

FINDING OF NO SIGNIFICANT IMPACT

Introduction

The Bureau of Land Management (BLM) conducted an environmental analysis (Environmental Assessment DOI-BLM-OR-S050-2013-0005-EA) for a proposal to implement the two projects as follows. The analysis considered two action alternatives; Alternative 2 included road construction and Alternative 3 was void of any road construction.

- Project 1: Mid-Seral Enhancement is a proposal to perform density management on approximately 176 acres of Late-Successional Reserve (LSR), Adaptive Management Area, and Riparian Reserve land use allocations. Actions within this 176 acre timber sale also include meadow restoration, rocky outcrop daylighting, roadside alder removal and restoration, wildlife tree release, road work, and post-harvest fuel treatments.
- Project 2: Wildlife tree release and coarse woody debris (CWD) and snag creation is a proposal for older forest tree release, and snag/CWD creation on approximately 121 acres of Late-Successional Reserve (LSR) and Riparian Reserve land use allocations.

The project areas are within BLM-managed lands in Township 7 South, Range 9 West, Section(s) 9, 16, 17, 18, and 19; Willamette Meridian (EA Map 1) and are within the Drift Creek and Salmon-Neskowin Watersheds.

The analysis in the EA is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). The projects have been designed to conform to the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP), as amended, and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (EA Section 1.5).

The EA and FONSI were made available for public review from May 7, 2014 to June 5, 2014. The notice for public comment was published in the Polk County Itemizer-Observer newspaper. The BLM received four comment letters and e-mails during the public comment period. Responses to the substantive comments will be included in the project-specific Decision Record.

Finding of No Significant Impact

Based upon review of the Thin Lindsey Timber Sale EA and supporting documents, I have determined that the action alternatives analyzed in the EA are not major federal actions that would significantly affect the quality of the human environment, individually or cumulatively with other actions in the general areas. No site-specific environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, supplemental or additional information to the analysis done in the RMP/FEIS through a new environmental impact statement is not needed. This finding is based on the following information:

Context: Potential effects resulting from the implementation of the projects have been analyzed within the context of the Drift Creek and Salmon-Neskowin fifth field watersheds. The proposed action would occur on approximately 297 acres (176 acres in Project 1 and 121 acres in Project 2) of BLM-managed land, encompassing less than one percent of the forest cover within each of the Drift Creek and Salmon-Neskowin Watershed [40 CFR 1508.27(a)].

Intensity:

1. [40 CFR 1508.27(b) (1)] – **Impacts that may be both beneficial and adverse:** The resources potentially affected by the projects are air quality, fire risk, and fuels management, fisheries and aquatic habitat, invasive, non-native plant species, migratory birds, other special status species and habitat, soils, water quality, and wildlife habitat components.

With the implementation of the project design features and best management practices described in EA section 2.5, potential effects to the affected elements of the environment are anticipated to be site-specific and/or not measurable (i.e. undetectable over the watershed, downstream, and/or outside of the project areas). The projects are designed to meet RMP standards and guidelines, modified by subsequent direction (EA section 1.5), and the effects of these projects would not exceed those effects described in the RMP/FEIS.

The projects are unlikely to have significant adverse impacts on these resources for the following reasons:

Project Design Features described in EA section 2.5 would reduce the risk of effects to affected resources to be within RMP standards and guidelines within the effects described in the RMP/EIS.

Vegetation and Forest Stand Characteristics (EA section 3.1): One of the primary purposes of the project is to accelerate the development of late-seral/old-growth forest conditions in a current mid-seral forest (EA p. 5). Stands proposed for harvest activities are not presently functioning as late-successional old growth habitat. In the long term, implementing density management in these forests would help achieve this sooner than if left untreated (EA pp. 45–46). Following harvest activities, a mid-seral forested condition would remain.

No threatened and endangered or bureau sensitive-vascular plant, lichens, bryophyte, or fungal species would be adversely affected (EA pp. 39–40).

Noxious Weeds – While the number of species known to the project area may increase in number the short term, any increase is anticipated to be short lived because large areas with ground-disturbing activities would be sown with Oregon Certified (blue tagged) red fescue (*Festuca rubra*) at a rate equal to 40 pounds per acre or sown/planted with other native species as approved by the resource area botanist (EA p. 23). Sowing disturbed soil areas allows the fescue grass to become established and dominant in areas that may otherwise be suitable for noxious weeds. This reduces the physical space or the potential habitat for noxious weeds to become established.

In addition, the implementation of the Marys Peak integrated non-native plant management plan (EA # OR080-06-09) allows for early detection of non-native plant species which allows for rapid control. No significant increase in populations of the noxious weed species identified during field surveys is expected because the projects would disrupt few acres of exposed mineral soil that could provide habitat for noxious weed species (EA pp. 53–54).

Wildlife (EA section 3.2): The projects would not result in significant effects to wildlife species or their habitat for the following reasons: No suitable habitat for any BLM special status species known to be present would be lost or downgraded (EA pp. 65–67). The area is within critical habitat for the marbled murrelet. The area is not currently considered suitable habitat and the planned harvest is designed to improve habitat for late-successional forest dependent species (such as the marbled murrelet and northern spotted owl) in the long term. The BLM received concurrence with the U.S. Fish and Wildlife Service that the projects are not likely to adversely affect the northern spotted owl, the marbled murrelet, or their habitats (see question #9).

Existing snags and CWD would be retained. The few large (greater than 20 inches diameter and greater than 15 feet tall) snags that could be felled for safety or knocked over by falling and yarding operations would be retained as CWD (EA p. 26). Wildlife tree release would increase the vigor of larger trees and their likelihood of persisting into the future.

Thinning would not significantly change species diversity (a combination of species richness and relative abundance) of the migratory and resident bird community (EA pp. 67–68). No species would become extirpated in the watershed as a result of thinning, though some species would be likely to leave or enter thinned stands as a short-term response to reduced canopy closure and tree density.

Fisheries, Hydrology, and Soils (EA sections 3.3, 3.4, 3.5): A maximum of 0.95 miles of new road would be constructed (no roads would be constructed under Alternative 3) (EA p. 20). Any road construction would be located outside Riparian Reserves and generally be located on ridgetops. Gentle to moderate slope gradients in project areas provide little opportunity for surface runoff to reach stream channels (EA p. 84). Effects would not be significant because the stream protection zones (SPZs) would prevent any overland flow and sediment generated by logging from reaching streams (EA p. 82). The SPZs would maintain the current vegetation in the primary shade zone and treatments would retain most of the current levels of shading in the secondary shade zone (pp. 83, 115). Soil compaction is limited to no more than 10 percent of each unit's acreage (EA p. 91). To further minimize sediment deliver and runoff, road work would take place during the dry season (EA pp. 21, 85).

Air Quality, Fire Risk, and Fuels Management (EA section 3.6): Effects to this resource would not have significant impacts because the projects would comply with the Clean Air Act and State of Oregon Air Quality Standards by adhering to Oregon Smoke Management guidelines (EA pp. 102, 104). The thinning would decrease the risk of a canopy fire and the fine fuels generated by thinning would decay in the project areas within three to five years,

reducing the risk of a surface fire to near current levels (EA p. 105). The potential for a severe wildfire would be reduced by treating the fuels most likely to be ignited by human activities (EA p. 103). Prescribed burning would lessen the fuel load along private property lines and roads that are open to public access (EA p. 103).

Carbon Sequestration and Climate Change (EA section 3.7): The Thin Lindsey Timber Sale EA is tiered to the PRMP FEIS (1994) which concluded that all alternatives analyzed in the FEIS, in their entirety including all timber harvest, would have only slight (context indicates that the effect would be too small to calculate) effect on carbon dioxide levels (EA p. 105). Analyses completed for projects of similar scope, treatment type, stand type, and scale have supported the conclusion of the 1995 RMP that project emissions would be negligible (EA p. 106).

2. [40 CFR 1508.27(b)(2)] – **The degree to which the proposed action affects public health or safety:** The effects to public health and safety would not be significant because the projects occur in a forested setting, removed from urban and residential areas, where the primary activities are forest management and timber harvest.

Public safety along haul routes would be minimally affected because log truck traffic from forest management activities on both private and public land is common and the majority of the public using these haul routes are aware of the hazards involved in driving on these forest roads. In addition, project design features require use of signs, road blocks, and/or flaggers near project activities to provide for public safety (EA section 2.5).

3. [40 CFR 1508.27(b)(3)] – **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:** The projects would not affect historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas, because these are not located within the project area.
 - Unique characteristics of the geographic areas [40 CFR 1508.27(b)(3)] would not be affected because there are no historic or cultural resources, parklands, prime farmlands, wild and scenic rivers, wilderness, or ecologically critical areas located within the project areas (EA section 3.1);
 - Districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places would not be affected, nor would the proposed action cause loss or destruction of significant scientific, cultural, or historical resources [40 CFR 1508.27(b)(8)].

Ground disturbing work would be suspended if cultural material is discovered during project work until an archaeologist can assess the significance of the discovery; therefore, no cultural resources would be adversely affected by the projects (EA pp. 30, 118).

4. [40 CFR 1508.27(b)(4)] – **The degree to which the effects on the quality of the human environment are likely to be highly controversial:** The proposed projects, density management and wildlife tree release, are not unique or unusual. The BLM has experience

implementing similar density management actions in similar mid-seral forested areas without high degrees of scientific controversy. Effects are expected to be consistent with those of the published literature cited in the EA and are not expected to result in highly controversial scientific effects.

Social controversy and public input have been considered throughout the planning process (EA pp. 12, 118). The BLM developed an alternative void of road construction to address concerns about road building in the Late-Successional Reserves. None of the comments have identified scientific uncertainty or controversy regarding effects of the projects.

5. [40 CFR 1508.27(b)(5)] – **The degree to which the possible effects on the human environment area highly uncertain or involve unique or unknown risks:** The effects associated with the project do not have uncertain, unique, or unknown risks, because the BLM has experience implementing similar actions in similar areas without these risks. The EA fully analyzed the effects of the project on the human environment (EA Chapter 3). Density management and the other proposed projects are not unique; they include project design features (EA section 2.5) and best management practices (BMPs) to minimize the potential effects associated with the project.
6. [40 CFR 1508.27(b)(6)] – **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:** The projects would not establish a precedent for future actions, nor would it represent a decision in principle about a further consideration for the following reasons: 1/ The project is within the scope of proposed activities documented in the Salem District RMP. 2/ The BLM has experience implementing similar actions in similar areas without setting a precedent for future actions or representing a decision about a further consideration. See #4 and #5, above.
7. [40 CFR 1508.27(b)(7)] – **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:** The Interdisciplinary Team evaluated the project area in context of past, present, and reasonably foreseeable actions (EA Chapter 3). As documented in the EA, the team determined that no cumulatively significant effects are anticipated from the projects. Effects are not likely to be significant because of the project’s scope (effects are likely to be too small to be measurable), scale, and duration.
8. [40 CFR 1508.27(b)(8)] – **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:** The project would not affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor would the project cause loss or destruction of significant scientific, cultural, or historical resources.
9. [40 CFR 1508.27(b)(9)] – **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical**

under the Endangered Species Act (ESA) of 1973: The proposed project is not expected to adversely affect ESA listed species or critical habitat for the following reasons:

U. S. Fish and Wildlife Service (EA p. 117)

Due to potential affects to marbled murrelets and their designated critical habitat within the project area, consultation was required in accordance with Section 7(a) of the Endangered Species Act. Consultation for the proposed action has been addressed by inclusion within a Biological Assessment (BA) that analyzed all projects that may modify the habitat of listed wildlife species on federal lands within the Northern Oregon Coast Range during fiscal years 2015 and 2016. The projects have been designed to incorporate all appropriate design standards included in the BA. The BLM received a Letter of Concurrence (#01EOFW00-2014-I-0234) from the U.S. Fish and Wildlife Service confirming their concurrence that the projects are not likely to adversely affect any listed wildlife species or their critical habitat.

National Marine Fisheries Service (NMFS) (EA p. 117–118)

The Oregon Coastal (OC) Coho Salmon (*Oncorhynchus kisutch*) is listed as threatened under the Endangered Species Act (73 FR 7816-7873), as amended, and is known to occur within the Salmon River system in proximity to project area activities. The BLM determined the project “may affect but was not likely to adversely affect” (NLAA) listed OC coho salmon. The projects were informally consulted upon with NMFS, as required under Section 7 of the Endangered Species Act. Informal consultation on the Thin Lindsey Timber Sale was completed by receipt of a Letter of Concurrence from NMFS on March 24, 2015 (NMFS No: WCR-2014-1669).

Protection of EFH as described by the Magnuson/Stevens Fisheries Conservation and Management Act and consultation with NMFS is required for all projects which may adversely affect EFH of Chinook and coho salmon. The treatment area is over 4,000 feet upstream from nearest habitat potentially utilized by coho salmon. Portions of the unpaved haul route are adjacent to EFH; however, stream crossings on the unpaved portion of the haul route are more than 1200 feet to EFH. The project is not expected to adversely affect EFH. The determination is based on distance of vegetation treatment activities from occupied habitat and the limited connectivity of hauling on unpaved roads in the watershed. Consultation with NMFS on EFH is not required for this project.

10. [40 CFR 1508.27(b)(10)] – **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment:** The projects have been designed to follow Federal, State, and local laws (EA section 1.5).

Approved by: /s/ Rich Hatfield
Rich Hatfield
Marys Peak Resource Area Field Manager

April 20, 2015
Date