

# Thin Lindsey Timber Sale

## Decision Record

Environmental Assessment: DOI-BLM-OR-S050-2013-0005

April 2015

United States Department of the Interior  
Bureau of Land Management  
Oregon State Office  
Salem District  
Marys Peak Resource Area

Township 7 South, Range 9 West, Sections 9, 17, 18, 19, Willamette Meridian  
Lincoln County, Oregon

Responsible Agency: USDI – Bureau of Land Management

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Salem, OR 97306  
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## 1.0 Introduction

The Bureau of Land Management (BLM) conducted an environmental analysis for the Thin Lindsey Timber Sale, which is documented in the *Thin Lindsey Timber Sale Environmental Assessment* (EA# DOI-BLM-OR-S050-2013-0005) and the associated project file. This decision authorizes the implementation of those activities directly related to and included within the Thin Lindsey timber sale. This sale is located within the Late-Successional Reserves (LSR), Adaptive Management Area, and Riparian Reserves land use allocations in the Lower Siletz River and Salem River fifth field watersheds in Lincoln County, Oregon.

## 2.0 Decision

I have decided to implement Project 1<sup>1</sup>, the Thin Lindsey Timber Sale, as described in the Alternative 3 of the Thin Lindsey Timber Sale Environmental Assessment (EA) (pp. 19–20), hereafter referred to as the “selected action.” The selected action is shown on the maps in this Decision Record (DR). This decision is based on site-specific analysis in the Thin Lindsey Timber Sale EA, the supporting project record, management recommendations contained in the Drift (Siletz) Watershed Analysis (1996), the Salmon-Neskowin Watershed Analysis (1999), the Late-Successional Reserve Assessment (1998), as well as the management direction contained in the *Salem District Resource Management Plan* (RMP) (1995), which are incorporated by reference in the EA.

### Decision Summary

The following is a summary of components of this decision. The Thin Lindsey timber sale consists of timber harvest, meadow and rocky outcrop restoration, wildlife tree release and coarse woody debris creation, hardwood conversion, roadside maintenance and restoration, road renovation, and fuel reduction treatments.

### Density Management

Variable density thinning will occur on approximately 176 acres of 47–73 year old forest<sup>2</sup> within the LSR, AMA, and Riparian Reserves.

- Within the LSR – 146 acres (83 percent)
- Within the AMA – 15 acres (8.5 percent)
- Within the Riparian Reserves – 15 acres (8.5 percent)
- Approximately 4,950 MBF of timber will be harvested, averaging 28 MBF/acre.

### Timber Yarding

Timber will be yarded by aerial and ground-based yarding systems.

- Aerial (helicopter) yarding – 160 acres (91 percent)
- Ground-based yarding – 16 acres (9 percent)

### Meadow Restoration (EA Project 1.2)

Meadow restoration would be implemented on approximately 18 acres (five separate meadows) as described in the EA (pp. 16–17).

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<sup>1</sup> Project 2, Wildlife Tree Release, is not covered under this Decision Record. A separate decision will be written to cover this project, which would occur on approximately 121 acres adjacent to the Thin Lindsey timber sale.

<sup>2</sup> 2015 ages. Much of the project area regenerated naturally following wildfires in the 1940s and 1950s. The remaining stands were artificially regenerated after harvest in the late 1960s.

### **Rocky Outcrop Restoration (EA Project 1.3)**

This would be implemented as described in the EA (p. 17). Openings approximately one acre in size would be created in open, rocky, surface boulder habitat.

### **Wildlife Tree Release and Coarse Woody Debris (CWD) and Snag Creation (EA Project 1.4)**

This would be implemented as described in the EA (p. 17). Larger, wolfy wildlife trees have been selected for release. With the exception of two trees, smaller conifers would be cut within a one-quarter acre circle around the selected tree. The two trees may be girdled for snag creation or felled for CWD to remain on site.

### **Hardwood to Conifer Conversion (EA Project 1.5)**

Five alder patches, totaling 3.5 acres in size, would be harvested and replanted with native conifer species (e.g.: sitka spruce, cedar, western hemlock, etc.).

### **Roadside Maintenance and Restoration (EA Project 1.6)**

Red alders would be harvested where they meet the criteria described in the EA (p. 18).

### **Fuel Reduction Treatments**

The BLM will conduct post-harvest fuel surveys and recommend fuel reduction treatments.

### **Road Work**

No new road construction will occur. Renovation will occur on approximately 7.3 miles of existing roads. This includes renovation, consisting of ditch cleaning and roadside brushing, on approximately 2.4 miles of U.S. Forest Service controlled roads. Over seven miles of renovation will occur on existing drivable roads. Approximately one-quarter of mile of renovation will occur on overgrown roadbeds that are not currently in a drivable condition.

Following harvest, decommissioning will occur on the renovated R1 spur (0.20 miles).

Decommissioning entails installing waterbars or other shaping of roads for drainage, placing woody debris, and/or seeding with native species. Earth and debris berms, large boulders, stumps and root wads, or other methods determined to be effective for the site may be used to block the road.

### **Project Design Features**

Design features described in the EA (pp. 21–30) have been incorporated into the timber sale contract<sup>3</sup>.

### **Red tree vole protection areas**

The BLM completed protocol surveys at Thin Lindsey in the spring and early summer of 2013. Trees with active red tree vole nests were found in a couple areas originally included in the boundaries analyzed for treatment within the Thin Lindsey timber sale.

Given the stand age and habitat conditions within the Thin Lindsey timber sale and recommendations from the Marys Peak wildlife biologist, it is my decision to buffer the red tree vole sites, managing them for red tree vole conservation in compliance with the 2001 Survey and Manage ROD. In this part of the northern Oregon Coast range there are very few known vole sites, particularly within the north

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<sup>3</sup> One design feature was mistakenly included in Project 1 (EA p. 24): “Up to 20 percent of felled trees in any unit may be removed and placed in streams to enhance aquatic habitat.” This was intended to be a feature of Project 2, not Project 1, and will not be included in the timber sale contract.

half of the Marys Peak Resource Area. These sites would not meet the criteria for designation as a non-high priority site.

Approximately 22 acres have been dropped from the sale to be included in the buffer<sup>4</sup>. Three habitat areas have been created for red tree vole conservation. The areas dropped from the original planned units for inclusion within the Habitat Areas are shown on the selected action map in this Decision Record.

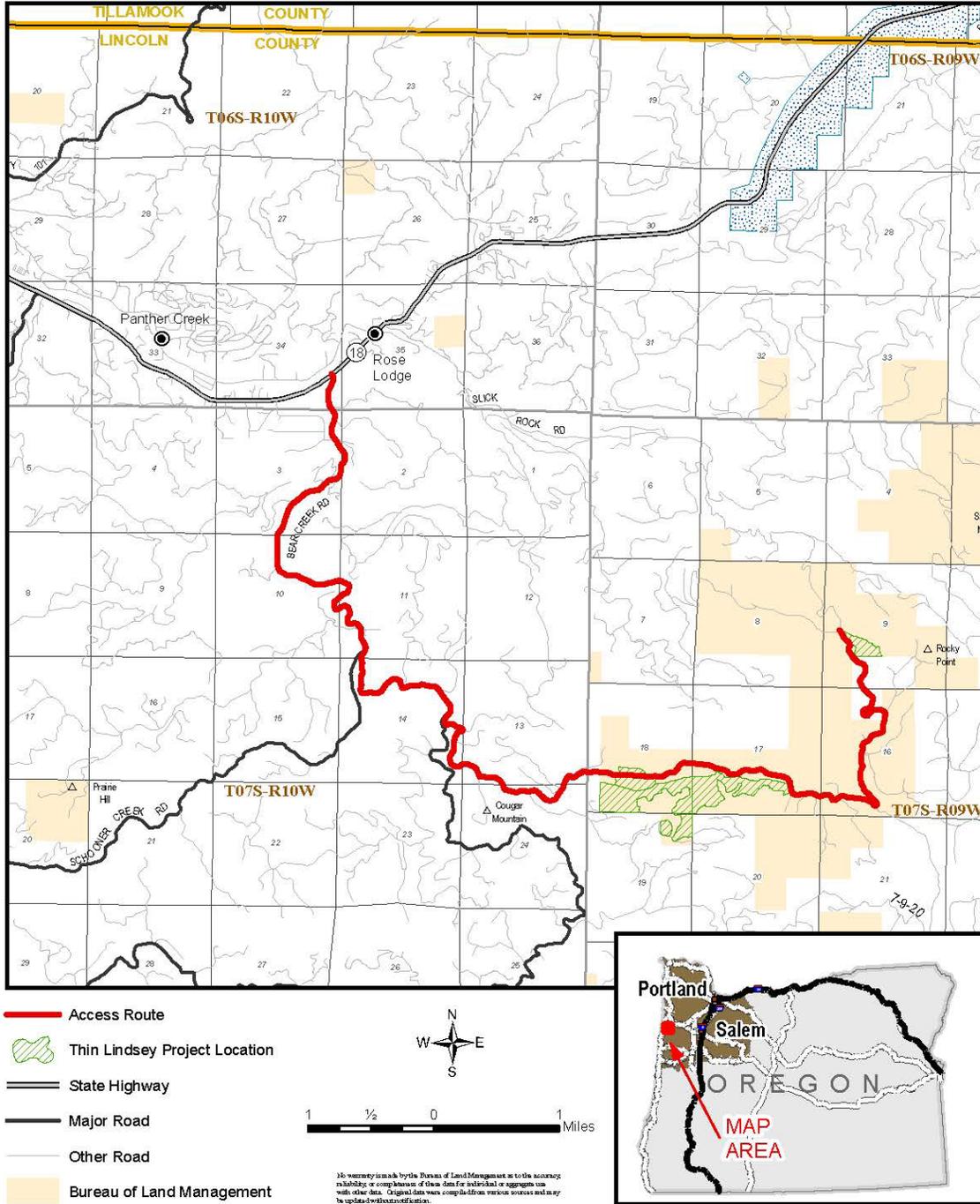
### **Location and Selected Action Maps**

The maps on the following pages show the location of the Thin Lindsey timber sale in relation to neighboring communities and other BLM lands in the vicinity and provide detail on each of the four sections of the Thin Lindsey timber sale.

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<sup>4</sup> These areas dropped from the timber sale (Project 1) may be included in the legacy tree release (Project 2). A decision has not yet been made on that project.

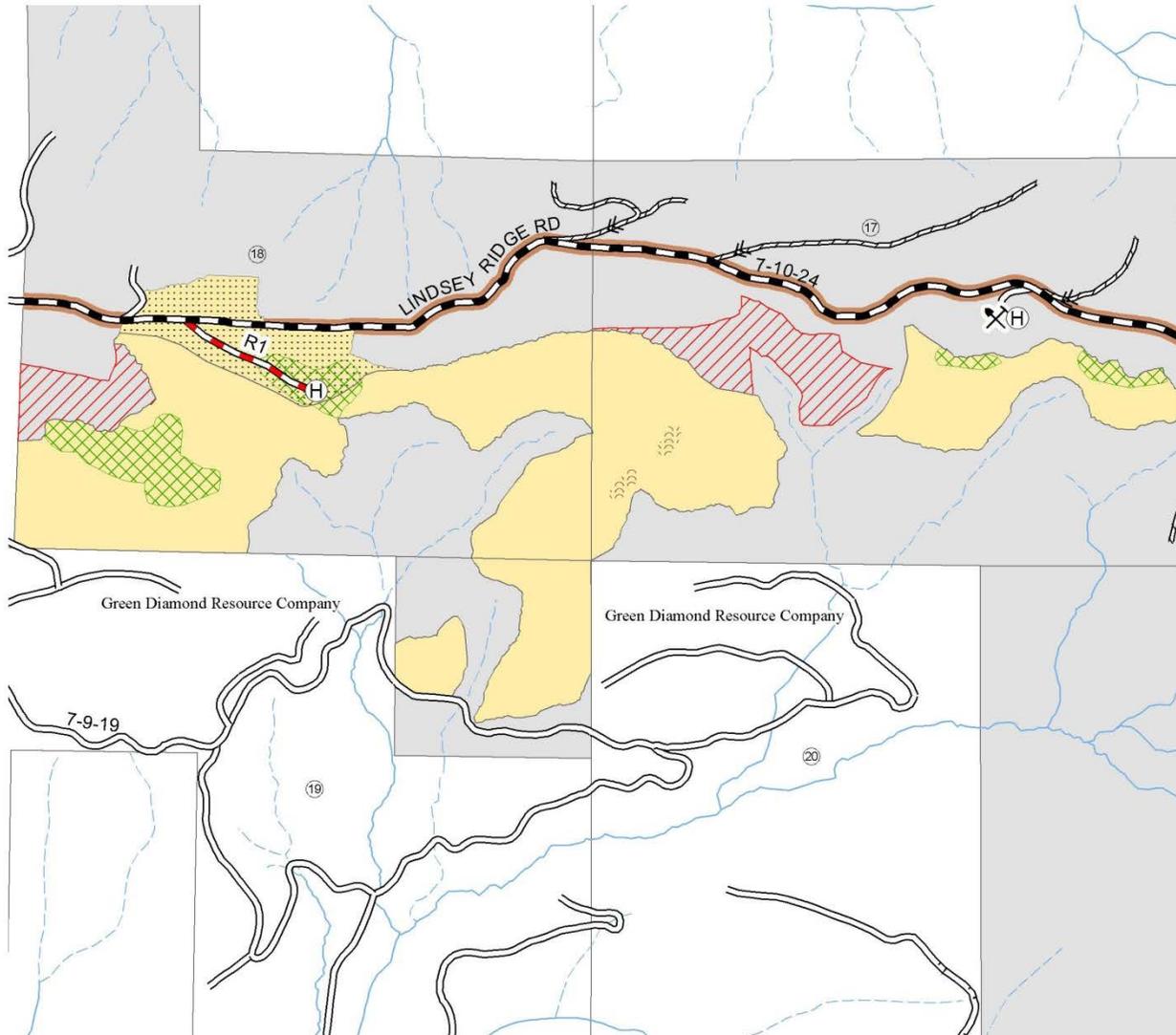
# Location Map



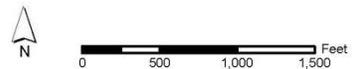
# Selected Action – Map 1 of 3

T. 7 S., R. 9 W., Sections 17, 18 & 19, W.M. - SALEM DISTRICT - OREGON

SHEET 1 OF 3



- |                                   |   |                                     |
|-----------------------------------|---|-------------------------------------|
| Density Management                | Road to be renovated                    | Lindsey Ridge 2 Quarry              |
| Helicopter Yarding                | Road to be renovated and decommissioned | Red Tree Vole protection area       |
| Ground-Based Yarding              | Minor Existing Road                     | Meadow Restoration                  |
| Helicopter landing                | Overgrown or Impassable Road            | Rock outcrop                        |
| BLM land that will not be treated | Road Blocked                            | Roadside Alder Project              |
|                                   |   | Perennial non-fishbearing stream    |
|                                   |   | Intermittent non-fishbearing stream |

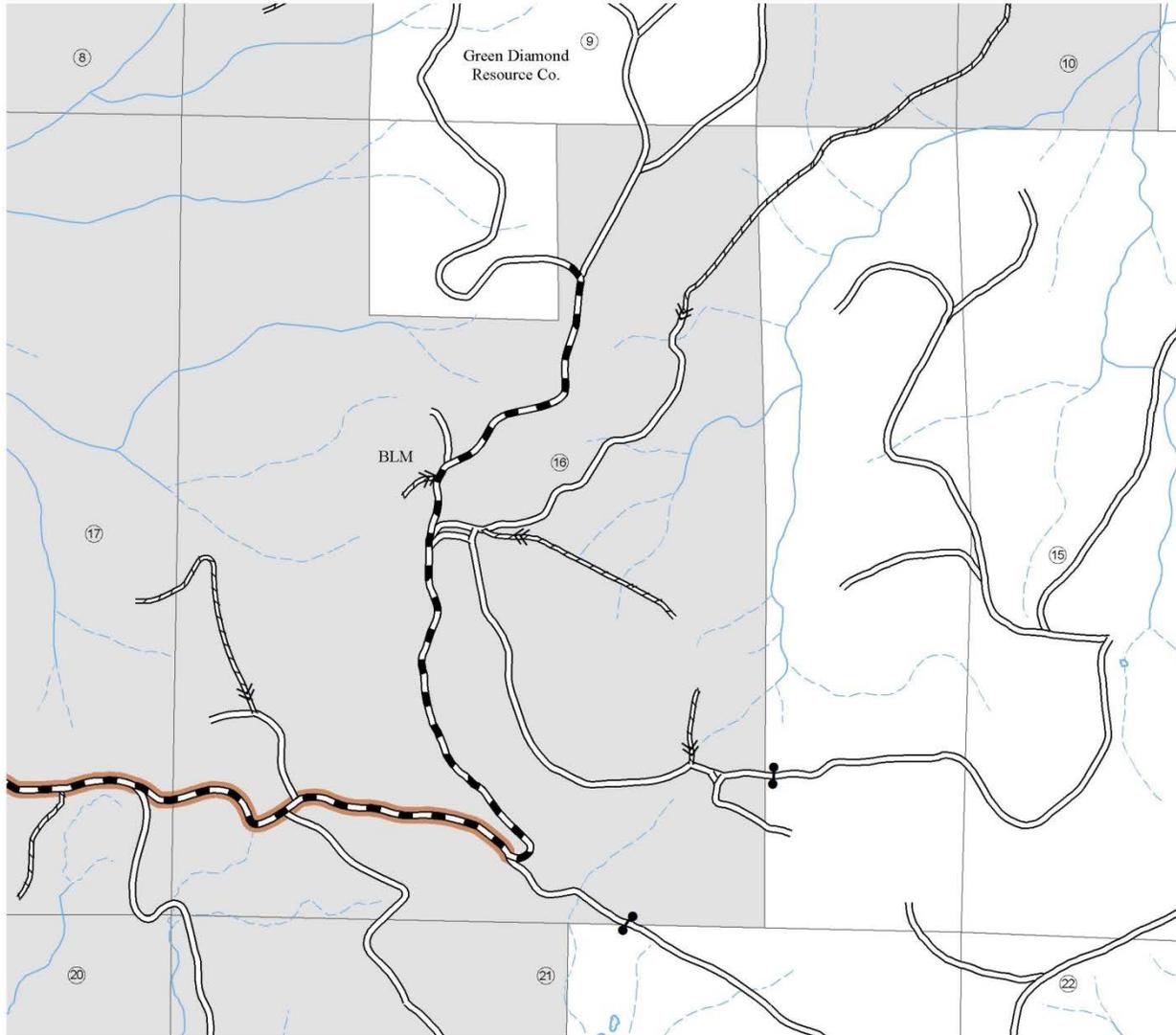


No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data was compiled from multiple source data and may not meet U.S. National Map Accuracy Standards of the Office of Management and Budget. This product was developed through digital means and may be updated without notification. Marys Peak Resource Area, Salem District, BLM

# Selected Action – Map 2 of 3

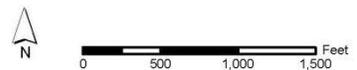
T. 7 S., R. 9 W., Section 16 & 17, W.M. - SALEM DISTRICT - OREGON

Sheet 2 of 3



- Road to be renovated
- Minor Existing Road
- Overgrown or Impassable Road
- Gate
- Road Blocked
- Roadside Alder Project
- Perennial non-fishbearing stream
- Intermittent non-fishbearing stream

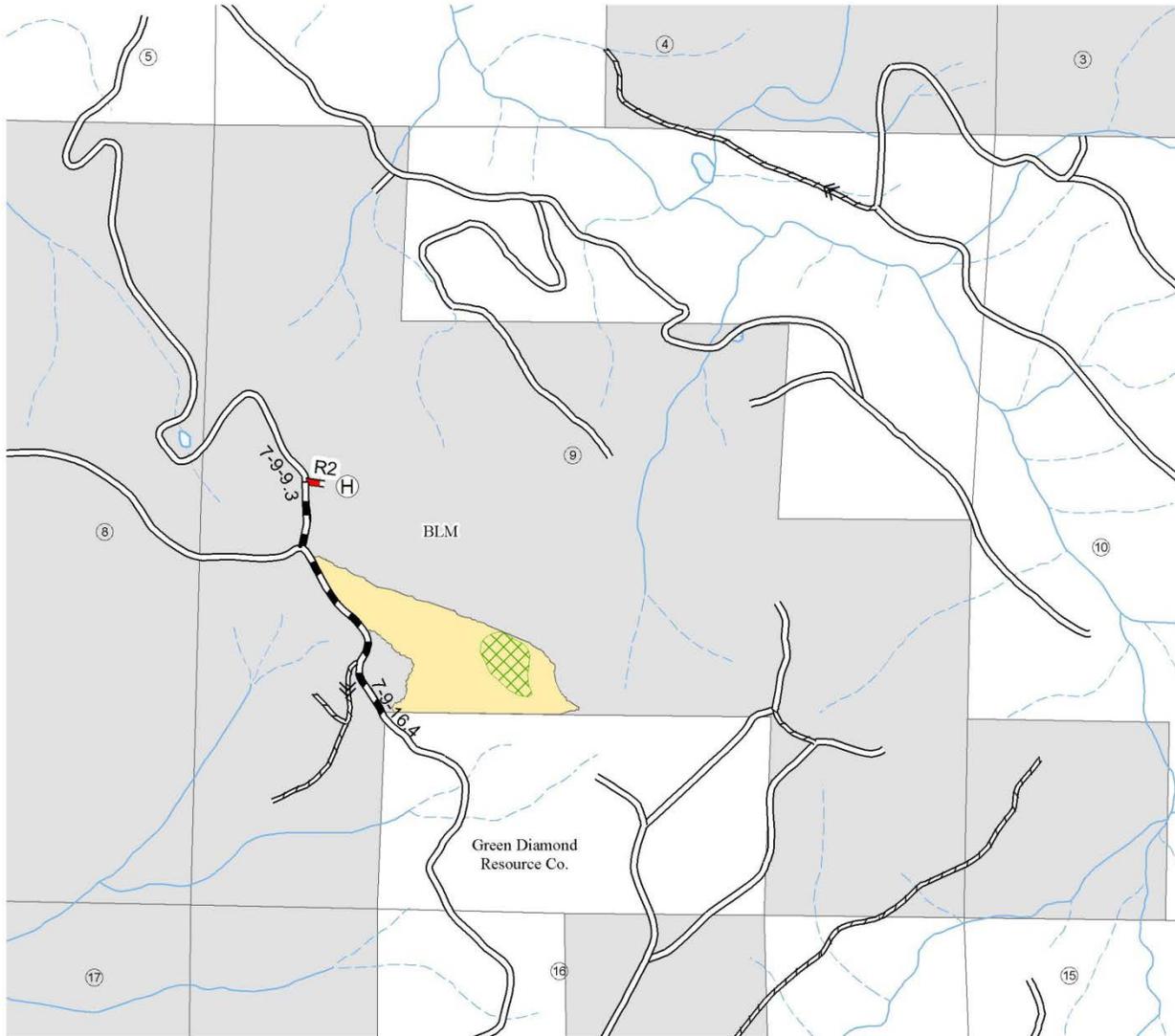
BLM land that will not be treated



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# Selected Action – Map 3 of 3

T. 7 S., R. 9 W., Section 9, W.M. - SALEM DISTRICT - OREGON



- |                                   |   |                                     |
|-----------------------------------|---|-------------------------------------|
| Density Management                | Road to be renovated                    | Meadow Restoration                  |
| Helicopter Yarding                | Road to be renovated and decommissioned | Perennial non-fishbearing stream    |
| Helicopter landing                | Minor Existing Road                     | Intermittent non-fishbearing stream |
| BLM land that will not be treated | Overgrown or Impassable Road            |                                     |
|                                   | Road Blocked                            |                                     |



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### 3.0 Alternatives Considered

The EA analyzed the effects of the No Action, Proposed Action, and No New Road Construction alternatives. No unresolved conflicts concerning alternative uses of available resources (section 102(2) (E) of NEPA) were identified. A ground-based harvest only alternative was considered but not analyzed in detail. Complete descriptions of the three alternatives are in the EA (pp. 14–21).

### 4.0 Decision Rationale

Considering public comment, the EA and supporting project record, management recommendations within the Drift (Siletz) and Salmon-Neskowin watershed analyses, recommendations within the Late-Successional Reserve Assessment, and the management direction within the RMP, I have decided to implement Alternative 3, the selected action, as described in section 2.0 of this DR. The following is my rationale for this decision.

The Selected Action:

- Best meets the purpose and need of the project (EA section 1.3).
- Complies with the Salem District RMP.
- Will not have significant impacts on the affected elements of the environment beyond those already anticipated and addressed in the RMP FEIS.
- Is economically viable. This sale will produce revenue for the Federal Government and provide jobs for Oregonians.
- Meets Aquatic Conservation Strategy Objectives (EA pp. 112–116).
- Has been adequately analyzed.

Two action alternatives were fully analyzed in the EA. These alternatives contain many of the same elements that will enhance the diversity of the area: density management, special habitat restoration (meadow and rocky outcrop), coarse woody debris/snag enhancement, hardwood to conifer conversion, and roadside alder removal. The primary difference between the alternatives is that Alternative 3 does not build any new roads (compared to nearly a mile of new road construction in Alternative 2). Without the roads, Alternative 3 relies more heavily on helicopter logging (160 acres of helicopter logging in Alternative 3 compared to 89 acres in Alternative 2). The effects of road building are clearly analyzed and disclosed in the EA (pp. 53–54, 61, 68, 74, 77, 84–86, and 114–115).

New road construction proposed in Alternative 2 was generally ridge top and some distance from streams. Effects from these roads were expected to be fairly minor in the long-term and, in some cases, negligible. For this particular project, though, I have decided that the most prudent approach is to implement the project without new road construction. There are three primary reasons leading to this decision. Individually, the factors are not compelling, but taken together; they lead me to select Alternative 3. First, as described in the wildlife section (EA pp. 55–70), the area is home to a locally important wildlife species, Roosevelt elk. The species will benefit from many of the actions that we are proposing in the area. The roads, however, would cause some displacement in the short term. Over time, this displacement should become less of a factor.

Second, the project area is located in a “key watershed” and is the water source for the Kernville-Glenden-Lincoln Beach Water District (EA pp. 79–80). Deleterious effects are not expected from

proposed road construction. However, the EA discloses that Aquatic Conservation Strategy Objectives will be better met with the implementation of Alternative 3 (EA pp. 114).

Finally, and perhaps most relevant for me, is the land use allocation for this project. This project is located primarily within the late-successional reserves (LSR). As the EA points out (pp. 5–6), LSRs are to be managed for the development, enhancement and acceleration of late-successional forest characteristics. While the project needs to be economically viable, there is no requirement to maximize timber production or revenue for the project. Another relevant consideration is the age of the stands in the project area – generally 70–72 years old. For LSRs, timber management stops at 80 years old. This project is very likely the last entry for any timber management. Any new road construction would be used for this project and this project only. These facts are important considerations in my decision to select Alternative 3.

Most of our timber management projects, including projects in late successional reserves, include new road construction. Before issuing a decision on these projects, I always review the effects related to road construction, along with any other activities that we are proposing. Generally, road-related effects are minor and short-term. For this particular project, it seems more sensible to implement the project without building new roads. I fully expect that future timber management projects will continue to include new road construction. Each project decision will be made consistent with our direction and on a site-specific basis. This decision does not set a precedent for future actions.

Our direction for LSRs also calls for the creation and maintenance of biological diversity. While small in scale, I am particularly proud of the work that our team did in introducing diversity into the project area. As described in the EA’s vegetation section, stands in the project area “are uniform and simple, characterized by a single-layered, dense canopy with few to no large diameter (greater than 30 inches DBH) trees or snags. Existing large diameter trees average fewer than five per acre” (EA p.38). The activities in this project will diversify and add heterogeneity to the area. Our specialists have capitalized on both natural and man-made features to add this diversity. The project, for example, will enhance rocky outcrops throughout the project area by cutting timber that is shading out uncommon or rare bryophyte, lichen, and vascular plant species. Historic meadows (some natural, others resulting from past management) will be similarly enhanced by active management. At a larger scale, uniform mid seral stands dominate the landscape around the Thin Lindsey project area. By taking an active management role, we will be able to add considerable diversity into a relatively small 200-acre portion of the area. Again, I compliment our team in finding these opportunities and truly enhancing the area, consistent with LSR direction.

## **5.0 Compliance with Direction**

The Thin Lindsey Timber Sale has been designed to conform to the following documents, which direct and provide the legal framework for management of BLM lands within the Salem District:

- Salem District Record of Decision and Resource Management Plan (RMP), May 1995: The RMP has been reviewed and it has been determined that the Thin Lindsey Timber Sale conforms to the land use plan terms and conditions (i.e.: complies with management goals, objectives, direction, standards and guidelines) as required by 43 CFR 1610.5 (BLM Handbook H-1790-1). Implementing the RMP is the reason for doing this project (RMP pp. 1–3);
- Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl and Standards and

Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl (the Northwest Forest Plan, or NWFP), April 1994;

- Record of Decision and Standards and Guidelines for Amendment to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (S&M ROD, January 2001) as amended.

The analysis in the Thin Lindsey EA is site-specific and supplements analyses found in the Salem District Proposed Resource Management Plan/Final Environmental Impact Statement (RMP/FEIS), September 1994. The RMP/FEIS includes the analysis from the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl, February 1994.

### **Survey and Manage Review**

The Thin Lindsey Timber Sale is consistent with court orders relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated into the Salem District RMP.

In December 2009, the District Court for the Western District of Washington issued an order on partial summary judgment in favor of the Plaintiffs finding inadequacies in the NEPA analysis supporting the Record of Decision to Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans within the Range of the Northern Spotted Owl (BLM et al. 2007) (2007 ROD). The District Court did not issue a remedy or injunction at that time.

Plaintiffs and Defendants entered into settlement negotiations that resulted in the 2011 Survey and Manage Settlement Agreement, adopted by the District Court on July 6, 2011.

The Defendant-Intervenor subsequently appealed the 2011 Settlement Agreement to the Ninth Circuit Court of Appeals. The April 25, 2013, ruling in favor of Defendant-Intervener remanded the case back to the District Court.

On February 18, 2014, the District Court vacated the 2007 RODs. Vacatur of the 2007 RODs resulted in returning the BLM to the status quo in existence prior to the 2007 RODs, which includes the use of the “Pechman” exemptions. The District Court and all parties agreed that projects begun in reliance on the Settlement Agreement should not be halted. The District Court order allowed for the Forest Service and BLM to continue developing and implementing projects that met the 2011 Settlement Agreement exemptions or species list, as long as certain criteria were met. These criteria include:

- a. Projects in which any Survey and Manage pre-disturbance survey has been initiated (defined as at least one occurrence of actual, in-the-field surveying undertaken according to applicable protocol) in reliance upon the Settlement Agreement on or before April 25, 2013;
- b. Projects, at any stage of project planning, in which any known site (as defined by the 2001 Record of Decision) has been identified and has had known site-management recommendations for that particular species applied to the project in reliance upon the Settlement Agreement on or before April 25, 2013; and

- c. Projects, at any stage of project planning, that the agencies designed to be consistent with one or more of the new exemptions contained in the Settlement Agreement on or before April 25, 2013.

The Thin Lindsey Timber Sale does not rely on any of the new exemptions from the 2011 Settlement Agreement, but applies a 2006 Pechman exemption that was allowed in the agreement. Because the project includes no regeneration harvest and includes thinning only in stands less than 80 years old, this project meets Exemption A of the Pechman exemptions (October 11, 2006 Order).

### **Compliance with the Aquatic Conservation Strategy**

This BLM reviewed the alternatives against the ACS objectives at the project scale. The No Action alternative does not retard or prevent the attainment of any of the nine ACS objectives because this alternative would maintain current conditions (EA pp. 112–116). The Selected Action does not retard or prevent the attainment of any of the nine ACS objectives.

Over the long-term, this project will aid in meeting ACS objectives by speeding the development of older forest characteristics in the Riparian Reserves. In addition, more open stands will allow for the growth of important riparian species in the understory. The Thin Lindsey Timber Sale promotes stand structural diversity, provides more light to accelerate growth of conifers, and promotes species diversity. The creation of snags and CWD will restore watershed conditions by providing a gradual transition in structural characteristics of the treated stands that more closely resembles a late-seral forest (EA p. 113).

## **6.0 Public Involvement, Consultation, and Coordination**

### **Public Scoping**

The BLM mailed a scoping letter, dated July 12, 2013, to 22 potentially affected or interested individuals, groups, and agencies. The BLM received four responses during the 30 day scoping period and used these comments to refine the action alternatives and to aid in the identification of issues for analysis (EA pp. 12–13).

The BLM hosted a field trip in November 2013 with interested members of the public to the Thin Lindsey project area, during which the components and many of the comments brought forth in scoping were reviewed and discussed.

### **EA and FONSI Comment Period**

The BLM made the EA and FONSI available for public review from May 7, 2014 to June 5, 2014 and received four comment letters during this period. Responses to the substantive public comments relevant to the Thin Lindsey Timber Sale can be found in Appendix A of this DR. The scoping and EA comment letters and emails are available for review at the Salem District BLM Office.

## **Consultation and Coordination**

### **Wildlife: United States Fish and Wildlife Service (USFWS)**

Due to potential effects to marbled murrelets and their designated critical habitat, as outlined in Table 10, consultation is 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. This proposed action has been designed to incorporate all appropriate design standards included in the BA. A Letter of Concurrence (#01EOFW00-2012-I-0124) was received from the Service confirming their concurrence that the projects within this proposed action are not likely to adversely affect any listed wildlife species or their critical habitat.

### **Fish: National Marine Fisheries Service (NMFS)**

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 was completed by receipt of a Letter of Concurrence from NMFS on March 24, 2015 (NMFS No: WCR-2014-1669).

Protection of essential fish habitat (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 used 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 1,200 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.

## **7.0 Conclusion**

### **Review of Finding of No Significant Impact**

I have determined that change to the Finding of No Significant Impact (FONSI, April 2015) is not necessary because I have considered and concur with information in the EA and FONSI. I reviewed the comments on the EA and no information was provided in the comments that leads me to believe the analysis, data, or conclusions are in error or that the selected action needs to be altered. There are no significant new circumstances or facts relevant to the selected action or associated environmental effects that were not addressed in the EA.

### **Administrative Review Opportunities**

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 5003, protests of this

decision may be made within 15 days of the publication of a notice of decision in a newspaper of general circulation. The notice of decision will be published in The News Guard newspaper (Lincoln County) on April 22, 2015.

To protest this decision a person must submit a written protest to the Marys Peak Field Manager, 1717 Fabry Rd SE, Salem, Oregon 97306 by the close of business (4:30 p.m.) on May 6, 2015. A written protest electronically transmitted (e.g., email, facsimile, or social media) will not be accepted as a protest. A written protest must be on paper.

The protest must clearly and concisely state the reasons why the decision is believed to be in error. Any objection to the project design or my decision to go forward with this project must be filed at this time in accordance with the protest process outlined above. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and the BLM shall serve a decision in writing on the protesting party (43 CFR 5003.3).

### **Implementation**

If no protest is received within 15 days of publication of this Decision Record, this decision will become final. The planned sale date is May 20, 2015. For additional information, contact Stefanie Larew, NEPA Coordinator, at (503) 375-5601 or slarew@blm.gov.

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

    April 20, 2015      
Date

## **Appendix A: Response to Public Comments Received on the Thin Lindsey Timber Sale Environmental Assessment (EA#: DOI-BLM-OR-S050-2013-0005)**

The BLM received four comment letters during the 30 day public comment period for the Thin Lindsey EA. It is the BLM's intent in this DR to respond to substantive comments directly related to the Thin Lindsey Timber Sale. Many comments are statements of opinion, generic in nature, or do not pertain to the Thin Lindsey Timber Sale. In some cases the comments have been quoted directly from commenter's responses and in some cases they have been paraphrased. Comments are in *italics*. The BLM response follows each comment.

- 1. Comment:** *Meadow creation in Late-Successional Reserves is inappropriate. Cascadia pointed out this deficiency in its scoping notice and there was no further elaboration or support provided in the EA."*

**Response:** The BLM has appropriately designed and analyzed for the restoration of meadows within the Thin Lindsey timber sale. The Salem District RMP provides direction on the management of special habitats, which are defined as habitats of special importance due to their uniqueness or high value (FEIS, 6-14). The RMP states "using interdisciplinary teams, identify special habitat areas and determine relevant values for protection or management on a case-by-case basis...Use management practices, including fire, to obtain desired vegetation conditions in special habitats" (RMP p. 26). This is precisely the process the Marys Peak Resource Area interdisciplinary team followed in developing the meadow restoration component of the Thin Lindsey timber sale.

The BLM relied on recommendations within the Late-Successional Reserve Assessment (LSRA)(1998) as part of the project development (EA p. 10). The LSRA addresses the importance of special habitat features within the late-successional reserves (p. 84): "There are some sites in the assessment area which are not expected to be on the trajectory of attaining late-successional structural characteristics. These sites occupy a small component of the landscape (less than one percent) and are considered important for the contribution they add to diversity across the landscape, such as rock outcrops, wetlands and meadows and the unique species which inhabit them. Management considerations should include protection and maintenance of these special habitats."

The BLM hosted a public field trip in November 2013 with interested members of the public and discussed this topic (among many others) (EA p. 12). The BLM provided further rationale and support for the project in the EA (p. 57). As shown the EA (Table 6, p. 56), meadow habitat is lacking on BLM lands in the watershed. The commenter erroneously states that 39 percent of the lands in the watershed are in meadows; this is false. The 39 percent refers to early-seral forest habitat, which is considered forested lands 0 to 39 years of age. Meadows are not early-seral forests.

This comment appears to be one of general disagreement with the application of this facet of the project; however, the record demonstrates that the BLM has repeatedly addressed this issue and has appropriately designed this small meadow restoration within the late-successional reserves. The BLM has satisfied the requirements of NEPA and no further analysis is required.

2. **Comment:** *We question the efficacy of thinning in enhancing marbled murrelet habitat. Thinning around wolfy habitat trees opens the canopy to the drying effects of sun and wind, and may reduce or eliminate the moss blankets on branches the murrelets rely on for nesting, while canopy removal exposes murrelet eggs and fledglings to predation by corvids.*

**Response:** The BLM has appropriately designed and analyzed the density management thinning within the Thin Lindsey timber sale. The RMP (p. 32) directs the BLM to implement management actions “which are designed to enhance and maintain habitat for threatened and endangered species.” The BLM used this guidance in the development in the purpose and need for the project. The projects are expected to improve habitat conditions for native vegetation, fish, and late-successional wildlife species, especially the northern spotted owl and marbled murrelet (EA p. 7).

The EA provides information on how the projects will help meet the purpose and need. The BLM has excluded suitable habitat from treatment (EA p. 66). While scattered larger trees are present, they are not present in sufficient quantity for this forest to be considered suitable habitat. Only forest that is currently considered nonhabitat will be treated. No marbled murrelets have been detected (EA p. 59). The treatments are likely to accelerate the development of late-seral forest structure over the long-term (greater than 10 years), which would promote development of nesting structure sooner than if left untreated (EA p. 67).

Thinning around wildlife trees would help retain live lower limbs and branches (EA p. 50). Trees with full crowns that are thinned in this manner recover full crown relatively quickly. Their branches and the branches of neighboring trees will fill the available space within a couple decades.

The BLM discussed concerns regarding thinning around large wolfy trees on the November 2013 field trip. Drying effects are not a concern at the Thin Lindsey project area. This area, due to its proximity to the coast and its elevation, is a wet, high-humidity environment. Moss blankets are unlikely to be affected by an increase in sunlight. This comment provides no scientific basis for the claims of negative effects that would result from thinning. The BLM has appropriately designed and analyzed for thinning in this area; no modification to the project design is necessary.

3. **Comment:** *Your murrelet surveys have expired... The BLM must conduct an additional two years of surveys before this project can move forward. Further, the RMP reiterates that two years of surveying is required before logging.*

**Response:** The BLM has adequately determined that additional marbled murrelet surveys are not required. As stated in the EA (p. 59), the BLM applied direction from the Policy for the Management of Potential Marbled Murrelet Nesting Structure within Younger Stands (“Policy”), which was issued by the Level 2 streamlined consultation team for the North Coast Planning Province (USDI-USFWS et al. 2011). “The policy allows thinning operations without protocol surveys when effects to murrelets are discountable, insignificant or entirely beneficial (Options 2 or 3)” (Policy p. 1).

This policy provides guidance on managing younger stands, such as those at Thin Lindsey, that are not currently suitable habitat. As stated above, no existing suitable habitat will be treated within the Thin Lindsey timber sale. The Thin Lindsey timber sale is in compliance with Option 3 (EA p. 59). The Policy states (p. 2) that “Option 3 may be used only when timing restrictions are implemented,

if within 20 miles of the coast, and where nesting structure occurs at low densities.” Thin Lindsey meets each of these criteria.

The BLM determined that the project is “not likely to adversely affect” critical habitat and would likely be beneficial to marbled murrelets without diminishing the current conservation value (PCE-2) of this critical habitat (EA p. 67). The BLM received a Letter of Concurrence (#01E0FW00-2014-I-0234) from the U. S. Fish and Wildlife Service confirming their concurrence that the projects within this proposed action are not likely to adversely affect any listed wildlife species or their critical habitat (EA p. 117).

The BLM is in compliance with policy regarding the management of thinning prescriptions and has appropriately determined that additional surveys are not required.

- 4. Comment:** *The BLM is logging in contiguous habitat that has had occupied detections. The RMP requires that the BLM “protect contiguous existing and recruitment habitat for MaMu (ie: stands that are capable of becoming marbled murrelet habitat within 25 years) within a one-half mile radius of any site where bird’s behavior indicates occupation.” The BLM is logging within this half mile. This is illegal.*

The BLM has followed direction from the Salem District RMP. The RMP directs the BLM to protect contiguous existing and recruitment habitat for marbled murrelets within a one-half mile radius of any site where bird’s behavior indicates occupation. The RMP authorizes silviculture treatments of nonhabitat within the one-half mile circle that protect or enhance suitable or replacement habitat (RMP p. 32). Thin Lindsey is not considered existing, suitable, or recruitment habitat; it falls into this nonhabitat category in which silvicultural treatments are allowed.

The comment references a nest cup that the BLM located during red tree vole surveys in 2013 (EA p. 59). This nest cup was found within an older patch of suitable habitat on BLM lands adjacent to the project area. While this patch of older forest is contiguous with BLM lands, it is incorrect to say it is one contiguous patch of older forests. Stands within this project are in mid-seral condition and are not suitable habitat. No murrelet nests were found within any planned treatment units and no suitable habitat will be treated (EA p. 59).

The BLM has consulted with the U.S. Fish and Wildlife Service due to potential effects to the marbled murrelet and its critical habitat. Due to its proximity to the project units, conventional harvest operations would be restricted to outside of the critical breeding season (April 1–August 5) for two project units (EA p. 66). This would reduce the potential negative impacts to the known site north of the project units. The observance of the seasonal restrictions would ensure that the selected action is “not likely to adversely affect” marbled murrelets which may be nesting within the occupied site.

The Thin Lindsey timber sale has been appropriately designed to be in compliance with the Salem District RMP. The timber sale is legal and no modifications to the project are required.

- 5. Comment:** *Further efforts should be made to protect the red tree vole... We recommend that road construction between the two established vole buffers be dropped and either a non-thinned corridor or a corridor with a less severe prescription be established between the two documented populations to encourage juveniles to disperse.*

**Response:** The BLM has sufficiently provided for the protection of the red tree vole, a Survey and Manage Category C species. The EA stated that this action would be consistent with the 2001 Survey and Management ROD (pp. 10–11). This project area would treat forest stands less than 80 years old which are exempt from pre-disturbance surveys or management of known sites (Pechman Exemption). However, because the red tree vole is also as Bureau Sensitive species, and there is heightened concern for red tree vole populations on the more fragmented federal lands north of Highway 20 (Fish and Wildlife 2011 12-month finding; Candidate for listing), the BLM determined the need to gather sufficient information about red tree voles in this project area in order to evaluate the potential impacts to this species.

In accordance with RMP direction and Bureau policy, the BLM must avoid impacts to the red tree vole that would contribute to the need for future listing. For this reason, the BLM conducted surveys in portions of the proposed units that had the highest potential for red tree vole presence (EA p. 61). Additionally, two patches of reserved suitable habitat (adjacent to treatment units) were also surveyed as part of a long-term monitoring program to track red tree vole distribution and persistence within the resource area (EA p. 61).

The BLM found active nests in portions of two 70 year old forest stands originally included in the timber sale. The BLM wildlife biologist proposed Habitat Areas for management to protect existing forest conditions where active red tree vole nests were found, in conformance with Survey and Manage recommendations. The Habitat Areas include portions of the planned thinning units (approximately 20 acres) along with portions of adjacent untreated stands that lie outside the proposed thinning units. These habitat areas will not be treated under the Thin Lindsey timber sale.

The comment implies that east-west connectivity between the two Habitat Areas is necessary for red tree vole dispersal. The EA describes that multiple corridors are available to adjacent known populations and larger (greater than 100 acres in size) patches of suitable habitat (EA p. 67). The habitat areas are of sufficient size (14–40 acres) and are connected by corridors of neighboring untreated forest, such that they are likely to ensure the long-term persistence of red tree voles in this vicinity. The BLM has dropped all road construction from the selected action. No further modification to the selected action is necessary to provide for the protection of red tree voles.

6. **Comment:** *We strongly encourage the BLM to reduce all road construction, whether new roads or existing road reconstruction. We strongly urge BLM to adopt Alternative 3 in terms of no new road construction.*

**Response:** The BLM has included adequate range of alternatives in the EA. The BLM is required to include a discussion of a range of reasonable alternatives to the proposed action, alternatives which are technically and economically feasible and which meet the purpose and need, and which have a lesser environmental impact. Based on the results of internal and external scoping, the BLM interdisciplinary team fully developed and analyzed two action alternatives; Alternative 2 included road construction and Alternative 3 excluded road construction. Both alternatives included maintenance of existing roads.

The Field Manager considered many factors in determining which alternative would best meet the purpose and need of the project and ultimately selected Alternative 3. Alternative 3 does not include any new road construction, but it includes approximately 0.27 miles of renovation of

existing impassable roads in the project area. The longer spur (0.20 miles) will be decommissioned after harvest. Road renovation will also occur on currently drivable roads; these roads will remain drivable after harvest.

The effects of road building are clearly analyzed and disclosed in the EA (pp. 53–54, 61, 68, 74, 77, 84–86, and 114–115). Roads proposed in Alternative 2 were generally on ridge tops and some distance from streams. Effects from these roads were expected to be fairly minor in the long-term and, in some cases, negligible. However, due to a number of factors, as described in section 4.0 of this DR, the Field Manager selected the no road construction alternative. This alternative would better meet the objectives of the late-successional reserves land use allocation and ACS objectives and would still result in an economically viable timber sale.

- 7. Comment:** *We would like to see all timber sales be economically viable... We encourage the BLM to implement the small amount of road construction that is proposed in order to generate a viable timber sale.*

**Response:** Economic viability is one of the many objectives of this project. The EA considered logging costs for both action alternatives (EA p. 111). A no-roads alternative would result in significantly more helicopter yarding, which is more expensive than traditional yarding methods. The BLM noted that market conditions fluctuate throughout the year and that the estimate in the EA may or may not be accurate at the time of sale offering (EA p. 111). In the year since the EA was published, the value of timber has decreased slightly and estimated logging costs have increased. Despite these changes, Alternative 3 remains an economically viable option. Maximizing profit is not an objective for projects within the Late-Successional Reserves.

- 8. Comment:** *We assume that treatments within the Riparian Reserves would be for the purpose of promoting the development of future large standing trees and large woody debris. If so, the EA should consider that it might not work. The National Marine Fisheries Service found that heavy thinning (leaving under 100 trees per acre) did not produce larger trees in the long term.*

**Response:** The BLM described the purpose and need for density management within the Riparian Reserves in the EA (p. 6). While restoring large conifers to the Riparian Reserves is one objective, it is only one of many. The BLM described four other purposes, including restoring and enhancing habitat for populations of native riparian-dependent plants, invertebrates, and vertebrate species, improving structural and spatial stand diversity in the long-term, applying silvicultural practices to meet Aquatic Conservation Strategy Objectives, and promoting watershed restoration projects and the long-term ecological integrity of ecosystems. Riparian Reserves account for less than 10 percent of the project area to be treated.

The comment references information from a 2010 document. Since then, the Science Review Team Wood Recruitment Subgroup published “Effects of Riparian Thinning on Wood Recruitment: A scientific analysis” (2013). This recent publication emphasizes that “accurate assessments of thinning effects requires site-specific information” (p. 2).

The EA addressed potential impacts to large woody debris (LWD) recruitment in the short-term and the long-term. Slightly positive cumulative effects are anticipated for instream structure because short-term LWD recruitment is protected under these proposals (by the application of no-harvest stream buffers) and long-term LWD recruitment is enhanced (EA p. 78). Further, the EA acknowledges that thinning impacts can be difficult to estimate.

Wood recruitment studies conducted in the Pacific Northwest have shown the majority (70 percent) of woody debris recruitment in stands less than 80 years of age, or of mixed species, occurs within 23 to 36 feet of the stream edge (McDade et al. 1990; Van Sickle and Gregory 1990, Meleason et al. 2002). The treatment areas are less than 80 years of age and the stream protection buffers on the adjacent streams are a minimum of 70 feet and double the 23–36 feet widths that would protect over 70 percent of the wood recruitment area (EA p. 75).

“A potential long-term impact of thinning may occur as the stand matures into the recruitment width age range of 80-200 years due to proposed tree removal. However, the impact would be limited by nature of the prescription retaining 32 to 44 percent of the stand. Long term wood recruitment regimes are impacted by increased growth, resulting from thinning and natural reproduction, which would be expected to partially or fully offset CWD lost as a result of thinning. Meleason (2003) noted over long timeframes the piece rate of wood recruitment typically goes down but the volume of debris recruitment rate increases. Overall, uplands enhanced by treatments would have an increase in growth rates, and combined with untreated buffer zones would be expected to result in wood with a larger range of sizes that could be recruited into streams over the long-term” (EA p. 76).

The BLM has sufficiently analyzed the selected action in the context of the purpose and need, the ACS objectives, and direction within the RMP.

- 9. Comment:** *The BLM should have addressed this scientific controversy surrounding riparian reserve logging and the ACS within its EA.*

**Response:** The BLM has appropriately addressed the selected action in the context of the ACS objectives, direction with the RMP, and the best available science. Controversy is a “substantial dispute about the size, nature, or effect”, and not mere opposition to a proposed project. *Blue Mountain Biodiversity Project v. Blackwood*, 161 F.3d 1208, 1212 (9th Cir. 1998). A substantial dispute exists when evidence casts serious doubt upon the reasonableness of an agency’s conclusions. Accordingly, the BLM must base its conclusions on substantial information and consideration of the crucial factors, but mere difference of opinion does not make an issue highly controversial.

As stated in the previous comment response, the BLM completed a thorough and site-specific analysis of thinning in the Riparian Reserves in the context of the ACS objectives in the EA (pp. 112–116). The BLM has addressed this disagreement, particularly in the context large wood recruitment and the tradeoffs in quantity and quality.

- 10. Comment:** *The few pockets of hardwoods in the project area add diversity. There is no reason to make the stand more uniform by clearcutting these small hardwood areas and planting conifers.*

**Response:** The BLM has appropriately designed the hardwood to conifer conversion component of the Thin Lindsey timber sale. Hardwoods are not “few” in the project area as the comment implies. Red alders are abundant throughout the Marys Peak Resource Area. The EA states that “red alder patches are plentiful in the project area, especially in riparian areas, but also in the uplands” (EA p. 17). This project would affect a minor percentage of the hardwood component present in this plantation-aged stand. The BLM selected five patches, totaling approximately 3.5

acres in size, to convert from hardwood to conifers (EA p. 17). The largest of these is one acre in size.

The BLM would plant these sites post-harvest with native conifers such as Sitka spruce, cedar, and western hemlock. Douglas-fir is the dominant species in stands in the project area (EA p. 38). Such shade-tolerant species represent diversity by creating pockets of a two-story stand with a greater proportion of minor conifer species. These pockets of early-seral habitat add diversity to an otherwise homogenous mid-seral forest stand. As discussed in the comments above, the LSRA recognizes the value of small pockets of diversity within the late-successional reserves. As such, the BLM has appropriately designed this component of the project to be in compliance with direction and no modification is required.

**11. Comment:** *The BLM should have prepared an EIS. This project will have significant impacts to the human environment.*

**Response:** The BLM has appropriately determined that the preparation of an EIS is not necessary. The determination of whether or not to prepare an EIS rests on whether the proposed major federal action will have a significant effect on the quality of the human environment. 42 U.S.C. 4332(2)(C). One element that is weighed in determining significance is the intensity, or severity, of the potential impact.

The IDT completed a comprehensive analysis of the potential effects of the Thin Lindsey timber sale in the EA and determined that there would not be significant impacts associated with the project activities as documented in the FONSI (April 2015). Any potential adverse effects of the proposed action would not exceed those analyzed within the RMP. The BLM has satisfied the requirements of NEPA in its completion of an Environmental Assessment; an EIS is not required.

**12. Comment:** *Withdraw the design feature to treat Phellinus areas...Not treating these areas would result in additional snag and CWD recruitment, components that are lacking in the project area.*

**Response:** The BLM has appropriately designed the Thin Lindsey timber sale to include the treatment of larger patches of *Phellinus weirii* (laminated root rot). The silviculture prescription describes the extent of *Phellinus weirii* in the project area. It affects less than two percent of the proposed treatment units. The prescription to treat *Phellinus weirii* at Thin Lindsey is appropriate because there are only a few scattered patches with only a handful of snags in them. Treatment of these patches will not adversely affect snag and CWD recruitment, nor will it eradicate the disease from the landscape.

Helicopter yarding allows for accessing harvest areas better than skyline systems, so the BLM anticipates that purchasers would be able to largely work around the few snag clusters. It is not the intent of the BLM to eradicate laminated root rot from the landscape; it will remain present in the project area even with the proposed treatment. Removing Douglas-fir trees within 35 feet of dead or symptomatic trees would slow the spread (silviculture prescription p. 10) within the 176 acres of timber sale units. The BLM has appropriately prescribed treatment of *Phellinus weirii* in the project area and no modification to the project is necessary.