream). The total Riparian Reserve width would be 180 feet (one site potential tree height on both sides of the stream) for perennial, non-fish bearing streams and also for intermittent streams. The width of the Riparian Management Area (RMA) under the 2008 ROD/RMP is half the width of the Riparian Reserve under the 1995 ROD/RMP. The RMA also includes a no-harvest buffer of 35 feet on intermittent streams and 60 feet on fish-bearing streams.

### **Updated Information**

The updated information, described below, has been considered, but does not alter the conclusions of the analysis.

#### 1) Unit Configuration:

Of the 546 acres described in the EA as the Root Canal project, Red Butte Commercial Thinning will thin approximately 126 acres within the AMA and 56 acres within the RR land use allocations (Table 1; Figure 1). In addition, approximately 1 acre within AMA and 1 acre within RR will be removed for the development of spur roads and rights-of-ways (Table 1). Approximately 362 acres will be excluded from this decision for the following reasons:

- Approximately 264 acres were considered in a prior decision for the Root Canal Commercial Thinning.
- Approximately 64 acres will be excluded from thinning because it is within no-harvest stream buffers (i.e. 35 or 60 feet [EA, pg. iv]) or in “blind” areas created by the convergence of these stream buffers.
- Approximately 20 acres will be excluded from thinning because of low stocking levels including EA Unit 21B (5 acres).
- Approximately 10 acres will be excluded from thinning because of soil stability issues.
- Approximately 3 acres will be excluded from harvest (net subtraction) as a result of refinements and adjustments in map accuracy from GPS locations of unit boundaries.
- Approximately 1 acre will be excluded from thinning because it is within areas of cultural importance.

**Table 1. Red Butte Commercial Thinning Units and Land Use Allocations.**

Sale Unit No.	EA Unit <sup>1</sup>	Township-Range-Section	Sale Unit Acres	Land Use Allocation (acres)		Roads/Rights-of-Way (acres)		
				AMA	Riparian Reserve	AMA	Riparian Reserve	Private Land
1	17A	T27S-R02W-Sec. 17	20	13	7	0	0	0
2	17B	T27S-R02W -Sec. 17,20	27	14	13	0.4	<0.1	0
3	21A	T27S-R02W -Sec. 21	26	17	9	0	0	0
4	28A	T27S-R02W -Sec. 28	21	14	7	0	0	0
5	28B	T27S-R02W -Sec. 28	32	31	1	0.7	0	0.3
6	29A (in part)	T27S-R02W -Sec. 29	51	32	19	0	0.8	0
7	30A (in part)	T27S-R02W -Sec. 29,30	5	5	0.2	0	0	0
<b>Total</b>			<b>182</b>	<b>126</b>	<b>56</b>	<b>1.1</b>	<b>0.8</b>	<b>0.3</b>

<sup>1</sup> Units 18A, 23C, 25A, 29A (8 acres), 30A (82 acres), 30B, 30D as proposed in the EA 9 (pgs. 6, 13 & 93), were included in the decision for Root Canal Commercial Thinning.

Within Red Butte Commercial Thinning, there will be approximately 85 acres of ground-based yarding and approximately 97 acres of cable yarding (Figure 2). The EA (pg. 6) proposed approximately 277 acres as a combination of ground-based and cable yarding. Helicopter logging was considered as an alternative logging method but was determined to not be economically viable at this time (EA, pg. 24). In addition, the 2.2 acres removed for the development of spur roads and rights-of-ways will be ground-based yarded.

2) Roads & Spurs:

The spur roads in Red Butte Commercial Thinning have been re-numbered as shown in Table 2, Red Butte Commercial Thinning Roads and Spurs.

There will be approximately 3449 feet of new roads and spur roads constructed (Table 2; Figure 2) as part of the Red Butte Commercial Thinning (formerly, 3590 feet were proposed in the EA, pg. 16). The 380 feet (422 feet were proposed in the EA, pg.16) of new construction on the 27-2-20.0 will create a shoo-fly at the junction of the 27-2-19.2 and the 27-2-20.0 to allow trucks and equipment to negotiate this corner of the haul route. To increase the economic viability of the timber sale, Spur 2 (EA pg. 16, Spur RC 2) will be rocked to allow for winter operations in Unit 2 and will be water - barred and blocked when harvest operations are completed.

Approximately 2.7 miles (14,610 feet) of existing roads will be renovated for harvest operations. The EA proposed renovation of approximately 5.2 miles (27,508 feet) of existing roads. Approximately 3379 feet (3221 feet were proposed in the EA, pg. 16) of roads will be decommissioned, including 310 feet of the 27-2-28.2 which will be renovated and then decommissioned after harvest operations are completed. Spur RC17 (0.25miles), proposed in the EA in unit 28B, will not be constructed and therefore, will not be decommissioned.

Decommissioning will include water-barring, mulching the road surface with logging slash, and blocking with a trench barrier (Table 2; EA, pg. 16). It is my decision that mulching of spur roads within harvest units will be done with logging slash, and not with straw, since logging slash serves to discourage unauthorized off-highway vehicle use of the decommissioned spur roads as well as providing erosion control.

There will be 15.6 miles of maintenance of existing roads as part of the Red Butte Commercial Thinning (formerly 7.25 miles were proposed in the EA, pg. 16). Maintenance of existing roads will

include the placement of road rock where rock surfacing already exists, blading of the driving surface, and brushing of road shoulders.

**Table 2. Red Butte Commercial Thinning Roads and Spurs<sup>1</sup>**

Roads & Spurs <sup>2</sup>		New Temporary Construction	Renovation	Surfacing		Decommissioning	
(in the EA)	(in Decision)	(feet)	(feet)	Existing	Proposed	(feet)	How Decommissioned
27-2-20.0		380	2640	None/Rock	Rock		None
27-2-20.1			2050	Rock	Rock		
27-2-21.5			1450	Rock	Rock		
27-2-28.2			310	Native	Native	310	Water-bar, mulch, block
27-2-29.0			5890	Rock	Rock		
27-2-29.1			1820	Rock	Rock		
27-2-29.2			450	Rock	Rock		
Spur RC 7	Spur 1	1150	0	None	Native	1150	Water-bar, mulch, block
Spur RC 2	Spur 2	560	0	None	Rock	560	Water-bar, block
Spur RC 5	27-2-28.4	1359	0	None	Native	1359	Water-bar, mulch, block
<b>TOTAL</b>		<b>3449</b>	<b>14,610</b>			<b>3379</b>	

<sup>1</sup>Approximately 15.6 miles of existing roads would be maintained for Red Butte Commercial Thinning in addition to the roads and spurs described in the table. <sup>2</sup>Spurs RC9, RC10, RC11, RC13, RC15 and Roads 27-2-30.3, 27-3-14.1, 27-3-25.0, 27-3-25.12, as proposed in the EA (pgs. 16, 93), were included in the decision for Root Canal Commercial Thinning.

3) Northern Spotted Owl Critical Habitat

The U.S. Fish & Wildlife Service announced the release of a draft proposal for Northern Spotted Owl Critical Habitat on February 28, 2012. Comments on the proposal will be solicited and may result in modification of the draft proposal before publication of the Final Rule on Designated Critical Habitat for the Northern Spotted Owl which is expected in November 2012.

Red Butte Commercial Thinning is not within the current 2008 Designated Critical Habitat for the Northern Spotted Owl (EA pg. 78).

**Compliance**

Compliance with this decision and the project design features described in the EA will be ensured by frequent on-the-ground inspections by the Contract Administrator.

**SECTION 2 – THE DECISION RATIONALE**

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 stated *need* "to provide substantial timber volume in support of the local economy and, within the reserved land-use allocations, accelerate development of habitat components for the northern spotted owl" and the stated *purpose* "to reduce stand stocking in a manner that produces commercial timber in a cost-efficient manner while enhancing habitat for the northern spotted owl and improves vigor in the residual stand" (EA pg. 1).

The thinning prescription for Red Butte Commercial Thinning was designed and trees were marked using management direction for Adaptive Management Areas (AMA) under the 1995 ROD/RMP. The prescription retains no-harvest buffers of 35 to 60 feet along all stream channels and the outer portions of the RR and upland areas will be thinned to variable densities to improve riparian vegetative and structural diversity (EA pg. 65).

The Project Design Features described in the Red Butte Commercial Thinning EA (pgs. 9-23) will minimize soil compaction, limit erosion, and protect slope stability, wildlife habitat, fish habitat, air and water quality, as well as other identified resource values. 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 environmental assessment, a Finding of No Significant Impacts (FONSI) has been prepared for Little River MMX Thinning with a determination that the project, which includes Red Butte Commercial Thinning, would not have a significant impact on the human environment; therefore, an environmental impact statement will not be prepared.

### **Survey & Manage**

The Red Butte Commercial Thinning 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. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement.

The Red Butte Commercial Thinning is consistent with the Roseburg District Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

The 2011 Settlement Agreement states:

*"For projects with signed Records of Decision, Decision Notices, or Decision Memoranda from December 17, 2009, through September 30, 2012, the Agencies will use either of the following Survey and Manage species lists:*

- a. The list of Survey and Manage species in the 2001 ROD (Table 1-1, Standards and Guidelines, pages 41-51).*
- b. The list of Survey and Manage species and associated species mitigation, Attachment 1 to the Settlement Agreement."*

The Red Butte Commercial Thinning applies a 2006 Exemption from a stipulation entered by the court in litigation regarding Survey and Manage species and the 2004 Record of Decision related to Survey and Manage Mitigation Measure in *Northwest Ecosystem Alliance v. Rey*, No. 04-844-MJP (W.D. Wash., Oct. 10, 2006). Previously, in 2006, the District Court (Judge Pechman)

invalidated the agencies' 2004 RODs eliminating Survey and Manage due to NEPA violations. Following the District Court's 2006 ruling, parties to the litigation entered into a stipulation exempting certain categories of activities from the Survey and Manage standards and guidelines, including both pre-disturbance surveys and known site management. Also known as the Pechman Exemptions, the Court'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;*
- 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.”*

Per the 2011 Settlement Agreement, the 2006 Pechman Exemptions remain in force:

*“The provisions stipulated to by the parties and ordered by the court in Northwest Ecosystem Alliance v. Rey, No. 04-844-MJP (W.D. Wash. Oct. 10, 2006), shall remain in force. None of the following terms or conditions in this Settlement Agreement modifies in any way the October 2006 provisions stipulated to by the parties and ordered by the court in Northwest Ecosystem Alliance v. Rey, No. 04-844-MJP (W.D. Wash. Oct. 10, 2006).”*

Red Butte Commercial Thinning meets Exemption A because it entails no regeneration harvest and entails thinning only in stands less than 80 years old. The forest stands in Red Butte Commercial Thinning are 35-56 years old as determined from stand examination information. The proposed units were originally harvested in the 1950's or 1960's (EA pg. 25).

I have made the determination that the Red Butte Commercial Thinning project meets Exemption A of the Pechman Exemptions (October 11, 2006 Order) and therefore may proceed to be offered for sale. The first notice for sale will appear in *The News-Review*, Roseburg, Oregon on April 24, 2012.

### **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 Little River MMX Thinning EA, which included the Red Butte Commercial Thinning project, during a 30-day public comment period (January 31 – February 29, 2012). Eight sets of comments were received as a result of the public comment period.

Upon reviewing the comments, the following topics warrant additional clarification that is pertinent to the Red Butte Commercial Thinning project: 1) Roads 2) Sugar Pine 3) Riparian Reserves 4) Soils.

1. Roads

Comments were received that stated that the amount of new road construction and the clearing width for new roads was excessive and inquiry was made about the number of new roads located within Riparian Reserves.

As stated in the *Updated Information* previously, there will be less road construction (141 feet less) and less road renovation (2.5 miles less) authorized under this decision than was proposed in the EA. There will be 3449 feet of new road construction and 2.7 miles of road renovation in Red Butte Commercial Thinning while the EA proposed 3590 feet of new construction and 5.2 miles of renovation. Spur RC17 (0.25miles), proposed in the EA in unit 28B, will not be constructed. There will be 0.8 acres of spurs constructed within Riparian Reserve. Roads and spurs would be designed no wider than needed for the specific use (i.e. 14 foot running surface) to minimize soil disturbance (1995 ROD/RMP, pg. 132).

Approximately 3379 feet of roads (3221 feet were proposed in the EA, pg. 16) will be decommissioned, including 310 feet of the 27-2-28.2 which will be renovated and then decommissioned after harvest operations are completed. Spur RC17 (0.25miles), proposed in the EA in unit 28B, will not be constructed and therefore, will not be decommissioned. As indicated previously (Table 2) and in the EA (pg. 16), 2819 feet of spur roads will be decommissioned by water-barring, mulching the road surface with logging slash, and by blocking with a trench barrier and 560 feet of spur road will be decommissioned by water-barring and blocking with a trench barrier after harvest operations are complete. Mulching of roads with logging slash, instead of straw, provides erosion control and discourages unauthorized off-highway vehicle use.

2. Sugar Pines

Comments were received expressing concern about the prescription proposed for treatment of sugar pine trees within the Little River MMX Thinning EA. Tree marking contractors, inspectors and timber cruisers have not reported any sugar pine within the proposed harvest units in Red Butte Commercial Thinning.

3. Riparian Reserves

Comments were received that requested the BLM to designate a diameter limit for riparian reserve treatments and stated that the no-harvest buffer “could be too little”.

The marking prescription for Red Butte would target merchantable trees in the suppressed and intermediate crown classes (EA pg. 9) and older remnant trees may be present but are not the numerically predominant stand components and would generally be targeted for retention (EA pg.10). This prescription will “maintain trees with large limbs, full crowns, promote tree regeneration, shrubs and forbs” (EA pg. 9) to increase the structural and vegetative diversity within the RR.

The prescription for Red Butte Commercial Thinning would retain no-harvest buffers of 35 or 60 feet along all stream channels, and thin remaining outer portions of the Riparian Reserve to variable densities (EA pg. 65). The stands to be treated in Red Butte Commercial Thinning are densely stocked, including the no-harvest buffers. Immediate post treatment stand condition in the riparian is expected to be 64-156 trees per acre with a canopy cover of 59-72 percent (EA pg. 30). Thinning treatments would result in improved riparian vegetative and structural diversity resulting in riparian areas that are more resilient to disturbance (EA pg. 65).

4. Soils

Comments were received that expressed concern over logging of 11 acres on soils classified FPNW which have active slump-earth flow types of mass movement. Field review by the soil scientist revised and updated the mapping of soils in EA Unit 28A resulting in 7 acres removed from the harvest unit due to fragile soils in the FPNW classification that have slump-earth flow types of mass movement. An additional 2 acres were removed from proposed unit 28A to avoid and protect an existing slide area not located within the FPNW soil classification.

The remaining comments did not raise substantive issues that would influence my selection of the Proposed Action Alternative for the Red Butte Commercial Thinning portion of the Little River MMX 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 /timber sale advertisement in *The News-Review*, Roseburg, Oregon on April 24, 2012.

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) within 15 days after first publication of the decision notice on April 24, 2012, 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.

  
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Max Yager, Field Manager  
Swiftwater Field Office

4-19-12

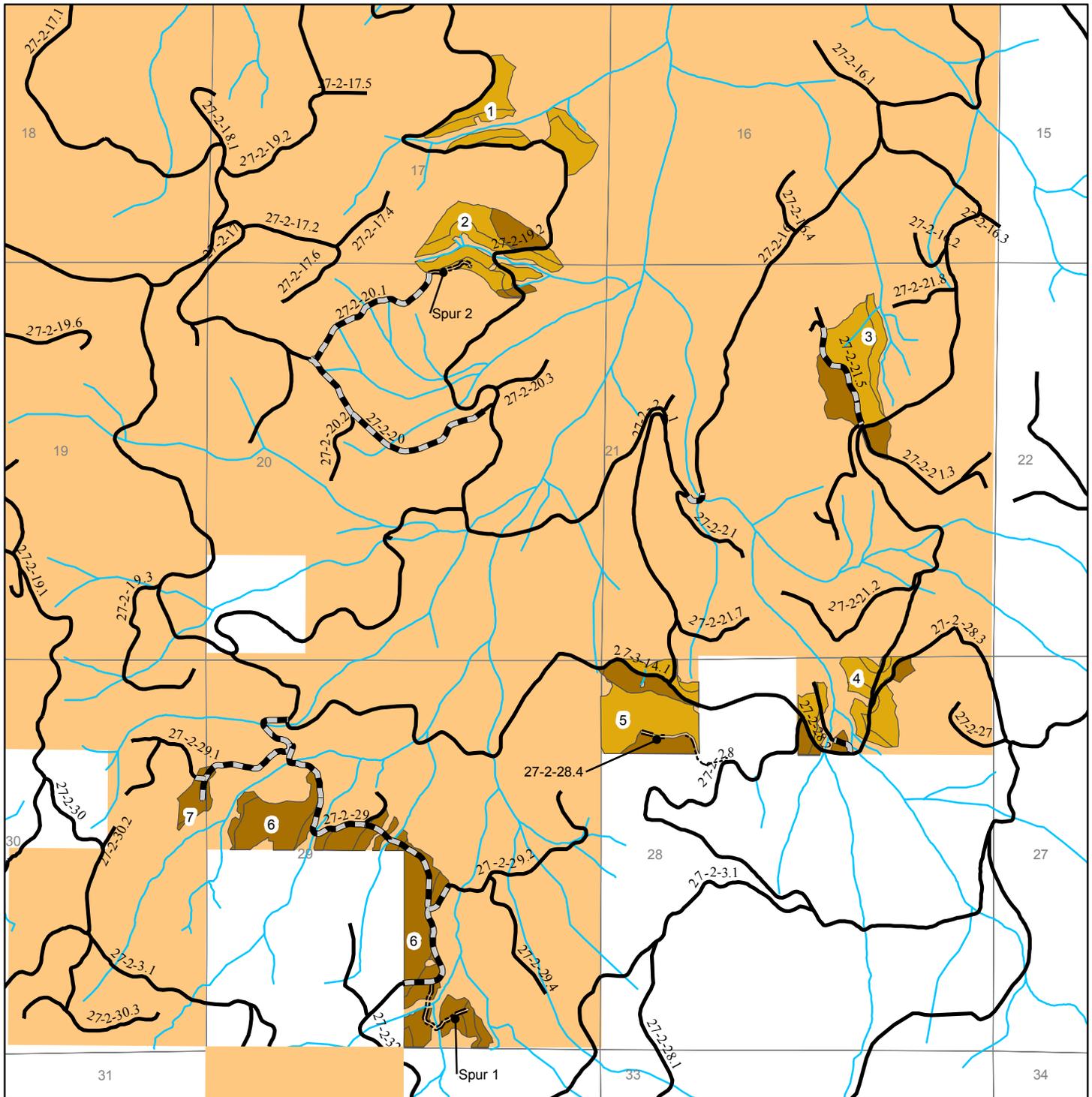
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# Figure 1. Red Butte Commercial Thinning

Harvest Units and Land Use Allocations

R02W

T  
27  
S



### Legend

#### Red Butte Harvest Units

- Cable Yarding
- Ground-Based

#### Land Use Allocation

- Adaptive Management Area
- Existing Roads
- Road Renovation
- New Road Construction
- Streams



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.

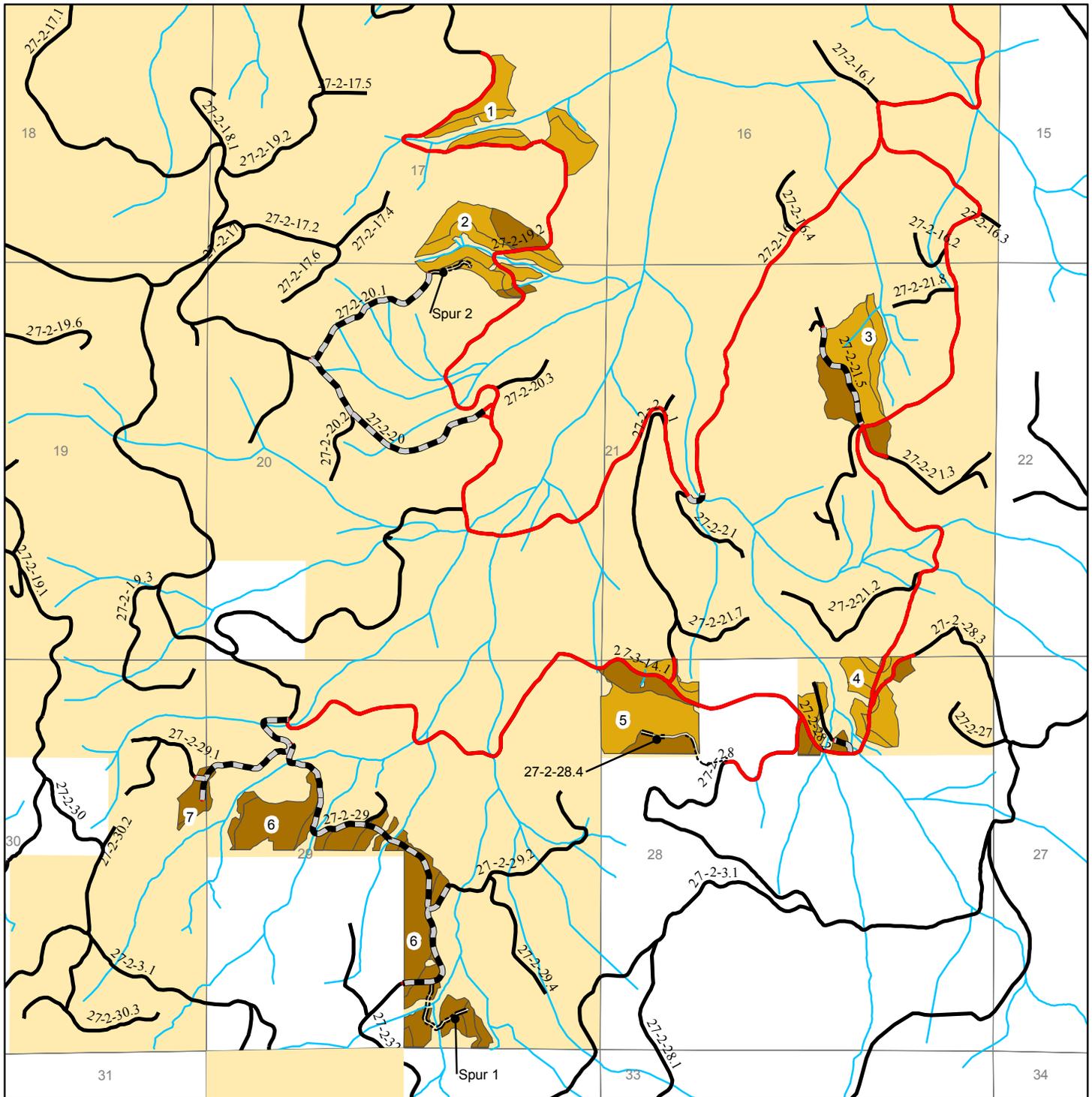
Map Date: 4-17-2012

# Figure 2. Red Butte Commercial Thinning

Harvest Units and Roads

R02W

T  
27  
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Map Date: 4-17-2012

### Legend

- Red Butte Harvest Units**
- Cable Yarding
- Ground-Based
- Existing Roads
- Road Renovation
- New Road Construction
- Haul Route
- Streams
- BLM Administered Land

